

# Board Agenda



## Diversion Board of Authority

July 24, 2025 @ 3:30 p.m. CST

This meeting will be in-person at Fargo City Hall Commission Chambers (225 4<sup>th</sup> St N, Fargo, ND 58102) and online.

1. Call to Order
  - a. Roll Call of Members
2. Approve minutes from June 26, 2025  
[Attachment 01.00] (Pg. 3)
3. Approve minutes from July 2, 2025, Special Meeting  
[Attachment 02.00] (Pg. 8)
4. Approve Order of Agenda
5. **CONSENT AGENDA – APPROVE THE FOLLOWING:**
  - a. Finance Report [Attachment 03.00] (Pg. 10)
  - b. Voucher Approval [Attachment 04.00] (Pg. 34)
  - c. Budget Change Requests
    - i. BCR 020 - Minnkota Task Order 8 [Attachment 05.01] (Pg. 51)
  - d. DA Board Approval Contracting Actions [Attachment 06.00] (Pg. 52)
    - i. Minnkota Task Order 8, Amendment 0 [Attachment 06.01] (Pg. 54)
    - ii. WP 52H – Raymond Township Mobility Improvement Award [Attachment 06.02] (Pg. 56)
  - e. Sale of Excess Land Recommendations
    - i. OINs 2366, 2367 & 8852 Sale of Excess Land [Attachment 07.01] (Pg. 59)
    - ii. OIN 7004 Sale of Excess Land [Attachment 07.02] (Pg. 71)
    - iii. OIN 9347 Sale of Excess Land [Attachment 07.03] (Pg. 81)
    - iv. OIN 1834 Sale of Excess Land [Attachment 07.04] (Pg. 89)
    - v. OIN 7249 Sale of Excess Land Recommendation [Attachment 07.05] (Pg. 97)

### **REGULAR AGENDA:**

6. Executive Director Update
  - a. MFDA Mid-Year Review

7. General Counsel Update
    - a. Dispute Resolution Board Update
    - b. Settlement Agreement Implementation Update
  8. Project Updates
    - a. USACE Project Update [Attachment 08.00] (Pg. 102)
    - b. SWDCAI Project Update [Attachment 09.00] (Pg. 104)
    - c. Project Safety Update [Attachment 10.00] (Pg. 105)
    - d. P3 Monthly Update [Attachment 11.00] (Pg. 106)
    - e. Monthly Drone Footage Video
  9. Communications Team Update
  10. Land Management Update
    - a. Property Acquisition Status Report [Attachment 12.00] (Pg. 143)
  11. Finance Update
    - a. BCR 021 - P3 Developer Statement of Principles 2025 Payments [Attachment 13.00] (Pg. 150)
    - b. Sales Tax Collections Update [Attachment 14.00] (Pg. 151)
  12. Other Business
  13. Public Comment – 15 minutes maximum. Each speaker is limited to three minutes.
  14. Next Meeting: August 28, 2025
  15. Adjournment
- 

## **MEDIA AND PUBLIC PARTICIPATION INFORMATION**

There are multiple ways to attend or watch this public meeting.

- View the Meeting on Fargo TV or at [www.TVFargo.com](http://www.TVFargo.com)
- View the Meeting on the City of Fargo's Facebook or YouTube

# Metro Flood Diversion Authority Board of Authority Meeting Minutes

**3:30 PM – June 26, 2025**

**City of Fargo Commission Chambers**

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on June 26, 2025. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; Duane Breitling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Jim Kapitan, Cass County Commissioner and Denise Kolpack, Fargo City Commissioner.

Member(s) absent: Shelly Carlson, Mayor, City of Moorhead and Lisa Borgen, Moorhead City Council.

**1. CALL TO ORDER**

Mr. Grindberg called the meeting to order at 3:30 PM. Roll call was taken, and a quorum was present.

**2. APPROVE THE MINUTES FROM THE MAY 22, 2025, MEETING**

**MOTION PASSED**

Mr. Campbell moved to approve the minutes from the May 22, 2025, meeting and Mr. Breitling seconded the motion. On a voice vote, the motion carried.

**3. APPROVE THE ORDER OF THE AGENDA**

**MOTION PASSED**

Ms. Kolpack moved to approve the order of the agenda as presented and Mr. Ebinger seconded the motion. On a voice vote, the motion carried.

**4. APPROVE THE CONSENT AGENDA**

**MOTION PASSED**

Mayor Dardis moved to approve the consent agenda and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried

**5. EXECUTIVE DIRECTOR UPDATE**

**a. Minnesota Funding Update**

Mr. Benson introduced Justin Fisher, the new lands and compliance director.

Mr. Benson reported that the State of Minnesota passed a \$720 million bonding bill in a special session. \$9 million has been earmarked, state-wide, for flood control projects and Mr. Benson indicated that it is unknown if any of the funds will be designated for diversion-related projects. He also noted that it is the MNDNR who determines the recipients of the funds.

**b. September Board Retreat**

Mr. Benson announced that a board retreat will be held on September 16, from 1-5 PM. The primary goal of the retreat is to make any final touches or modifications to the Governance Policy.

**c. MFDA 2024 Audit Letter**

Mr. Benson reported that the audit letter was received from Eide Bailly, and the overall results were very positive. There were no issues or corrective actions that needed attention, which speaks well to our financial management.

**6. GENERAL COUNSEL UPDATE**

**a. Resolution requesting Cass County Acquire Rights-of-Way**

Mr. Shockley provided an overview and summary of the resolution requesting Cass County to acquire road rights-of-way for the SWDCAI 38<sup>th</sup> Street W.

**MOTION PASSED**

**Mayor Mahoney moved to approve the resolution as presented and Mr. Breitling seconded the motion. On a roll call vote, the motion carried.**

**b. Technical Dispute Review Board Update**

Mr. Shockley reported that all the TDRB members have been appointed, and each of them have signed the agreement. No meetings have been held to date and they are working on drafting operating procedures. Mr. Howard Swanson, former City of Grand Forks City Attorney, has been retained as independent council for the TDRB for the sole purpose of assisting them with open meeting compliance.

**7. PROJECT UPDATES**

**a. USACE Project Update**

Ms. Williams provided the following USACE update:

**1 Diversion Inlet Structure (DIS) – Construction**

Structure includes 3-50 ft. wide Tainter gates. Construction is 99% complete. Completion date is moving to Sept or Oct 2025. Training held 19 June. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated in October 2025.

**2 Wild Rice River Structure (WRRS) – Construction**

Structure includes 2-40 ft. wide Tainter gates. Construction is 98% complete. Completion date is moving to Sept or Oct 2025. Operating machinery corrections, final inspections and training upcoming. Turnover to Sponsors for OMRRR anticipated in October 2025.

**3 Red River Structure (RRS) - Construction**

Structure includes 3-50 ft. wide Tainter gates. Construction is 81% complete. Construction completion date is 29 April 2026. East and west dam wall and approach apron construction continues and prep for gate machinery install is ongoing. Red River re-route tentatively scheduled for 23 July 2025.

**4 Southern Embankment – Reach SE-2A – Construction**

Construction is 76% complete but continues to be behind schedule. Scheduled completion date of 13 October 2024 was not met. Revised schedule and completion date pending.

**5 Drain 27 Wetland Mitigation Project Plantings – Construction**

Native plantings 5-year contract for wetland establishment. Completion date is 1 December 2027. Contractor replanting areas disturbed by adjacent producers.

**6 FY2024 Contract Awards – Construction**

OHB Ring Levee: 50% complete. Contractor digging inspection trench. Contract completion date is 24 September 2025.

Reach SE-1B: 36% complete. CR16/17 intersection closed to allow completion of road work and tie in of embankment to the Diversion Inlet Structure. Contract completion date is 13 March 2026.

Reach SE-2B: 45% complete. Contractor completed install of 45th St box culverts. Contract completion date is 23 August 2026. Forest Mitigation #1: Contractor is planting. Contract completion date is 31 Dec 2028.

Reach SE-4: 9% complete. Contractor has completed 180th Ave. road work. Contract completion date is 3 June 2026.

**7 FY2025 Contract Awards – Construction**

SE-3: 2% complete. Contractor digging inspection trench. Contract completion date is 11 September 2026.

SE-5: Contractor is clearing and grubbing. Wolverton Creek crossing must be complete by 15 Nov 2025.

Contract completion date is 8 August 2026.

Forest Mitigation #2: Contractor is planting. Contract completion date is 31 Dec 2029.

**8 I-29 Raise – Operations and Maintenance (OMRRR)**

Turnover to MFDA occurred on 20 December and preparation of O&M documents is ongoing. 9 Drayton Dam Mitigation Project Design - Operations and Maintenance (OMRRR) Turnover to MFDA for O&M occurred on 28 Nov 2023. OMRRR manual coordination continues.

**b. SWDCAI Project Update**

Mr. Bakkegard provided an update of the construction map that shows current work in progress, 30 and 60 day projected progress:

**New Features Under Construction**

- Authority Administration Building

**30 to 60-Day Outlook**

- I-29 NB, CR-22, CR-10
- BNSF Hillsboro
- Drain 21C Inlet
- SE-2B
- Red River Structure

**Misc. Highlights**

- Channel Excavation
- SE-4

**c. Project Safety Update**

Mr. Bakkegard provided the safety update for the period May 1 to May 31, 2025. He reported that there were a couple of minor recordable accidents requiring first aid and there were no other incidents to report.

**d. P3 Monthly Update**

Mr. Bakkegard highlighted the safety section in the June P3 monthly update.

**CONSTRUCTION AND O&M**

**Construction**

The summary for Safety for the Month of May is as follows:

5/2/2025 ASN - Maple River Aqueduct, employee tripped and fell when he stepped on a piece of pipe while carrying a pack of water. The employee landed in his right hand and felt discomfort.

5/5/2025 ASN - 37th St SE East of Diversion Channel, employee was driving a UTV when he struck a type 4 sign for end of roadway. Damage to passenger front tire of the UTV and road sign; no injuries were reported.

5/8/2025 ASN - Reach 13, employee noticed damage to the tailgate of the work pickup during the pre-trip inspection. This was reported to the safety department.

5/9/2025 ASN - 38th St W Crossing - employee missed the ramp on the south side of 38th St W bridge's deck causing damage to the right-side running board & mounting bracket of the truck.

5/12/2025 ASN - Raymond North, employee operating a loader run over a buried piece of rebar which flew up and hit the windshield causing damage. No injuries were reported.

5/12/2025 ASN - Office, employee was reaching in their work truck when a wind gust caught their door, causing the door to make contact with the vehicle parked next to it.

5/12/2025 ASN - Sheyenne River Aqueduct - altercation between 2 employees in employee parking lot escalated to physical violence. Initiating employee was terminated for violating the workplace and violence policy.

5/16/2025 ASN - Structures All Hand Safety Meeting.

5/19/2025 Kraemer North America - BNSF K.O. Crossing, Kraemer's crew was in the process of removing the catwalk at Pier 7. Two employees rigged up the catwalk and did not signal the operator to tighten the rigging. They then proceeded to cut the nine wires that secured the catwalk at the overhang brackets. One employee walked out on the catwalk to attach the tagline. The catwalk cantilever caused the catwalk to tip which caused the employee to lose footing, he fell but thankfully was wear fall protection. He was sent to a medical facility to ensure his back wasn't injured.

5/23/2025 ASN - Sheyenne River Aqueduct, employee was dismantling the boom on the rental crane, while removing the pins, one section suddenly dropped and landed on dunnage, however, it also landed on the employee's right foot trapping it. At the time of the incident the employee was not wearing steel toe safety boots. The employee was taken to a medical center where it was reported that he fractured his right toe.

5/28/2025 ASN - 38th St W Field Office, employee was washing a tractor using a pressure washer when the windshield suddenly cracked.

5/30/2025 ASN - 51st St S and Amber Valley Pkwy S intersection, ASN truck was traveling West on Amber Valley Parkway when a silver Toyota Corolla ran a stop sign heading South on 51st St S causing the truck to hit the passenger's side of the vehicle. No injuries to either party. Airbags did not deploy in either vehicle. Emergency services were called for precautionary measures as well as filing a police report of the incident."

5/30/2025 ASN - 38th St W Field Office, a local woman was driving next to the 38th St Crossing when she was struggling with her chest tightening. ASN personnel called an ambulance to come for her.

5/30/2025 ASN - Reach 01, Damage to light vehicle taillight.

Please reach out to Mr. Barthel if you have any questions regarding the report.

#### **e. May 2025 Drone Video**

A video highlighting the progress that has been achieved since May 2025 was viewed.

### **8. COMMUNICATIONS TEAM UPDATE**

Ms. Willson provided the following communications update:

#### **Outreach Products**

##### **Media Relations:**

- May construction update
- Cemetery mitigation
- RRVA detours and controlled burns

##### **Newsletter:**

- Faces of the Diversion: Steve Wahler
- The Diversion Current: Bridges/Transportation

### **9. LAND MANAGEMENT UPDATE**

#### **a. Property Acquisition Status Report**

Mr. Dodds provided the following property acquisition status report:

- 98.4% completion in the Construction Footprint
- 61.1% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 61.1% of the parcels in the Upstream Mitigation Area have been acquired
- 78.1% of the Environmental Easements have been signed
- 100.0% completed: Stormwater Diversion Channel; Oxbow-Hickson-Bakke levee; in-town levees and the Drayton Dam mitigation

**Key Activities:**

- Continued negotiating settlement agreements for existing eminent domain actions
- In the last month, successfully closed on 12 parcels / 2 owners in the UMA
- Completing appraisal reports for Christine area flowage easements and Horace Mobility Improvements
- Continuing the process of disposing of Excess Lands
  - 43 parcels / 739.92 acres have been approved as Excess Lands
    - 11 parcels / 344.20 acres are moving through the Policy
    - 32 parcels / 395.72 acres have been sold or pending closing
  - Continuing efforts to dispose of the abandoned Rail Corridor in Horace, ND
- Completed Plats of Diversion Channel lands in Five (5) of the Seven (7) Townships, working to finalize plats for the remaining two (2) Townships.
- Preparing for eminent domain trials, starting in August 2025.

**10. FINANCE UPDATE**

**a. City of Fargo Project NR-25-D-STLS #41, #42 & #58**

Mr. Bakkegard provided an overview and summary of the above-referenced City of Fargo project.

**MOTION PASSED**

**Mayor Mahoney moved to approve the project as presented and Mr. Breitling seconded the motion. On a roll call vote, the motion carried.**

**b. Sales Tax Update 2024 Collections**

Mayor Dardis reported that the contracting actions presented were approved. Mr. Bakkegard gave an overview of the City of Fargo project to rehabilitate lift stations and the significant cost savings in changing the scope from \$13 million to \$4.3 million. The June bills payable totaled \$5,776,765, and the current grand total net position is \$340,246,982. The sales tax collections for the month have been robust.

**11. OTHER BUSINESS**

There was no other business to discuss.

**12. PUBLIC COMMENT**

There were no public comments.

**13. CLOSED EXECUTIVE SESSION**

*Closed executive session pursuant to N.D.C.C. § 44-04-19.2 and N.D.C.C. § 44-04-19.1 (2) and (9) for attorney consultation with General Counsel regarding an update of the status of the on-going compensation event claims and to provide negotiations direction regarding such claims relating to the Project Agreement for the Storm Water Diversion Channel and Associated Infrastructure.*

**MOTION PASSED**

**Mr. Steen moved to go into executive session and there was not a second to the motion. On a roll call vote, the motion carried.**

The board retreated to the Red River Room at 3:57 PM.

The executive session concluded at 4:58 PM and a quorum of the board returned to the City Commission Chambers.

**14. NEXT MEETING**

The next meeting will be on July 24, 2025.

**15. ADJOURNMENT**

Mr. Campbell moved to adjourn, and Mr. Ebinger seconded the motion. The meeting adjourned at 4:59 PM.

# Metro Flood Diversion Authority Special Board of Authority Meeting Minutes

**1:00 PM – July 2, 2025**

**City of Fargo Commission Chambers**

A special meeting of the Metro Flood Diversion Authority Board of Authority was held on July 2, 2025. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; Chuck Hendrickson, Moorhead City Council; David Ebinger, Clay County Commissioner; Duane Breitling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Kevin Campbell, Clay County Commissioner; Jim Kapitan, Cass County Commissioner; Denise Kolpack, Fargo City Commissioner; Shelly Carlson, Mayor, City of Moorhead and Lisa Borgen, Moorhead City Council.

Member(s) absent: no members were absent.

**1. CALL TO ORDER**

Mr. Grindberg called the meeting to order at 1:00 PM. Roll call was taken, and a quorum was present.

**2. APPROVE THE ORDER OF THE AGENDA**

**MOTION PASSED**

**Mr. Campbell moved to approve the order of the agenda as presented and Mayor Mahoney seconded the motion. On a voice vote, the motion carried.**

**3. CLOSED EXECUTIVE SESSION**

*Closed executive session pursuant to N.D.C.C. § 44-04-19.2 and N.D.C.C. § 44-04-19.1 (2) and (9) for attorney consultation with General Counsel regarding an update of the status of the on-going compensation event claims and to provide negotiations direction regarding such claims relating to the Project Agreement for the Storm Water Diversion Channel and Associated Infrastructure.*

**MOTION PASSED**

**Ms. Kolpack moved to go into executive session and Mr. Ebinger seconded the motion. On a roll call vote, the motion carried.**

The board retreated to the Red River Room at 1:02 PM. The executive session concluded at 1:15 PM and a quorum returned to the City Commission Chambers.

**3. a. APPROVAL ACTION/MOTION**

*I move to approve the Statement of Principles in substantially the same form as presented today and authorize the chair and executive director to execute the Statement of Principles with any additional changes deemed necessary by the Chair, Executive Director, and General Counsel.*

**MOTION PASSED**

**Mayor Mahoney moved to approve the above-referenced motion and Mayor Carlson seconded the motion. On a roll call vote, the motion carried.**

**4. NEXT MEETING**

The next meeting will be on July 24, 2025.

**5. ADJOURNMENT**

Mayor Carlson moved to adjourn, and Mr. Ebinger seconded the motion. The meeting adjourned at 1:31 PM.

FM Metropolitan Area Flood Risk Management Project  
Fiscal Accountability Report Design Phase  
As of 06/30/25

	790: FM Diversion Project Fund							770: Budget Fund				773: Excess Capital Fund			
	2011-2020	2021	2022	2023	2024	2025	Total	2021-2023	2024	2025	Total	2024	2025	Total	Grand Total
Revenues															
City of Fargo	229,263,214	39,900,525	41,606,950	43,281,539	43,640,465	12,368,834	410,061,527	-	-	-	-	-	-	-	410,061,527
Cass County	238,074,113	20,605,468	20,077,388	21,720,075	21,906,084	6,096,846	328,479,974	-	-	-	-	-	-	-	328,479,974
State Water Commission	270,967,976	44,928,872	21,249,909	-	-	-	337,146,758	-	-	-	-	-	-	-	337,146,758
State of ND - Legacy Fund	-	-	105,992,160	129,134,268	134,294,754	35,373,016	404,794,199	-	-	-	-	-	-	-	404,794,199
State of ND - SRF	-	-	1,272,652	8,316,726	9,745,091	6,413,119	25,747,588	-	-	-	-	-	-	-	25,747,588
Cass County Joint Water Resource District	-	28,630,991	-	-	-	-	28,630,991	-	-	-	-	-	-	-	28,630,991
Other Agencies	706,805	-	-	-	-	-	706,805	-	-	-	-	-	-	-	706,805
City of Oxbow MOU Repayment	2,822,634	122,038	-	-	-	-	2,944,671	-	-	-	-	-	-	-	2,944,671
Reimbursements	168,602	52,055	18,930	15,735	19,631	-	274,953	-	-	-	-	-	-	-	274,953
Lease/Rental Payments	2,951,681	622,459	743,700	744,622	47,300	809,251	5,919,013	-	-	-	-	-	-	-	5,919,013
Asset Sales	1,235,569	1,802,265	1,348,132	4,125,699	518,843	708,444	9,738,954	-	-	-	-	-	-	-	9,738,954
Interest Income	4,790,772	1,011,554	1,377,312	7,208,616	11,807,311	4,878,948	31,074,512	-	-	-	-	-	-	-	31,074,512
Miscellaneous	4,886	7,336	1,987	70,350	76,997	2,341	163,898	3,320,850	1,665,282	832,645	5,818,777	-	-	-	5,982,675
Total Revenues	750,986,254	137,683,563	193,689,120	214,617,631	222,056,477	66,650,800	1,585,683,844	3,320,850	1,665,282	832,645	5,818,777	-	-	-	1,591,502,621
Expenditures															
7905 Army Corp Payments	53,159,000	-	-	24,800	-	990,600	54,174,400	-	-	-	-	-	-	-	54,174,400
7910 WIK - Administration	6,125,744	2,650,150	1,994,938	3,221,009	6,053,234	1,519,370	21,564,445	3,249,868	1,462,847	556,093	5,268,808	-	-	-	26,833,253
7915 WIK - Project Design	36,316,433	2,261,337	2,491,982	4,347,833	4,375,148	1,703,311	51,496,044	-	-	-	-	-	-	-	51,496,044
7920 WIK - Project Management	70,718,325	13,629,756	14,935,064	14,936,935	16,269,917	5,634,661	136,124,658	-	-	-	-	-	-	-	136,124,658
7925 WIK - Recreation	-	278,223	-	-	-	-	278,223	-	-	-	-	-	-	-	278,223
7930 LERRDS - North Dakota	275,657,728	42,321,398	53,946,968	73,284,991	51,715,442	9,233,891	506,160,418	-	-	-	-	-	-	-	506,160,418
7931 LERRDS - Minnesota	4,982,754	3,832,050	5,722,668	5,714,157	21,930,147	3,923,970	46,105,745	-	-	-	-	-	-	-	46,105,745
7940 WIK Mitigation - North Dakota	1,022,658	35,279,546	57,777	1,039,229	166,142	34,809	37,600,161	-	-	-	-	-	-	-	37,600,161
7941 WIK Mitigation - Minnesota	-	112,271	357,080	933,799	586,522	303,827	2,293,499	-	-	-	-	-	-	-	2,293,499
7950 Construction - North Dakota	104,100,296	25,488,649	17,899,069	17,767,981	34,006,877	2,539,208	201,802,079	-	-	-	-	-	-	-	201,802,079
7951 Construction - Minnesota	-	-	210,000	669,048	182,594	66,940	1,128,582	-	-	-	-	-	-	-	1,128,582
7952 Construction - O/H/B	33,612,243	2,070,541	646,144	118,976	628,480	24,741	37,101,126	-	-	-	-	-	-	-	37,101,126
7955 Construction Management	11,598,799	180,481	137,041	1,062	5,322	8,529	11,931,234	-	-	-	-	-	-	-	11,931,234
7959 SRF Construction	-	-	5,936,985	7,781,266	16,519,945	2,066,435	32,304,631	-	-	-	-	-	-	-	32,304,631
7980 Operations & Maintenance	190,811	2,971	138,066	83,898	85,983	-	501,729	-	-	-	-	-	-	-	501,729
7990 Project Financing	48,092,864	14,236,187	9,053,457	9,422,840	12,415,903	3,979,865	97,201,116	-	-	-	-	-	-	-	97,201,116
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
7999 Non Federal Participating Costs	221,686	-	-	-	-	-	221,686	-	-	-	-	-	-	-	221,686
Total Expenditures	646,077,564	142,065,337	113,527,239	139,347,823	164,941,656	32,030,155	1,237,989,774	3,249,868	1,462,847	556,093	5,268,808	-	-	-	1,243,258,583
Other Financing Sources (Uses)															
Transfers From Other Diversion Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Transfers to Other Diversion Funds	-	659,566	1,250,000	1,395,000	1,650,000	825,000	5,779,566	-	-	-	-	-	-	-	5,779,566
Total Other Financing Sources (Uses)	-	659,566	1,250,000	1,395,000	1,650,000	825,000	5,779,566	-	-	-	-	-	-	-	5,779,566

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## FM Metropolitan Area Flood Risk Management Project Statement of Net Position June 30, 2025

	FM Diversion Project		
	Fund	Budget Fund	Grand Total
<b>Assets</b>			
Cash	\$ 309,507,858	\$ 640,824	\$ 310,148,682
Cash Horace 3.01 MIT	4,477,441	-	4,477,441
Cash BRRWD	9,099,728	-	9,099,728
Cash Held In Trust at BND			
Excess Revenue Fund	716,657	-	716,657
Temp Debt Obligation Fund	1,553,329	-	1,553,329
Authority Loan Fund	193,168	-	193,168
P3 Reserve Fund	16,793,482	-	16,793,482
SRF Loan Reserve Fund	2,379,454	-	2,379,454
Revenue Fund	3,548	-	3,548
Prepaid Expense	3,360,072	-	3,360,072
Refundable Deposit	50,000	-	50,000
<b>Total assets</b>	<b>348,134,738</b>	<b>640,824</b>	<b>348,775,562</b>
<b>Liabilities</b>			
Vouchers payable	6,074,224	90,856	6,165,080
Retainage payable	121,764	-	121,764
Rent Deposit	24,250	-	24,250
Deferred Revenue	-	-	-
Advances from Other Entities:			
Advance from Cass County:			
Mortgage Receivable - City of Fargo	-	-	-
Moorhead Share	-	-	-
Unallocated	-	-	-
Advance from City of Fargo:			
Cass County Share	-	-	-
Moorhead Share	-	-	-
Unallocated	-	-	-
<b>Total liabilities</b>	<b>6,220,238</b>	<b>90,856</b>	<b>6,311,094</b>
<b>NET POSITION</b>	<b>\$ 341,914,500</b>	<b>\$ 549,969</b>	<b>\$ 342,464,469</b>

**Summary Of Expenses**  
**EXP-2025-06**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.11-00	03/07/2025	345740	Cass County Government	\$66,769.46	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
	26/06/2025	EK06250	City of Fargo	\$3,249.99	City of Fargo - M. Redlinger	V05417	FLOOD ADMINISTRATION
<b>Full Time Staff / Salaries</b>				<b>\$70,019.45</b>			
770-7910-429.20-01	03/07/2025	345740	Cass County Government	\$7,632.40	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Employee Benefits / Health Insurance</b>				<b>\$7,632.40</b>			
770-7910-429.20-03	03/07/2025	345740	Cass County Government	\$160.00	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Employee Benefits / Dental Insurance</b>				<b>\$160.00</b>			
770-7910-429.20-06	03/07/2025	345740	Cass County Government	\$36.50	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Employee Benefits / Vision Insurance</b>				<b>\$36.50</b>			
770-7910-429.21-01	03/07/2025	345740	Cass County Government	\$4,005.82	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Employee Benefits / Social Security</b>				<b>\$4,005.82</b>			
770-7910-429.21-02	03/07/2025	345740	Cass County Government	\$936.84	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Employee Benefits / Medicare</b>				<b>\$936.84</b>			
770-7910-429.22-07	03/07/2025	345740	Cass County Government	\$8,853.63	DIVERSION PAYROLL EXPENSE	V00106	EXECUTIVE DIRECTOR
<b>Pension Benefits / Retirement</b>				<b>\$8,853.63</b>			
770-7910-429.33-37	12/06/2025	345244	HighRoad Partners, LLC	\$500.00	HR SERVICES UPDATE	V09701	HR SERVICES
	19/06/2025	345466	MRA – The Management Associ	\$2,775.00	2024 COMP STUDY	V13501	CONSULTING SERV-COMP STU
<b>Other Services / HR Services</b>				<b>\$3,275.00</b>			
770-7910-429.34-15	19/06/2025	345457	Marco Technologies	\$1,100.75	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
	19/06/2025	345475	Network Center Inc.	\$927.50	DIVERSION IT SERVICES	V13801	IT SERVICE AGREEMENT
	26/06/2025	345561	CONSOLIDATED COMMUNI	\$470.00	ACCT #701-150-0113/0	V00106	EXECUTIVE DIRECTOR
	26/06/2025	345634	Marco Technologies	\$736.00	DIVERSION IT SERVICES	V10301	SERVICE AGREEMENT - IT
<b>Technical Services / Computer Services</b>				<b>\$3,234.25</b>			
770-7910-429.53-20	03/07/2025	345740	Cass County Government	\$472.68	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
<b>Communications / Cellular Phone Service</b>				<b>\$472.68</b>			
770-7910-429.56-60	03/07/2025	345740	Cass County Government	\$253.40	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
<b>In State Travel / In State Travel Expenses</b>				<b>\$253.40</b>			

**Summary Of Expenses**  
**EXP-2025-06**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.57-60	03/07/2025	345740	Cass County Government	\$1,395.58	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
<b>Out of State Travel / Out of State Travel Exp</b>				<b>\$1,395.58</b>			
770-7910-429.61-10	03/07/2025	345740	Cass County Government	\$255.05	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
<b>General Supplies / Office Supplies</b>				<b>\$255.05</b>			
770-7910-429.74-12	03/07/2025	345740	Cass County Government	\$84.23	DIVERSION MISC EXPENSES	V00106	EXECUTIVE DIRECTOR
<b>Capital Outlay / Computer Software</b>				<b>\$84.23</b>			
<b>770 Subtotal</b>				<b>\$100,614.83</b>			
790-7910-429.33-25	05/06/2025	345119	OHNSTAD TWICHELL PC	\$97,171.63	DIVERSION LEGAL SERVICES	V00102	General & Admin. WIK
	26/06/2025	345540	Ankura Consulting Group LLC	\$69,267.50	ANKURA SCHEDULING SERVIC	V12801	SCHEDULING EXPERTISE
	26/06/2025	345540	Ankura Consulting Group LLC	\$32,915.00	SCHEDULING SERVICES	V12801	SCHEDULING EXPERTISE
	26/06/2025	345572	DORSEY & WHITNEY LLP	\$135,496.74	DIVERSION LEGAL SERVICES	V00101	Dorsey Whitney Legal
<b>Other Services / Legal Services</b>				<b>\$334,850.87</b>			
790-7910-429.34-20	12/06/2025	345197	C THREE MEDIA, LLC	\$12,691.20	DIVERSION VIDEOGRAPHY	V08601	VIDEOGRAPHY
	19/06/2025	345474	Neon Loon Communications, LL	\$6,756.92	DIVERSION COMMUNICATIONS	V09601	COMMUNICATIONS SUPPORT
<b>Technical Services / Marketing / Public Relat.</b>				<b>\$19,448.12</b>			
790-7910-429.34-56	23/06/2025	EK06250	City of Fargo	\$18,007.50	FISCAL AGENT FEE - 06/25	V05902	MONTHLY FISCAL AGENT FEE
<b>Technical Services / FMDA Fiscal Agent Fees</b>				<b>\$18,007.50</b>			
790-7910-429.38-68	12/06/2025	345233	GA Group, PC	\$4,000.00	JUNE GOVT RELATIONS COUNSE	V07601	2021 GOVERNMENT RELATIONS
<b>Other Services / Lobbyist</b>				<b>\$4,000.00</b>			
790-7910-429.42-05	19/06/2025	345366	Ambassador, Inc.	\$925.00	DIVERSION OFFICE CLEANING	V10501	JANITORIAL SERVICES
<b>Cleaning Services / Custodial Services</b>				<b>\$925.00</b>			
790-7915-429.33-05	26/06/2025	345608	HOUSTON-MOORE GROUP L	\$280,175.24	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
	03/07/2025	345724	AECOM	\$5,466.51	CULTURAL RESOURCES INVEST	V01004	SEAI CULTURAL RES INVEST
	03/07/2025	345724	AECOM	\$18,676.24	CULTURAL RESOURCES SUPPOR	V01004	SEAI CULTURAL RES INVEST
	03/07/2025	345745	MOORE ENGINEERING INC	\$9,665.90	MOORE ENGINEERING INC.	V01201	Cass Joint Water OHB
<b>Other Services / Engineering Services</b>				<b>\$313,983.89</b>			

**Summary Of Expenses**  
**EXP-2025-06**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7920-429.33-05	26/06/2025	345608	HOUSTON-MOORE GROUP L	\$59,081.50	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
<b>Other Services / Engineering Services</b>				<b>\$59,081.50</b>			
790-7920-429.33-79	12/06/2025	345207	CH2M Hill Engineers Inc	\$806,980.56	P3 SUPPORT SERVICES	V00212	P3 PROCUREMENT SUPPORT
	12/06/2025	345207	CH2M Hill Engineers Inc	\$454,455.17	PROGRAM MGMT	V00211	CH2M HILL-6/2019-12/2021
<b>Other Services / Construction Management</b>				<b>\$1,261,435.73</b>			
790-7930-429.33-05	26/06/2025	345536	ADVANCED ENGINEERING I	\$180,667.79	DIVERSION PROJECT	V00302	PROGRAM MGMT SERVICES
	26/06/2025	345608	HOUSTON-MOORE GROUP L	\$1,082.50	DIVERSION PROJECT	V01634	H&H MITIG. & PERMIT SUPPO
	03/07/2025	345745	HDR Engineering, Inc.	\$8,500.00	HDR ENGINEERING	V01201	Cass Joint Water OHB
	03/07/2025	345745	SRF Consulting Group	\$24,091.66	SRF CONSULTNG GROUP,INC.	V01201	Cass Joint Water OHB
<b>Other Services / Engineering Services</b>				<b>\$214,341.95</b>			
790-7930-429.33-25	05/06/2025	345119	OHNSTAD TWICHELL PC	\$162.00	DIVERSION LEGAL SERVICES	V00103	General & Admin. LERRDS
	03/07/2025	345745	Larkin Hoffman Attorneys	\$32,113.50	LARKIN HOFFMAN	V01201	Cass Joint Water OHB
	03/07/2025	345745	OHNSTAD TWICHELL PC	\$123,793.67	OHNSTAD TWICHELL, PC	V01201	Cass Joint Water OHB
	03/07/2025	345745	OHNSTAD TWICHELL PC	\$38,820.31	OHNSTAD TWICHELL, PC	V01201	Cass Joint Water OHB
<b>Other Services / Legal Services</b>				<b>\$194,889.48</b>			
790-7930-429.33-32	03/07/2025	345745	CROWN APPRAISALS	\$18,500.00	CROWN APPRAISALS, INC.	V01201	Cass Joint Water OHB
	03/07/2025	345745	Tinjum Appraisal Company, Inc.	\$22,500.00	TINJUM APPRAISAL COMPANY	V01201	Cass Joint Water OHB
<b>Other Services / Appraisal Services</b>				<b>\$41,000.00</b>			
790-7930-429.33-47	12/06/2025	345303	Jodi Smith	\$12,000.00	MAY MFDA CONSULTING	V13701	LAND ACQUISITION CONSULTIN
<b>Other Services / Consulting Services</b>				<b>\$12,000.00</b>			
790-7930-429.33-79	12/06/2025	345207	CH2M Hill Engineers Inc	\$5,689.41	PROPERTY ACQUISITION	V00210	CH2M HILL-LAND ACQUISITON
<b>Other Services / Construction Management</b>				<b>\$5,689.41</b>			
790-7930-429.41-05	03/07/2025	345745	Cass Rural Water	\$60.32	CASS RURAL WATER USER DIS	V01701	ND LAND PURCH-OUT OF TOWN
<b>Utility Services / Water and Sewer</b>				<b>\$60.32</b>			
790-7930-429.62-51	26/06/2025	345556	Cass County Electric Cooperativ	\$113.00	ACCT #1184422 DIVERSION	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	Cass County Electric Cooperativ	\$522.10	CASS CO. ELECTRIC COOP	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	XCEL ENERGY-FARGO	\$84.40	XCEL ENERGY	V01701	ND LAND PURCH-OUT OF TOWN
<b>Energy / Electricity</b>				<b>\$719.50</b>			

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Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.71-30	03/07/2025	345745	0818X - LAWRENCE & SUSA	\$500.00	LARRY & SUSAN RICHARDS	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	0820 - JOHNSON 4	\$3,000.00	TRT LOGISTICS, INC.	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	0839 - MUELLER	(\$6,543.28)	SELLERS SETTLEMENT STMT	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	1080Y - CASS COUNTY JOIN	(\$32,750.00)	SELLERS STLMT STMT	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	1088Y - CASS COUNTY JOIN	\$10,393.35	6G FARMS LLC	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	1893 - JDCBABES	\$500.00	JDC TREE FARM INC.	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	1916 - RICHARD 1	\$500.00	LARRY & SUSAN RICHARDS	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	9258 - CIRKS	\$1,000.00	PENNY CIRKS	V01701	ND LAND PURCH-OUT OF TOWN
	03/07/2025	345745	9462 - JDCBABES	\$500.00	JDC TREE FARM INC.	V01701	ND LAND PURCH-OUT OF TOWN
	25/06/2025	EK06250	0820 - JOHNSON 4	(\$3,000.00)	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
	25/06/2025	EK06250	0839 - MUELLER	\$6,543.28	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
	25/06/2025	EK06250	1080Y - CASS COUNTY JOIN	\$32,750.00	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
	25/06/2025	EK06250	1893 - JDCBABES	(\$500.00)	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
	25/06/2025	EK06250	9462 - JDCBABES	(\$500.00)	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
<b>Land / Land Purchases</b>				<b>\$12,393.35</b>			
790-7930-429.71-31	03/07/2025	345745	8920 - HANSON	\$813,081.23	THE TITLE COMPANY	V01701	ND LAND PURCH-OUT OF TOWN
<b>Land / Easements</b>				<b>\$813,081.23</b>			
790-7930-429.73-20	19/06/2025	345437	INDUSTRIAL BUILDERS INC	\$144,040.00	PROPERTY MITIGATION	V06010	TO36-WP38C OIN 1898
	19/06/2025	345437	INDUSTRIAL BUILDERS INC	\$296,000.00	PROPERTY MITIGATION	V06009	TO24-WP38C-OIN 9423,9436
<b>Infrastructure / Site Improvements</b>				<b>\$440,040.00</b>			
790-7931-429.33-05	03/07/2025	345750	SRF Consulting Group	\$4,667.00	SRF CONSULTING GROUP	V06201	MCCJPA - MN ROE
<b>Other Services / Engineering Services</b>				<b>\$4,667.00</b>			
790-7931-429.33-25	03/07/2025	345750	Larkin Hoffman Attorneys	\$1,837.00	LARKIN HOFFMAN	V06201	MCCJPA - MN ROE
	03/07/2025	345750	OHNSTAD TWICHELL PC	\$41,055.59	OHNSTAD TWICHELL	V06201	MCCJPA - MN ROE
<b>Other Services / Legal Services</b>				<b>\$42,892.59</b>			
790-7931-429.33-32	03/07/2025	345750	DKJ Appraisal LLC	\$812.50	DKJ APPRAISAL LLC	V06201	MCCJPA - MN ROE
<b>Other Services / Appraisal Services</b>				<b>\$812.50</b>			

**Summary Of Expenses**  
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Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7931-429.54-10	03/07/2025	345750	New Century Press	\$7.43	NEW CENTURY PRESS	V06201	MCCJPA - MN ROE
<b>Advertising / Legal Publications</b>				<b>\$7.43</b>			
790-7931-429.62-51	03/07/2025	345750	RED RIVER VALLEY COOPE	\$126.44	RED RIVER VALLEY COOP	V02301	MN LAND PURCHASES
<b>Energy / Electricity</b>				<b>\$126.44</b>			
790-7931-429.71-30	03/07/2025	345750	CLAY COUNTY AUDITOR	(\$1,000.00)	JEAN ANDERSON	V02301	MN LAND PURCHASES
	03/07/2025	345750	CLAY COUNTY AUDITOR	(\$1.00)	SCOTT BLILIE	V02301	MN LAND PURCHASES
	03/07/2025	345750	CLAY COUNTY AUDITOR	(\$6,500.00)	MORGAN BUTH	V02301	MN LAND PURCHASES
	03/07/2025	345750	CLAY COUNTY AUDITOR	(\$1.00)	MICHAEL NELSON	V02301	MN LAND PURCHASES
	03/07/2025	345750	CLAY COUNTY AUDITOR	(\$9,000.00)	MICHAEL HANDLOS	V02301	MN LAND PURCHASES
	26/06/2025	EK06250	CLAY COUNTY AUDITOR	\$16,502.00	RECLASS DIVERSION RENT	V02301	MN LAND PURCHASES
<b>Land / Land Purchases</b>				<b>\$0.00</b>			
790-7931-429.71-31	03/07/2025	345750	1238 - UNIDENTIFIED	\$151,663.22	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1239 - NESS 1	\$151,663.22	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1249 - NESS 1	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1258 - NESS 1	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1259 - NESS 1	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1260 - NESS 1	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1271 - NESS/TIMOTHY A	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1298 - NESS/TIMOTHY A	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1299 - NESS/TIMOTHY A	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1308 - NESS/TIMOTHY A	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
	03/07/2025	345750	1309 - NESS/TIMOTHY A	\$151,663.21	THE TITLE CO	V02301	MN LAND PURCHASES
<b>Land / Easements</b>				<b>\$1,668,295.33</b>			
790-7940-429.33-06	26/06/2025	345548	BRAUN INTERTEC CORP	\$28,093.10	MATERIALS TESTING	V00407	TASK ORDER #5
<b>Other Services / Quality Testing</b>				<b>\$28,093.10</b>			

**Summary Of Expenses**  
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Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7950-429.33-05	19/06/2025	345499	MOORE ENGINEERING INC	\$50,079.80	REIMB MOORE ENGINEERING	V08801	RUSH RIVER-DRAIN EXPENSE
	26/06/2025	345672	MOORE ENGINEERING INC	\$14,350.50	REIMB MOORE ENGINEERING	V12201	SE CASS WRD MOU
	26/06/2025	EK06250	HOUSTON ENGINEERING IN	\$1,278.00	HOUSTON ENGINEERING INC	V05426	RR EROSION-UNIV & 52ND AV
	26/06/2025	EK06250	KLJ ENGINEERING, LLC	\$3,135.85	KLJ ENGINEERING, LLC-DO N	V05434	FM24A-S UNIV WALL REP
	27/06/2025	EK06250	HDR Engineering, Inc.	\$97,110.00	HDR ENGINEERING INC	V05405	LEVEE/FLOODWALL - BELMONT
	27/06/2025	EK06250	KLJ ENGINEERING, LLC	\$896.80	KLJ ENGINEERING, LLC	V05434	FM24A-S UNIV WALL REP
<b>Other Services / Engineering Services</b>				<b>\$166,850.95</b>			
790-7950-429.33-06	26/06/2025	345548	BRAUN INTERTEC CORP	\$14,953.50	MATERIALS TESTING	V00405	ENVIRO. CONSULTING SERV
	03/07/2025	345735	BRAUN INTERTEC CORP	\$87,943.25	OBSRVTN & TESTING SRVS	V00406	TASK ORDER #4
<b>Other Services / Quality Testing</b>				<b>\$102,896.75</b>			
790-7950-429.33-25	26/06/2025	EK06250	Serkland Law Firm	\$11,348.35	SERKLAND LAW FIRM	V05418	FLOOD ACQUISITIONS
	27/06/2025	EK06250	Serkland Law Firm	\$9,276.00	SERKLAND LAW FIRM	V05418	FLOOD ACQUISITIONS
<b>Other Services / Legal Services</b>				<b>\$20,624.35</b>			
790-7950-429.33-32	26/06/2025	EK06250	SRF Consulting Group	\$73.84	SRF CONSULTING GROUP, INC	V05401	DEMOLITION/LEVEE-HARWOOD
	27/06/2025	EK06250	SRF Consulting Group	\$165.00	SRF CONSULTING GROUP, INC	V05405	LEVEE/FLOODWALL - BELMONT
<b>Other Services / Appraisal Services</b>				<b>\$238.84</b>			
790-7950-429.38-99	26/06/2025	345647	NORMANNA TOWNSHIP	\$18,012.50	REIMB GLACIER ENTERPRISES	V09401	NORMANNA TOWNSHIP MOU
	26/06/2025	345658	Pleasant Township	\$18,012.20	REIMB GLACIER ENTERPRISES	V06801	PLEASANT TOWNSHIP MOU
	26/06/2025	345681	Warren Township	\$36,450.00	REIMB GLACIER ENTERPRISES	V14201	MOU PAYMENTS
	26/06/2025	EK06250	Simplifile LC	\$23.50	SIMPLIFILE LC	V05405	LEVEE/FLOODWALL - BELMONT
<b>Other Services / Other Services</b>				<b>\$72,498.20</b>			
790-7950-429.41-05	12/06/2025	345203	Cass Rural Water	\$30.16	ACCT #18789-DIVERSION	V05006	DIVERSION INLET UTILITY
<b>Utility Services / Water and Sewer</b>				<b>\$30.16</b>			
790-7950-429.71-30	26/06/2025	EK06250	John Stern	\$9,686.40	STERN, JOHN	V05405	LEVEE/FLOODWALL - BELMONT
<b>Land / Land Purchases</b>				<b>\$9,686.40</b>			
790-7950-429.73-20	12/06/2025	345305	INDUSTRIAL BUILDERS INC	\$194,771.50	REIMB INDUSTRIAL BUILDERS	V12201	SE CASS WRD MOU
<b>Infrastructure / Site Improvements</b>				<b>\$194,771.50</b>			

**Summary Of Expenses**  
**EXP-2025-06**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7950-429.73-52	26/06/2025	EK06250	INDUSTRIAL BUILDERS INC	\$2,090.00	INDUSTRIAL BUILDERS INC	V05434	FM24A-S UNIV WALL REP
	27/06/2025	EK06250	INDUSTRIAL BUILDERS INC	\$6,270.00	INDUSTRIAL BUILDERS INC	V05434	FM24A-S UNIV WALL REP
<b>Infrastructure / Flood Control</b>				<b>\$8,360.00</b>			
790-7950-429.73-70	12/06/2025	345202	Cass County Electric Cooperativ	\$284,109.86	3 PHASE POWER SERVICE	V04710	RYAN RICHARDS 3 PH PWR SV
	12/06/2025	345203	Cass Rural Water	\$5,276.51	5806 124 AVE S	V05016	TO 9 - WP38C DISCONNECTS
	12/06/2025	345275	MLGC	\$11,160.00	UTILITY RELOCATION	V11201	UTILITY RELOCATION
	12/06/2025	345320	XCEL ENERGY-FARGO	\$110,943.81	UTILITY RELOCATIOON	V07704	TO1-MONTICELLO-BISON TRAN
<b>Infrastructure / Utilities</b>				<b>\$411,490.18</b>			
790-7950-429.80-12	26/06/2025	EK06250	CASS COUNTY TREASURER	\$13,671.85	City of Fargo	V05420	FLOOD BUYOUTS - SPECIALS
<b>Debt Service / Special Assessment Princ.</b>				<b>\$13,671.85</b>			
790-7950-429.80-16	26/06/2025	EK06250	CASS COUNTY TREASURER	\$1,162.30	City of Fargo	V05420	FLOOD BUYOUTS - SPECIALS
<b>Debt Service / Specials - BID</b>				<b>\$1,162.30</b>			
790-7951-429.73-70	12/06/2025	345294	RED RIVER VALLEY COOPE	\$35,800.00	COOP POWER TO #7	V10708	TO07-ABANDON LINE
<b>Infrastructure / Utilities</b>				<b>\$35,800.00</b>			
790-7959-429.33-05	26/06/2025	EK06250	APEX Engineering Group Inc	\$24,230.35	APEX ENGINEERING GROUP IN	V05432	STORM LIFT IMPR #27
	26/06/2025	EK06250	HOUSTON ENGINEERING IN	\$43,208.00	HOUSTON ENGINEERING INC	V05431	STORM LIFT IMPR #47 & #48
	26/06/2025	EK06250	HOUSTON ENGINEERING IN	\$3,043.00	HOUSTON ENGINEERING INC	V05433	NR24B - LIFT STAT 11 & 57
	26/06/2025	EK06250	HOUSTON ENGINEERING IN	\$151,612.30	HOUSTON ENGINEERING INC	V05438	NR25D-STRM LFT RHB #41,42
	27/06/2025	EK06250	APEX Engineering Group Inc	\$28,290.70	APEX ENGINEERING GROUP IN	V05432	STORM LIFT IMPR #27
<b>Other Services / Engineering Services</b>				<b>\$250,384.35</b>			
790-7959-429.38-99	26/06/2025	EK06250	XCEL ENERGY-FARGO	\$4,976.85	XCEL ENERGY	V05432	STORM LIFT IMPR #27
<b>Other Services / Other Services</b>				<b>\$4,976.85</b>			
790-7959-429.73-52	26/06/2025	EK06250	Key Contracting Inc	\$570,005.70	KEY CONTRACTING INC	V05433	NR24B - LIFT STAT 11 & 57
	26/06/2025	EK06250	Sun Electric Inc.	\$111,967.00	SUN ELECTRIC INC	V05433	NR24B - LIFT STAT 11 & 57
	27/06/2025	EK06250	Key Contracting Inc	\$793,371.03	KEY CONTRACTING INC	V05432	STORM LIFT IMPR #27
	27/06/2025	EK06250	Key Contracting Inc	\$335,730.00	KEY CONTRACTING INC	V05433	NR24B - LIFT STAT 11 & 57
<b>Infrastructure / Flood Control</b>				<b>\$1,811,073.73</b>			

Summary Of Expenses

EXP-2025-06

15 July 2025

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7990-429.33-25	05/06/2025	345119	OHNSTAD TWICHELL PC	\$70,501.90	DIVERSION LEGAL SERVICES	V00102	General & Admin. WIK
Other Services / Legal Services				\$70,501.90			
790-7990-429.34-57	25/06/2025	15427	BANK OF NORTH DAKOTA	\$18,007.50	BND TRUSTEE FEE 6/2025	V08502	MONTHLY TRUSTEE FEE
Technical Services / FMDA Trustee Fees BND				\$18,007.50			
790-7990-429.34-59	26/06/2025	345660	P3 Collaborative LLC, Christoph	\$5,225.00	TECHNICAL DRB	V14301	TECHNICAL DISPUTE BOARD
Technical Services / Outside Consultant				\$5,225.00			
790-7998-555.90-81	23/06/2025	EK06250	Diversion Admin Budget Transfe	\$0.00	ANNUAL ADMIN BDGT TRF-JUN	VADMIN	Diversion Administration
FMDA Admin. Budget Fund				\$0.00			
790 Subtotal				\$8,689,093.05			

Total Amount Invoiced this period:	\$8,789,707.88	
	\$0.00	Less Paid Retainage
	\$8,789,707.88	Total Less Paid Retainage

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
LAND PURCHASE	\$434,961,819.61	\$434,961,819.61	\$0.00	Land Purchase
CH2M HILL ENGINEERS INC	\$154,012,417.39	\$135,786,441.56	\$18,225,975.83	Project & Construction Management
HOUSTON-MOORE GROUP LLC	\$96,722,631.93	\$81,318,545.99	\$15,404,085.94	Engineering Services
INDUSTRIAL BUILDERS INC	\$66,923,796.76	\$66,515,670.26	\$408,126.50	2nd St N Pump Station Project and 2nd St Floodwall, South of Pu
ARMY CORP OF ENGINEERS	\$54,174,400.00	\$54,174,400.00	\$0.00	Local Share
NORTH DAKOTA PUBLIC FINANCE AUTHORIT	\$44,080,290.00	\$44,080,290.00	\$0.00	Debt Service
KEY CONTRACTING INC	\$35,551,692.93	\$35,551,692.93	\$0.00	Flood Protection Services
RICHLAND-WILKIN JPA	\$35,000,000.00	\$35,000,000.00	\$0.00	Economic Impact Relief Fund
OHNSTAD TWICHELL PC	\$27,192,574.90	\$27,192,574.90	\$0.00	Legal Services
RED RIVER VALLEY ALLIANCE LLC	\$25,990,672.86	\$25,990,672.86	\$0.00	P3 Developer payments
MEYER CONTRACTING	\$19,244,280.80	\$19,244,280.80	\$0.00	WP-43CD and Gatewell - PVD & Surcharge Installation
INDUSTRIAL CONTRACT SERVICES INC	\$18,419,743.64	\$18,419,743.64	\$0.00	4th St Pump Station and 2nd Street Floodwall
ADVANCED ENGINEERING INC	\$16,046,097.25	\$14,675,440.09	\$1,370,657.16	Lands Management and Public Outreach
DORSEY & WHITNEY LLP	\$13,908,062.60	\$13,908,062.60	\$0.00	Legal Services
WELLS FARGO	\$11,607,080.05	\$11,607,080.05	\$0.00	Debt Service
DAKOTA UNDERGROUND	\$11,141,625.69	\$11,141,625.69	\$0.00	Utility Relocation
LANDSCAPES UNLIMITED	\$11,007,612.78	\$11,007,612.78	\$0.00	Golf Course Construction - Oxbow Country Club
OKEEFE, OBRIAN, LYSON & FOSS LTD	\$9,962,512.68	\$9,962,512.68	\$0.00	FLDBUY - COF Flood Home Buyouts
CASS COUNTY JOINT WATER RESOURCE DI	\$8,916,404.16	\$8,916,404.16	\$0.00	O/H/B Ring Levee, DPAC, Postage, Miscellaneous
CITY OF FARGO	\$8,881,482.86	\$8,875,844.11	\$5,638.75	Utility Relocation, Accounting Svcs, Interest on Deficit Funds
MOORE ENGINEERING INC	\$8,639,596.39	\$6,958,669.45	\$1,680,926.94	Engineering Services
CASS RURAL WATER	\$7,230,309.48	\$7,146,390.00	\$83,919.48	Utilities and Utility Relocation
HOUSTON ENGINEERING INC	\$7,205,090.74	\$7,205,090.74	\$0.00	Engineering Services
ASHURST LLP	\$6,352,853.01	\$6,352,853.01	\$0.00	PPP Legal Counsel
SRF CONSULTING GROUP	\$6,341,707.43	\$3,888,169.44	\$2,453,537.99	Engineering Services
CASS COUNTY GOVERNMENT	\$6,029,551.44	\$6,029,551.44	\$0.00	Gravel on County Rd 17 Bypass
NUSTAR PIPELINE OPERATING PARTNERSHIP	\$5,867,251.62	\$5,867,251.62	\$0.00	Utility Relocation

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
SCHMIDT AND SONS INC.	\$5,866,537.93	\$4,895,502.93	\$971,035.00	Residential Demolition in Oxbow
ERNST & YOUNG	\$5,377,000.00	\$5,046,714.40	\$330,285.60	P3 Financial Advisory Services
BRAUN INTERTEC CORP	\$5,283,886.56	\$3,145,630.56	\$2,138,256.00	Materials Testing
SELLIN BROS INC	\$4,487,126.94	\$4,487,126.94	\$0.00	Riverwood Flood Risk Project - Construction
CASS COUNTY ELECTRIC COOPERATIVE	\$4,160,551.76	\$3,477,488.75	\$683,063.01	Electrical Services
XCEL ENERGY-FARGO	\$4,004,762.30	\$2,489,432.45	\$1,515,329.85	Utility Relocation
PROSOURCE TECHNOLOGIES, INC	\$3,873,908.66	\$3,557,364.40	\$316,544.26	Land Acquisition Services
CENTURYLINK COMMUNICATIONS	\$3,710,251.78	\$3,710,251.68	\$0.10	Utility Relocation
RILEY BROS	\$3,656,841.67	\$3,656,841.67	\$0.00	Construction - OHB Ring Levee & WP-28A
RED RIVER VALLEY & WESTERN RAILROAD C	\$3,589,388.46	\$3,589,388.46	\$0.00	Railroad Facilities and the Rail Property
BNSF RAILWAY CO	\$3,585,747.80	\$3,585,747.80	\$0.00	Permits for In-Town Levee Projects
CHS INC.	\$3,049,153.37	\$3,049,153.37	\$0.00	Purchase Agreement (DB-1011)
PLENARY AMERICAS USA LTD	\$3,000,000.00	\$3,000,000.00	\$0.00	Stipend Payment for P3 RFP
PROGRAM ADVISOR SERVICES, LLC	\$2,977,982.87	\$2,665,315.95	\$312,666.92	Program Consulting Services
CROWN APPRAISALS	\$2,972,730.00	\$2,579,030.00	\$393,700.00	Flowage Easements Valuation and Appraisal Services
MAGELLAN PIPELINE	\$2,852,375.85	\$2,852,375.85	\$0.00	Utility Relocation
HDR ENGINEERING, INC.	\$2,671,901.12	\$2,200,698.45	\$471,202.67	Engineering Services
MINNESOTA DNR	\$2,636,755.60	\$2,617,681.40	\$19,074.20	EIS Scoping and Permit Application
AON RISK SERVICES CENTRAL INC	\$2,418,693.41	\$2,339,756.91	\$78,936.50	Risk Advisory Services P3 Pre-Award
MASTER CONSTRUCTION CO INC	\$2,417,372.64	\$2,417,372.64	\$0.00	Flood Mitigation - Royal Oaks Area - Construction
OXBOW, CITY OF	\$2,383,317.16	\$2,383,317.16	\$0.00	OXBOW MOU - LAND ADVANCE
EXCAVATING INC - FARGO	\$2,328,298.24	\$2,328,298.24	\$0.00	Excavation and Utilities
LANDWEHR CONSTRUCTION INC	\$2,304,622.16	\$2,304,622.16	\$0.00	In-Town and WP-43 Demolition Contracts
HOUGH INC	\$2,280,719.33	\$2,088,832.83	\$191,886.50	Construction WP-42F.2 and Oxbow River Intake & Pumping Syst
ACONEX (NORTH AMERICA) INC	\$2,194,655.43	\$1,885,635.99	\$309,019.44	Electronic Data Mgmt and Record Storage System
MINNKOTA POWER COOPERATIVE	\$2,155,405.68	\$1,698,465.67	\$456,940.01	Utility Relocation
URS CORPORATION	\$1,805,670.90	\$1,805,670.90	\$0.00	Cultural Resources Investigations

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
AECOM	\$1,692,603.43	\$1,368,412.16	\$324,191.27	Cultural Resources Investigations
REINER CONTRACTING INC	\$1,599,646.21	\$1,599,646.21	\$0.00	El Zagal Flood Risk Management
CASS COUNTY TREASURER	\$1,582,695.56	\$1,582,695.56	\$0.00	Property Taxes
ULTEIG ENGINEERS INC	\$1,540,037.09	\$1,493,586.09	\$46,451.00	Land Acquisition Services
WAGNER CONSTRUCTION INC.	\$1,417,840.62	\$1,417,840.62	\$0.00	Utility Relocation
UNITED STATES GEOLOGICAL SURVEY	\$1,343,840.00	\$818,670.00	\$525,170.00	Water Level Discharge Collection & Stage Gage Installation
BANK OF NORTH DAKOTA	\$1,322,274.35	\$1,322,274.35	\$0.00	Legal review fees
LARKIN HOFFMAN ATTORNEYS	\$1,278,988.31	\$1,278,988.31	\$0.00	Legal Services
US BANK	\$1,205,546.13	\$1,205,546.13	\$0.00	Loan Advance Debt Service Payments
ANKURA CONSULTING GROUP LLC	\$1,147,340.06	\$1,147,340.06	\$0.00	Scheduling Services
CONSOLIDATED COMMUNICATIONS	\$1,088,669.17	\$1,088,669.17	\$0.00	Utility Relocation
CITY OF HORACE	\$1,079,925.15	\$1,079,925.15	\$0.00	Infrastructure Fund
KPH, INC.	\$1,025,640.12	\$1,025,640.12	\$0.00	WP-43D5 Construction
CLERK OF DISTRICT COURT	\$939,044.32	\$939,044.32	\$0.00	FLDBUY - COF Flood Home Buyouts
TERRACON CONSULTING ENGINEERS	\$890,924.41	\$890,924.41	\$0.00	Materials Testing
SBA COMMUNICATIONS	\$851,648.91	\$851,648.91	\$0.00	Utility Relocation
JT LAWN SERVICE LLC	\$851,620.10	\$393,982.00	\$457,638.10	Mowing and weed control
SPRINT COMMUNICATIONS COMPANY L.P.	\$812,034.58	\$812,034.58	\$0.00	Fiber Optic Relocation
COMPASS LAND CONSULTANTS, INC	\$804,820.00	\$643,189.43	\$161,630.57	Property Appraisal Services
UNITED STATES ENVIRONMENTAL PROTECTI	\$799,086.35	\$799,086.35	\$0.00	WIFIA LOAN APPLCATION FEE
LINNCO, INC.	\$792,403.11	\$534,003.11	\$258,400.00	House Demo and Removal
BORDER STATES PAVING, INC	\$762,980.64	\$762,980.64	\$0.00	Street repairs
CC STEEL, LLC	\$755,550.09	\$755,550.09	\$0.00	Lift Station Improvements
DAKOTA CARRIER NETWORK	\$727,348.58	\$727,348.58	\$0.00	Utility Relocation
CLAY COUNTY AUDITOR	\$704,233.05	\$704,233.05	\$0.00	Property Taxes - MN
C THREE MEDIA, LLC	\$703,235.02	\$511,657.75	\$191,577.27	Videography Services
PATCHIN MESSNER VALUATION COUNSELOR	\$687,462.50	\$526,383.75	\$161,078.75	Property Appraisal Services

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
ERIK R JOHNSON & ASSOCIATES	\$686,572.23	\$686,572.23	\$0.00	Legal Services
NORTHERN IMPROVEMENT COMPANY	\$682,385.59	\$682,385.59	\$0.00	CR-17 asphalt paving
NEON LOON COMMUNICATIONS, LLC	\$666,006.80	\$544,900.62	\$121,106.18	Communications Support
APEX ENGINEERING GROUP INC	\$656,753.67	\$656,753.67	\$0.00	Engineering
METROPOLITAN COUNCIL OF GOVERNMENTS	\$637,390.01	\$637,390.01	\$0.00	Digital Aerial Photography
RED RIVER VALLEY COOPERATIVE ASSOC	\$621,809.41	\$537,425.54	\$84,383.87	Electricity - Home Buyouts
NDSU BUSINESS OFFICE-BOX 6050	\$606,145.00	\$606,145.00	\$0.00	Ag Risk Study Services
LTP ENTERPRISES INC.	\$605,472.00	\$605,472.00	\$0.00	Test Holes and Test Well Drilling
DUCKS UNLIMITED	\$587,180.00	\$587,180.00	\$0.00	Wetland Mitigation Credits
AT&T	\$586,269.60	\$586,269.60	\$0.00	Utility Relocation
MIDCONTINENT COMMUNICATIONS	\$531,170.41	\$531,170.41	\$0.00	Utility Relocation
RED RIVER BASIN COMMISSION	\$501,000.00	\$501,000.00	\$0.00	Retention Projects - Engineering Services
HOFFMAN & MCNAMARA CO.	\$491,334.67	\$491,334.67	\$0.00	General Landscaping and Planting (WP-42G)
BUFFALO-RED RIVER WATERSHED DISTRICT	\$482,361.11	\$482,361.11	\$0.00	Retention Projects - Engineering Services
WATTS AND ASSOCIATES, INC.	\$460,000.00	\$410,382.41	\$49,617.59	Crop insurance product development services
RICK ELECTRIC INC	\$455,200.00	\$455,200.00	\$0.00	Riverwood Flood Risk Project - Electrical
TINJUM APPRAISAL COMPANY, INC.	\$443,600.00	\$252,600.00	\$191,000.00	Property Appraisal Services
ROBERT TRENT JONES	\$440,431.73	\$440,431.73	\$0.00	Oxbow MOU - Golf Course Consulting Agreement
BEAVER CREEK ARCHAEOLOGY	\$396,970.25	\$396,970.25	\$0.00	Engineering Services
MOODYS INVESTORS SERVICE, INC.	\$382,375.00	\$382,375.00	\$0.00	WIFIA loan fees
MBA	\$380,636.36	\$380,636.36	\$0.00	Golf course and pump house - Oxbow Country Club
DAWSON INSURANCE AGENCY	\$362,065.41	\$362,065.41	\$0.00	Property Insurance - Home Buyouts
MVM CONTRACTING	\$339,448.03	\$339,448.03	\$0.00	Fiber Relocation
SWANSON HEALTH PRODUCTS, INC.	\$337,059.00	\$337,059.00	\$0.00	FM1471 - Storm Lift Stations #55 and #56 - Drain 27
INTEGRA REALTY RESOURCES	\$320,750.00	\$260,725.00	\$60,025.00	Property Appraisal Services
DFI BRIDGE CORPORATION	\$316,211.21	\$316,211.21	\$0.00	Bridge Construction - Oxbow Country Club
KLJ ENGINEERING, LLC	\$314,693.05	\$314,693.05	\$0.00	Lift Station Improvements

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
FEDERAL STEEL SUPPLY, INC.	\$307,378.00	\$307,378.00	\$0.00	OHB - 42 inch steel pipe
DIRT DYNAMICS	\$301,332.37	\$301,332.37	\$0.00	HD18A1 - Oakcreek, Copperfield & Univerisy - Demo
GARY KILLEBREW	\$279,500.00	\$279,500.00	\$0.00	Project Manager Services - Oxbow Country Club
TURMAN & LANG	\$277,139.55	\$277,139.55	\$0.00	Legal Services
JR FERCHE INC.	\$277,004.58	\$277,004.58	\$0.00	Water System Improvements
FUSION AUTOMATION INC.	\$269,698.82	\$269,698.82	\$0.00	Electrical
PLEASANT TOWNSHIP	\$267,686.99	\$267,686.99	\$0.00	Building Permit Application
702 COMMUNICATIONS	\$266,892.07	\$266,892.07	\$0.00	Utility Relocation
CDM SMITH INC.	\$255,000.00	\$5,514.38	\$249,485.62	Financial Dispute Resolution Board
FORUM COMMUNICATIONS	\$249,662.78	\$249,662.78	\$0.00	Advertising Services
PR FOR GOOD, INC	\$242,482.28	\$242,482.28	\$0.00	Communications Support Services
FREDRIKSON & BYRON, PA	\$241,881.28	\$241,881.28	\$0.00	Lobbying Services
GRAY PANNELL & WOODWARD LLP	\$231,300.68	\$231,300.68	\$0.00	Legal Services
GA GROUP, PC	\$228,229.32	\$228,229.32	\$0.00	Government Relations
WILLIAM D. SCEPANIAK, INC.	\$226,235.21	\$226,235.21	\$0.00	ROADWAY RESHAPING & AGGREGATE SURFACING
SERKLAND LAW FIRM	\$210,428.06	\$210,428.06	\$0.00	Legal services
AMERICAN ENTERPRISES, INC.	\$200,281.00	\$200,281.00	\$0.00	Construction/Demolition
CITY OF OXBOW MOU	\$200,000.00	\$200,000.00	\$0.00	Oxbow Park Relocation MOU Amendment
EXECUTIVE MANAGEMENT SYSTEMS, INC.	\$196,763.96	\$196,763.96	\$0.00	Executive Coaching
HOLY CROSS TOWNSHIP	\$188,000.00	\$188,000.00	\$0.00	MOU payments
RED RIVER COMMUNICATIONS	\$181,365.42	\$181,365.42	\$0.00	Fiber Relocation
MAPLETON, CITY OF	\$179,605.00	\$97,082.13	\$82,522.87	Prelim Engineering Services
SPRINGSTED INCORPORATED	\$178,010.15	\$178,010.15	\$0.00	Financial Advisor
KADRMAS LEE & JACKSON, INC.	\$176,164.00	\$176,164.00	\$0.00	Engineering Services
MUNICIPAL AIRPORT AUTHORITY	\$166,981.00	\$166,981.00	\$0.00	Easement for Airport
SOIL BORINGS	\$166,232.50	\$166,232.50	\$0.00	Soil Borings
LANDVEST, INC.	\$160,000.00	\$0.00	\$160,000.00	Appraisal services

*Cumulative Vendor Payments Since Inception (Paid Only)*

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
EIDE BAILLY LLP	\$156,171.00	\$142,781.63	\$13,389.37	Audit Services
SUN ELECTRIC INC.	\$148,238.00	\$148,238.00	\$0.00	Lift Station Electrical Services
PFM PUBLIC FINANCIAL MANAGEMENT	\$146,460.00	\$146,460.00	\$0.00	Financial Advisor
S&P GLOBAL RATINGS	\$145,625.00	\$145,625.00	\$0.00	Ratings Evaluation Service
DAILY NEWS	\$143,075.16	\$143,075.16	\$0.00	Advertising Services
MLGC	\$142,052.49	\$142,052.49	\$0.00	Utility Relocation
CHAPMAN AND CUTLER	\$140,000.00	\$140,000.00	\$0.00	Legal Services
QUANTUM SPATIAL, INC.	\$139,061.35	\$139,061.35	\$0.00	Digital Aerial Photography
FUGRO USA LAND, INC.	\$130,396.52	\$130,396.52	\$0.00	Digital Aerial Photography
MARCO TECHNOLOGIES	\$125,554.72	\$122,564.14	\$2,990.58	IT Services
BALLARD SPAHR	\$121,500.00	\$121,500.00	\$0.00	Fiscal Agent
SENTRY SECURITY, INC.	\$121,212.85	\$121,212.85	\$0.00	Security Services
AFFINITEXT INC	\$118,630.00	\$80,966.26	\$37,663.74	Document Management Services
ENVENTIS	\$115,685.62	\$115,685.62	\$0.00	Utility Relocation
GE BOCK REAL ESTATE, LLC	\$112,590.00	\$112,590.00	\$0.00	Property Appraisal Services
OXBOW COUNTRY CLUB	\$110,391.68	\$110,391.68	\$0.00	Golf Course - Oxbow
JORGE PAGAN	\$109,500.00	\$109,500.00	\$0.00	Appraisal services
MAPLETON TOWNSHIP	\$108,030.00	\$108,030.00	\$0.00	Lost tax revenue and attorney fees
DAVID CLARDY	\$105,215.05	\$105,215.05	\$0.00	Home buyouts - easement
WARREN TOWNSHIP	\$101,604.72	\$101,604.72	\$0.00	SEEDING, ROAD REPAIR, DUST CONTROL

155 Vendors

Report Totals: \$1,289,822,194.20 \$1,238,823,063.77 \$50,999,130.43

Data Through Date: 27 June 2025

## Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
<b>BIOGEO</b>	<b>431</b>	<b>267</b>	<b>131</b>	<b>92%</b>	<b>33</b>	<b>\$1,673,857</b>
BIOGEO	300	266	1	89%	33	\$900,422
HC	131	1	130	100%	0	\$773,435
<b>CHANNEL</b>	<b>720</b>	<b>500</b>	<b>217</b>	<b>100%</b>	<b>3</b>	<b>\$99,122,854</b>
DA_MOB_HORACE	4	2	0	50%	2	\$0
ENV	1	0	0	0%	1	\$0
HC	267	50	217	100%	0	\$3,568,166
LAP01	114	114	0	100%	0	\$7,872,311
LAP02	96	96	0	100%	0	\$13,519,297
LAP03	81	81	0	100%	0	\$23,021,827
LEGACY	157	157	0	100%	0	\$51,141,254
<b>DOWNSTREAM</b>	<b>7</b>	<b>0</b>	<b>7</b>	<b>100%</b>	<b>0</b>	<b>\$0</b>
HC	7	0	7	100%	0	\$0
<b>Habitat Improvem</b>	<b>23</b>	<b>10</b>	<b>8</b>	<b>78%</b>	<b>5</b>	<b>\$96,290</b>
ENV	5	5	0	100%	0	\$0
Habitat_Shey	10	5	0	50%	5	\$96,290
HC	8	0	8	100%	0	\$0
<b>MOBILITY</b>	<b>123</b>	<b>0</b>	<b>1</b>	<b>1%</b>	<b>122</b>	<b>\$0</b>
DA_MOB37_MN	51	0	0	0%	51	\$0
DA_MOB37_ND	19	0	0	0%	19	\$0
DA_MOB38TH	52	0	0	0%	52	\$0
HC	1	0	1	100%	0	\$0

Data Through Date: 27 June 2025

### Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
<b>SEAILAND</b>	<b>535</b>	<b>473</b>	<b>52</b>	<b>98%</b>	<b>10</b>	<b>\$102,208,977</b>
DRAIN 27	43	43	0	100%	0	\$23,877,374
HC	59	7	52	100%	0	\$458,806
LEGACY	138	138	0	100%	0	\$24,413,660
SE_I29	6	6	0	100%	0	\$2,990,158
SE-1	21	21	0	100%	0	\$6,259,028
SE-1B	6	6	0	100%	0	\$4,276
SE-2A	11	11	0	100%	0	\$3,978,681
SE-2B	84	84	0	100%	0	\$13,278,000
SE-3	14	14	0	100%	0	\$1,078,007
SE-4	70	63	0	90%	7	\$10,716,370
SE-5	24	21	0	88%	3	\$973,621
SE-INLET	7	7	0	100%	0	\$2,952,107
SE-RRCS	37	37	0	100%	0	\$7,707,431
SE-WRCS	10	10	0	100%	0	\$438,958
WP43B	5	5	0	100%	0	\$3,082,500
<b>Sheyenne Mitigatio</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>10%</b>	<b>9</b>	<b>\$3,000</b>
SheyMit	10	1	0	10%	9	\$3,000
<b>WP36</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>100%</b>	<b>0</b>	<b>\$2,750</b>
WRDAM	2	2	0	100%	0	\$2,750
<b>WP38</b>	<b>1,050</b>	<b>443</b>	<b>376</b>	<b>78%</b>	<b>231</b>	<b>\$136,182,885</b>
HC	380	4	376	100%	0	\$1,283,123
LEGACY	5	5	0	100%	0	\$457,563
UMA	579	431	0	74%	148	\$134,349,113
UMA-C	59	0	0	0%	59	\$0
UMA-W	14	3	0	21%	11	\$93,086
UMA-W2	13	0	0	0%	13	\$0
<b>WP40</b>	<b>18</b>	<b>8</b>	<b>10</b>	<b>100%</b>	<b>0</b>	<b>\$48,923</b>
DRAYTON	7	7	0	100%	0	\$48,923
HC	10	0	10	100%	0	\$0
LEGACY	1	1	0	100%	0	\$0
<b>WP42</b>	<b>66</b>	<b>49</b>	<b>4</b>	<b>80%</b>	<b>13</b>	<b>\$37,850,061</b>
HC	4	0	4	100%	0	\$0
LEGACY	6	6	0	100%	0	\$18,014,935
WP42	56	43	0	77%	13	\$19,835,126

Data Through Date: 27 June 2025

### Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
<b>WP43</b>	<b>267</b>	<b>121</b>	<b>146</b>	<b>100%</b>	<b>0</b>	<b>\$80,370,769</b>
Non-OIN Hard Land Cost	0	0	0	0%	0	\$22,598,547
HC	147	1	146	100%	0	\$500
LEGACY	6	6	0	100%	0	\$3,589,519
WP43A	1	1	0	100%	0	\$0
WP43B	11	11	0	100%	0	\$2,505,237
WP43C	74	74	0	100%	0	\$45,142,769
WP43D	14	14	0	100%	0	\$5,271,226
WP43D5	5	5	0	100%	0	\$1,175,055
WP43G	9	9	0	100%	0	\$87,915
<b>Totals</b>	<b>3,252</b>	<b>1,874</b>	<b>952</b>	<b>87%</b>	<b>426</b>	<b>\$457,560,367</b>

**FM Metropolitan Area Flood Risk Management Project**  
**Lands Expense - Life To Date**  
**As of June 30, 2025**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
<b>Commercial Relocations - Fargo</b>		16,099,989.70	-	16,300,462.10	(1,100.00)	32,399,351.80
<b>Home Buyouts - Fargo</b>		3,044,054.89	-	521,417.80	-	3,565,472.69
<b>Home Buyouts - Moorhead</b>		495,809.91	-	84,060.80	(8,440.00)	571,430.71
<b>Home Buyouts - Oxbow</b>		29,678,181.97	-	17,142,531.46	(368,167.87)	46,452,545.56
<b>Home Buyouts - Hickson</b>		1,031,674.37	-	120,422.18	-	1,152,096.55
<b>Home Buyouts - Horace</b>		7,604,598.67	-	595,320.88	-	8,199,919.55
<b>Home Buyouts - Argusville</b>		215,030.91	-	6,912.57	-	221,943.48
<b>Easements - Fargo</b>		504,716.00	-	-	-	504,716.00
<b>Easements - Hickson</b>		500.00	-	-	-	500.00
<b>Easements - Oxbow</b>		55,500.00	-	-	-	55,500.00
<b>Easements - Diversion Inlet Control Structure</b>		4,302,787.22	-	-	-	4,302,787.22
<b>Easements - Piezometer</b>		259,765.00	-	-	-	259,765.00
<b>Easements - Minnesota</b>		1,542,370.79	-	-	-	1,542,370.79
<b>Farmland Purchases</b>		325,163,482.79	-	5,109,571.44	(19,523,683.89)	182,959,434.22

**FM Metropolitan Area Flood Risk Management Project**  
**Lands Expense - Life To Date**  
**As of June 30, 2025**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
<b>Land Purchases</b>		189,904,165.20	-	2,563,701.41	(9,535,432.39)	182,959,434.22
That part of the Northwest Quarter of Section 16, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	1/30/2025	718,704.29				
That part of the NE 1/4 of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	1/30/2025	431,999.39				
Part of the Southeast quarter (SE1/4) of Section 26, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	4/24/2025	1,275,344.43				
A certain tract of land situated in the Southwest Quarter (SW1/4) of Section 34 Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, described as follows: Commencing at a point which is 926 feet East of the Southwest corner of the Southwest Quarter of Section 34, and which point is the true point of beginning of the tract hereinafter described; thence North and parallel to the West section line of Section 34 a distance of 445 feet; thence East and parallel to the South section line of Section 34 a distance of 587 feet; thence South and parallel to the West section line of Section 34 a distance of 445 feet, more or less, to the South section line of Section 34; thence West and along the South section line a distance of 587 feet, more or less, to the point of beginning.	4/24/2025	1,000.00				
		389,998,462.22	-	39,880,699.23	(19,901,391.76)	409,977,769.69
				<b>Property Management Expense</b>		9,391,857.74
				<b>Grand Total</b>	<b>\$</b>	<b>419,369,627.43</b>

**FM Metropolitan Area Flood Risk Management Project**  
**In-Town Levee Work**  
**as of June 30, 2025**

<b>Vcode #</b>	<b>Vendor Name</b>	<b>Descriptions</b>	<b>Contract Amount</b>	<b>Amount Paid</b>
V02801	Industrial Builders	WP42.A2 - 2nd Street North Pump Station	\$ 8,696,548.46	\$ 8,696,548.46
V02802	Terracon Consulting	WP-42 (In Town Levees) Materials Testing	\$ 884,070.41	\$ 884,070.41
V02803	Consolidated Communications	2nd Street Utility Relocation	\$ 1,178,781.73	\$ 1,178,781.73
V02804	702 Communications	2nd Street Utility Relocation	\$ 266,892.07	\$ 266,892.07
V02805	ICS	WP-42A.1/A.3 - 4th St Pump Station & Gatewell and 2nd St Floodwall S	\$ 18,365,229.13	\$ 18,365,229.13
V02806	HMG	WP42 - Services During Construction	\$ 6,513,429.90	\$ 6,513,429.90
V02807	CCJWRD	In-Town Levee Work	\$ 3,756,545.64	\$ 3,756,545.64
V02808	City of Fargo	Relocation of fiber optic along 2nd Street North	\$ 397,906.52	\$ 397,906.52
V02809	AT & T	2nd Street Utility Relocation	\$ 586,269.60	\$ 586,269.60
V02811	Xcel Energy	2nd Street & 4th Street Utility Relocations	\$ 769,791.73	\$ 769,791.73
V02812	Industrial Builders	WP-42F.1S - 2nd Street North Floodwall, South of Pump Station	\$ 16,720,591.15	\$ 16,720,591.15
V02813	Landwehr Construction	Park East Apartments Demolition	\$ 1,169,651.74	\$ 1,169,651.74
V02814	Primoris Aevenia	2nd Street Utility Relocation	\$ 16,230.00	\$ 16,230.00
V02815	Centurylink Communications	2nd Street Utility Relocation	\$ 2,660,937.92	\$ 2,660,937.92
V02816	Landwehr Construction	WP-42C.1 - In-Town Levees 2nd Street/Downtown Area Demo	\$ 907,999.08	\$ 907,999.08
V02817	Reiner Contracting, Inc	WP-42H.2 - El Zagal Area Flood Risk Management	\$ 1,599,646.21	\$ 1,599,646.21
V02818	Industrial Builders	WP-42I.1 - Mickelson Levee Extension	\$ 738,880.50	\$ 738,880.50
V02819	Industrial Builders	WP42F.1N - 2nd Street North	\$ 13,362,906.82	\$ 13,362,906.82
V02820	CH2M Hill	WP42 - Construction Management Services	\$ 851,775.30	\$ 851,775.30
V02821	Hough Incorporated	WP42F.2 - 2nd Street South	\$ 1,639,524.33	\$ 1,639,524.33
V02822	City of Fargo	COF - 2016 O&M on Lifts	\$ 406,921.54	\$ 406,921.54
V02823	Hoffman & McNamara	WP-42G General Landscaping and Planting	\$ 491,334.67	\$ 491,334.67
V02824	City of Fargo	COF – In-Town Flood Protection Debt Payments	\$ 36,578,705.00	\$ 36,578,705.00
V01703	Various	In-Town Property Purchases	\$ 21,176,116.94	\$ 19,958,677.43
V02825	Industrial Builders	WP-42E - 2nd Street South and Main Avenue Flood Mitigation	\$ 8,632,103.73	\$ 8,632,103.73
V02826	City of Fargo	In-Town Levee Maintenance	\$ 8,823.82	\$ 8,823.82
V054XX	City of Fargo	In-Town Complementary Work - Reimbursements	\$ 39,289,243.78	\$ 39,289,243.78
			<u>\$ 187,666,857.72</u>	<u>\$ 186,449,418.21</u>

Legacy Bond Fund Balance Report  
As of 06/30/2025

Total Authorized \$ 435,500,000.00

Current Allocation \$ 435,500,000.00

Available funds remaining \$ 30,705,800.96

Funds Requested						
	2021	2022	2023	2024	2025	Total
January	\$ -	\$ 2,942,906.60	\$ 9,981,188.76	\$ 6,088,699.53	\$ 7,591,501.50	\$ 26,604,296.39
February	\$ -	\$ 4,564,036.17	\$ 8,921,227.42	\$ 9,838,208.63	\$ 5,372,470.13	\$ 28,695,942.35
March	\$ -	\$ 5,302,899.35	\$ 17,730,945.56	\$ 14,687,498.12	\$ 17,503,738.94	\$ 55,225,081.97
April	\$ -	\$ 1,472,504.37	\$ 11,046,323.21	\$ 5,988,392.71	\$ 7,896,954.93	\$ 26,404,175.22
May	\$ -	\$ 1,450,140.38	\$ 4,548,883.57	\$ 12,454,283.82	\$ 6,424,778.04	\$ 24,878,085.81
June	\$ -	\$ 4,423,864.76	\$ 14,466,204.50	\$ 5,422,661.00		\$ 24,312,730.26
July	\$ -	\$ 2,663,992.40	\$ 3,974,515.98	\$ 21,445,843.31		\$ 28,084,351.69
August	\$ 5,059,974.19	\$ 13,491,974.29	\$ 13,633,750.92	\$ 8,503,630.42		\$ 40,689,329.82
September	\$ 2,970,327.95	\$ 8,406,666.33	\$ 965,586.18	\$ 6,578,118.55		\$ 18,920,699.01
October	\$ 6,089,707.34	\$ 4,618,116.80	\$ 23,248,333.49	\$ 9,048,118.93		\$ 43,004,276.56
November	\$ 6,415,461.09	\$ 11,768,061.46	\$ 8,921,783.21	\$ 13,053,267.13		\$ 40,158,572.89
December	\$ 6,854,966.95	\$ 17,496,559.97	\$ 11,695,525.26	\$ 11,769,604.90		\$ 47,816,657.08
Total	\$ 27,390,437.51	\$ 78,601,722.88	\$ 129,134,268.06	\$ 124,878,327.05	\$ 44,789,443.54	\$ 404,794,199.04

Funds Received						
May 2022	\$	27,390,437.51				\$ 27,390,437.51
Jul 2022			\$ 12,809,842.12			\$ 12,809,842.12
Sep 2022			\$ 7,346,509.51			\$ 7,346,509.51
Dec 2022			\$ 29,180,749.82			\$ 29,180,749.82
Jan 2023				\$ 29,264,621.43		\$ 29,264,621.43
Apr 2023				\$ 18,902,416.18		\$ 18,902,416.18
Aug 2023				\$ 47,792,356.84		\$ 47,792,356.84
Nov 2023				\$ 18,573,853.08		\$ 18,573,853.08
Feb 2024					\$ 43,865,641.96	\$ 43,865,641.96
May 2024					\$ 30,614,406.28	\$ 30,614,406.28
Jun 2024					\$ 18,442,676.53	\$ 18,442,676.53
Aug 2024					\$ 20,891,430.30	\$ 20,891,430.30
Sep 2024					\$ 10,260,000.00	\$ 10,260,000.00
Oct 2024					\$ 10,798,822.98	\$ 10,798,822.98
Dec 2024					\$ 9,048,118.93	\$ 9,048,118.93
Dec 2024					\$ 13,053,267.13	\$ 13,053,267.13
Jan 2025						\$ 11,769,604.90
Mar 2025						\$ 7,385,444.15
Mar 2025						\$ 206,057.35
Apr 2025						\$ 5,372,470.13
Apr 2025						\$ 17,503,738.94
May 2025						\$ 7,896,954.93
Jun 2025						\$ 6,424,778.04
						\$ -
Total	\$	27,390,437.51	\$ 49,337,101.45	\$ 114,533,247.53	\$ 156,974,364.11	\$ 56,559,048.44
						\$ 404,794,199.04

State Revolving Fund (SRF) Status Report  
As of 06/30/2025

Total Authorized	\$	51,634,000.00
Funds Received to Date	\$	25,747,588.23
Available Balance Remaining	\$	25,886,411.77

Funds Requested			
Draw Request Number	Period Covered	Amount	Date Submitted
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	19-Dec-22
2	09-Dec through 16-Dec-2022	\$ 2,125,033.67	17-Jan-23
3	03-Feb through 10-Feb-2023	\$ 2,539,298.51	03-Apr-23
4	11-Feb through 30-Apr. 2023	\$ 1,600,121.65	25-Jul-23
5	11-July through 28-Sept. 2023	\$ 2,052,271.94	24-Oct-23
6	11-July through 28-Sept. 2023	\$ 2,731,423.54	07-Feb-24
7	1-Nov 2023 through 31-Jan. 2024	\$ 1,112,125.48	23-May-24
8	1-Jan 2024 through 31-May 2024	\$ 2,561,881.66	25-Jul-24
9	1-June 2024 through 30-June 2024	\$ 1,217,202.33	26-Aug-24
10	1-July 2024 through 31-July 2024	\$ 187,381.78	26-Sep-24
11	1-July 2024 through 31-July 2024	\$ 1,935,077.29	26-Sep-24
12	1-July 2024 through 31-July 2024	\$ 6,413,118.48	20-Dec-24
13	1-Nov 2024 through 31-Dec 2024	\$ 2,388,583.96	25-Feb-25
14	1-Nov 2024 through 31-Dec 2024	\$ 1,816,699.40	25-Mar-25
		\$ 29,952,871.59	

Funds Received			
Draw Request Number	Period Covered	Amount	Date Received
1	12-Aug through 17-Oct-2022	\$ 1,272,651.90	23-Dec-22
2	09-Dec through 16-Dec-2022	\$ 2,125,033.67	10-Feb-23
3	03-Feb through 10-Feb-2023	\$ 2,539,298.51	21-Apr-23
4	11-Feb through 30-Apr. 2023	\$ 1,600,121.65	21-Aug-23
5	11-July through 28-Sept. 2023	\$ 2,052,271.94	08-Nov-23
6	11-July through 28-Sept. 2023	\$ 2,731,423.54	22-Feb-24
7	1-Nov 2023 through 31-Jan. 2024	\$ 1,112,125.48	06-Jun-24
8	1-Jan 2024 through 31-May 2024	\$ 2,561,881.66	26-Aug-24
9	1-June 2024 through 30-June 2024	\$ 1,217,202.33	25-Sep-24
10	1-July 2024 through 31-July 2024	\$ 187,381.78	14-Oct-24
11	1-July 2024 through 31-July 2024	\$ 1,935,077.29	07-Nov-24
12	1-July 2024 through 31-July 2024	\$ 6,413,118.48	21-Jan-25
13			
Total		\$ 25,747,588.23	

## Finance Committee Bills from July 2025

Vendor	Description		
Cass County Joint Water Resource District	Diversion bills – Request #133 CCJWRD	\$	2,528,689.02
City of Fargo	Reimburse complementary in-town flood projects	\$	1,361,870.25
Ohnstad Twichell, P.C.	Legal services rendered through June 21, 2025	\$	179,651.05
Buffalo-Red River Watershed District	BRRWD – City of Georgetown Project	\$	177,499.55
Clay County	Diversion bills – Request #55 MCCJPA	\$	100,242.26
Dorsey & Whitney	Legal services rendered through June 30, 2025	\$	99,928.24
Buffalo-Red River Watershed District	BRRWD – City of Wolverton Project	\$	95,694.50
Rush River Water Resource District	Reimburse engineering and construction costs related to MOU	\$	34,323.80
Ankura Consulting	Consultant services rendered through June 30, 2025	\$	10,257.50
Cass County	Reimburse misc expenses from Diversion Authority office	\$	6,640.87
Total Bills Received through July 16, 2025		\$	<u>4,594,797.04</u>



**SENT VIA EMAIL**

**Cass County  
Joint Water  
Resource  
District**

July 9, 2025

Ken Lougheed  
Chairman  
Leonard, North  
Dakota

Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

Keith Weston  
Manager  
Gardner, North Dakota

Greetings:

**RE: Metro Flood Diversion Project**

Gerald Melvin  
Manager  
Fargo, North Dakota

Enclosed please find copies of bills totaling \$2,528,689.02 regarding the above reference project.

Jacob Gust  
Manager  
Fargo, North Dakota

At this time, we respectfully request 100% reimbursement per the Joint Powers Agreement between the City of Fargo, Cass County and Cass County Joint Water Resource District dated June 1, 2015.

Rick Steen  
Manager  
Fargo, North Dakota

If you have any questions, please feel free to contact us.

Thank you.

Melissa Hinkemeyer  
Director, Secretary

Sincerely,

Melissa Hinkemeyer  
Treasurer

**CASS COUNTY JOINT WATER RESOURCE DISTRICT**

*Melissa Hinkemeyer*

**Melissa Hinkemeyer  
Director, Secretary**

1201 Main Avenue West  
West Fargo, ND 58078-1301

701-298-2381  
FAX 701-298-2397  
[wrđ@casscountynđ.gov](mailto:wrđ@casscountynđ.gov)  
[casscountynđ.gov](http://casscountynđ.gov)

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES							
Invoice	Invoice	Invoice		Project			7/9/2025
Paid	Date	No.		No.	Amount	Vendor	Description
					(254,806.00)	Kevin L. & Pamela Heiden	Seller's Settlement Statement - OIN 530Y 2372Y
					(19,850.00)	Nathan & Sarah Boerboom	Seller's Settlement Statement - OIN 858
		202781			(250.00)	Ohnstad Twichell, PC	OIN 1210 First International Bank required a \$250.00 Processing fee that was waived at closing and OT was reimbursed
	6/6/2025	203518		130007	19,044.00	Ohnstad Twichell, PC	Diversion Right of Way Acquisition
6/24/2025	6/6/2025	203519		160007	1,494.50	Ohnstad Twichell, PC	Diversion Authority Agreements
6/24/2025	6/6/2025	203520		170007	24,045.30	Ohnstad Twichell, PC	Diversion Upstream Mitigation Area
6/24/2025	6/6/2025	203522		197007	1,042.00	Ohnstad Twichell, PC	Western Tie Back
6/24/2025	6/6/2025	203523		247007	5,812.00	Ohnstad Twichell, PC	FM Diversion - Sheyenne Benching Project
6/24/2025	6/6/2025	203521		203521	422.00	Ohnstad Twichell, PC	FM Diversion - Southern Embankment
6/24/2025	6/6/2025	858027		38810.00012	4,240.00	Larkin Hoffman	Hanson Flowage Easement Acquisition
6/24/2025	6/6/2025	858026		38810.00004	4,840.00	Larkin Hoffman	Richland/Cass Cos./Application for Permit to Enter Land
6/24/2025	6/6/2025	858027		38810.00020	400.00	Larkin Hoffman	Kopp, Alan & June Flowage Easement Acquisition
6/24/2025	6/6/2025	858033		38810.00064	280.00	Larkin Hoffman	Dennis Patrick ED
6/24/2025	6/6/2025	858032		38810.00056	800.00	Larkin Hoffman	Ron & Melissa Heesch ED
6/24/2025	6/6/2025	858031		38810.00048	120.00	Larkin Hoffman	Michele K. Johnson ED
6/24/2025	6/6/2025	858030		38810.00044	160.00	Larkin Hoffman	Timothy & Sharon Schultz ED
6/24/2025	6/6/2025	858034		38810.00065	79.00	Larkin Hoffman	Colehour/The Quinland Farm (OIN 2031-33; 2035; 0866-67 and 8063)
6/24/2025	6/6/2025	858029		38810.00028	13,000.00	Larkin Hoffman	Alm, Melvin (John) and Ricky Flowage Easement Acquisition
6/24/2025	6/6/2025	858035		38810.00066	276.50	Larkin Hoffman	Stuart T & Laverna Ystebo LLLP OIN1451-53 & 1466 & 1494
6/27/2025	6/12/2025	SIN002952		19706	3,535.00	Moore Engineering	FM Diversion Design Coordination
6/27/2025	6/9/2025	1200727548			4,746.00	HDR Engineering	CCJWRD TO2 Property Acquisitions Service ROW 05/04/25-05/31/25
6/27/2025	5/31/2025	13783.00-61			22,850.73	SRF Consulting Group, Inc.	Task Order 1 Amendments 1,2,3,4,5 & 6
6/13/2025	6/13/2025	280645			11,147.00	The Title Company	Buyer's Settlement Statement OIN 9346
6/13/2025	6/13/2025	280798			2,472,320.51	The Title Company	Buyer's Settlement Statement OIN 1939
6/13/2025	6/6/2025	276842-4			250.00	The Title Company	Escrow Holdback on OIN1195X
6/27/2025	6/27/2025	279513			12,797.00	The Title Company	Seller's Settlement Statement - OIN 9351
6/27/2025	6/12/2025	272672B-4			50.00	The Title Company	BJM Land Draw #3
6/27/2025	6/12/2025				50.00	The Title Company	Richard Living Trust Draw #10
6/27/2025	6/3/2025	5210			20,500.00	Crown Appraisals, Inc.	(OIN 2051) Askegaard FE 5/19/25 (OIN 1950, 1963, 1966) Askegaard FE
6/27/2025	6/3/2025	5211			7,000.00	Crown Appraisals, Inc.	(OIN 19648) Brakke FE 5/28/25
6/27/2025	6/17/2025	Email from Madeline			465.00	Joseph Sauvageau	Weed Spraying OIN 816Y2, 817Y2, 822Y2
6/27/2025	6/26/2025				45,000.00	Nipstad Farms, Inc.	Non-Residential Move Claim OIN 2016
6/27/2025	6/26/2025				16,000.00	Nipstad Farms, Inc.	Move Claim OIN 2016
6/27/2025	6/26/2025				32,926.00	Camrud Foss Concrete Construction	Business Re-Establishment Claims OIN 820
6/27/2025	6/26/2025				40,410.00	Rodney & Cherie Mathison	Move Claim OIN 1891
6/27/2025	6/26/2025				804.00	Larry Richard	OIN 820
6/27/2025	6/26/2025				33,250.00	Camrud Foss Concrete Construction	OIN 820
6/16/2025	6/3/2025	2025-006			3,250.00	DKJ Apraisal LLC	Review Appraisal work in ND in FM Area Diversion Project 4/8/25-5/27/25
6/27/2025	6/13/2025	1132241			46.45	Cass County Electric Cooperative	Location: 140-300-0510 Address: 5251 174 1/2 AVE SE (OIN 1992)
6/27/2025	6/13/2025	1122561			53.44	Cass County Electric Cooperative	Location: 141-120-0120 Address: 5515 174 AV SE (OIN 9258)
6/27/2025	6/13/2025	1134578			38.09	Cass County Electric Cooperative	Location: 139-120-0270 Address: 4905 CO RD 81 (OIN 9993)
	5/14/2025	1167478			(49.10)	Cass County Electric Cooperative	Location: 24-.211.13 Address: 17272 49 ST SE (OIN 840)
					99.60	Postage	Reimbursement for postage on Diversion
				Total	2,528,689.02		
				Grand Total	2,528,689.02		



**FINANCE OFFICE**  
225 4<sup>th</sup> Street North  
Fargo, ND 58102  
Phone: (701) 241-1333  
E-Mail: [Finance@FargoND.gov](mailto:Finance@FargoND.gov)  
[www.FargoND.gov](http://www.FargoND.gov)

July 9, 2025

Metro Flood Diversion Board of Authority  
PO Box 2806  
Fargo, ND 58108-2806

Dear Metro Flood Diversion Board of Authority,

The City of Fargo is submitting request #45 for reimbursement invoices paid totaling \$1,361,870.25. These costs are for work on complementary in-town flood protection projects for costs paid in June 2025.

Project Narrative, this request:

Project Number	Project Description	Amount
FM1471	Drain 27 Lift Station #56 Flood Risk Management	2,935.00
FM19C	Woodcrest Drive Area - Flood Risk Management	500.00
NR23A	Storm Lift Rehab - #47 & 48	4,332.50
NR24A	Storm Lift Rehab - #27	1,141,219.25
NR24B	Storm Lift Rehab - #11 & 57	62,421.70
NR25D	Storm Lift Rehab - #41 & 42	150,461.80
	<b>Total Expense for Period</b>	<b>\$1,361,870.25</b>

If you have any questions relating to our request, please feel free to contact us. Thank you.

Sincerely,

  
Wyatt Papenfuss  
Finance Manager

City of Fargo, North Dakota  
Schedule of Complementary In-Town Flood Protection Costs  
June 1, 2025 - June 30, 2025

Project Number	AP Project Description	Account Number	Description	AP Transaction Amount	Payment Number	AP Invoice Number	Payment Date	Vendor Name	AP Accounting Period Month	AP Accounting Period Year	Bookmarked Invoice
FM1471	FLOOD MIT-Dr 27 42st-I29	46035305103305	FLOOD MITIGATION	802.00	345432	75359	06/19/2025	HOUSTON ENGINEERING INC	6	2025	3
FM1471	FLOOD MIT-Dr 27 42st-I29	46035305103305	FLOOD MITIGATION	2,133.00	345432	76633	06/19/2025	HOUSTON ENGINEERING INC	6	2025	3
460-3530-510.33-05 - Total				2,935.00							
FM1471 - Total				2,935.00							
FM19C1	FLOOD MIT-Woodcrest Dr N	46035305106810	WOODCREST	125.00	345523	33329	06/19/2025	VIGENS LAWN SERVICES INC	6	2025	5
FM19C1	FLOOD MIT-Woodcrest Dr N	46035305106810	WOODCREST	125.00	345523	449639	06/19/2025	VIGENS LAWN SERVICES INC	6	2025	5
FM19C1	FLOOD MIT-Woodcrest Dr N	46035305106810	WOODCREST	170.00	345523	449670	06/19/2025	VIGENS LAWN SERVICES INC	6	2025	5
FM19C1	FLOOD MIT-Woodcrest Dr N	46035305106810	WOODCREST	80.00	345523	449671	06/19/2025	VIGENS LAWN SERVICES INC	6	2025	5
460-3530-510.68-10 - Total				500.00							
FM19C1 - Total				500.00							
NR23A0	STRM LFT RHAB DR 27 /38 S	46035305103305	ENG SERVICE	4,332.50	345246	76547	06/12/2025	HOUSTON ENGINEERING INC	6	2025	1
460-3530-510.33-05 - Total				4,332.50							
NR23A0 - Total				4,332.50							
NR24A0	STRM LFT RHAB	46035305103305	ENG SERVICES	13,526.45	345369	21427	06/19/2025	APEX ENGINEERING GROUP INC	6	2025	2
460-3530-510.33-05 - Total				13,526.45							
NR24A0 - Total				13,526.45							
NR24A1	STRM LFT RHAB-#27	46000002062000	Retainage and Retainage R	-28,325.00	345446	NR24A1 #6 058	06/19/2025	KEY CONTRACTING INC	6	2025	4
NR24A1	STRM LFT RHAB-#27	46000002062000	Retainage and Retainage R	-31,026.45	345619	NR24A1 #7 060	06/26/2025	KEY CONTRACTING INC	6	2025	7
460-0000-206.20-00 - Total				-59,351.45							
NR24A1	STRM LFT RHAB-#27	46035305103899	TEMPORARY DETOUR SIGN	15.25	345834	417711	07/03/2025	SIGN SOLUTIONS USA	6	2025	8
460-3530-510.38-99 - Total				15.25							
NR24A1	STRM LFT RHAB-#27	46035305107358	Storm Sewer	521,500.00	345446	NR24A1 #6 002	06/19/2025	KEY CONTRACTING INC	6	2025	4
NR24A1	STRM LFT RHAB-#27	46035305107358	Storm Sewer	573,650.00	345619	NR24A1 #7 033	06/26/2025	KEY CONTRACTING INC	6	2025	7
460-3530-510.73-58 - Total				1,095,150.00							
NR24A1	STRM LFT RHAB-#27	46035305107369	Miscellaneous	200.00	345446	NR24A1 #6 003	06/19/2025	KEY CONTRACTING INC	6	2025	4
NR24A1	STRM LFT RHAB-#27	46035305107369	Storm Sewer	44,800.00	345446	NR24A1 #6 004	06/19/2025	KEY CONTRACTING INC	6	2025	4
NR24A1	STRM LFT RHAB-#27	46035305107369	Flood Mitigation	2,079.00	345619	NR24A1 #7 032	06/26/2025	KEY CONTRACTING INC	6	2025	7
NR24A1	STRM LFT RHAB-#27	46035305107369	Storm Sewer	44,800.00	345619	NR24A1 #7 034	06/26/2025	KEY CONTRACTING INC	6	2025	7
460-3530-510.73-69 - Total				91,879.00							
NR24A1 - Total				1,127,692.80							
NR24B0	STRM LFT RHAB-#11 & 57	46035305103305	ENG SERV STORM SEWER	62,421.70	345432	76627	06/19/2025	HOUSTON ENGINEERING INC	6	2025	3
460-3530-510.33-05 - Total				62,421.70							
NR24B0 - Total				62,421.70							
NR25D0	STRM LFT RHAB-#41 & 42	46035305103305	Project Development	150,461.80	345607	NR25D0 #4 020	06/26/2025	HOUSTON ENGINEERING INC	6	2025	6
460-3530-510.33-05 - Total				150,461.80							
NR25D0 - Total				150,461.80							
Overall - Total				1,361,870.25							

**Attorneys at Law**

P.O. Box 458  
West Fargo, ND 58078-0458  
(701) 282-3249

15-1395 (JTS) Invoice # 204084

Flood Diversion Board  
Bond Counsel Work - PPP

Date: July 8, 2025

To: Flood Diversion Board  
P.O. Box 2806  
Fargo, ND 58108-2806

PROFESSIONAL SERVICES RENDERED			
	Hours	Rate	Totals
JTS	208.1	\$416.00	\$86,569.60
LDA	3.0	\$410.00	\$1,230.00
KJS	27.9	\$410.00	\$11,439.00
TJL	0.5	\$410.00	\$205.00
LWC	0.2	\$410.00	\$82.00
DCP	3.7	\$410.00	\$1,517.00
KJM	29.0	\$385.00	\$11,165.00
TJF	7.3	\$300.00	\$2,190.00
ASM	126.8	\$270.00	\$34,236.00
CA	10.1	\$190.00	\$1,919.00
KGB	6.7	\$190.00	\$1,273.00
AJR	37.8	\$270.00	\$10,206.00
CRR	20.8	\$235.00	\$4,888.00
DMS	2.2	\$160.00	\$352.00
<b>Total Fees:</b>	<b>484.1</b>		<b>\$167,271.60</b>
Prof Service Fee Gwendolyn			\$11,000.00
Travel/Mileage			\$1,129.45
Miscellaneous Fee			\$250.00
<b>Total Expenses:</b>			<b>\$12,379.45</b>
<b>Grand Total</b>			<b>\$179,651.05</b>

		Rates
JTS	John T. Shockley, Partner, Supervising Attorney	\$416.00
CMM	Christopher M. McShane, Partner	\$410.00
ADC	Andrew D. Cook, Partner	\$410.00
SNW	Sarah M. Wear, Partner	\$410.00
LDA	Lukas D. Andrud, Partner	\$410.00
KJS	Katie J. Schmidt, Partner	\$410.00
MWM	Marshall W. McCullough, Partner	\$410.00
TJL	Tyler J. Leverington, Partner	\$410.00
LWC	Lukas W. Croaker, Partner	\$410.00
BTB	Brent T. Boeddeker, Partner	\$410.00
DCP	David C. Piper, Partner	\$410.00
JRS	J.R. Strom, Partner	\$410.00
ABG	Alexander B. Gruchala, Associate	\$375.00
KJM	Kathryn J. McNamara, Associate	\$385.00
SJH	Stephen J. Hilfer, Associate	\$340.00
TJF	Tiffany J. Findlay, Associate	\$300.00
MAN	Morgan A. Nyquist, Associate	\$300.00
CRM	Cassandra R. Molivigny, Associate	\$270.00
RAK	Roman A. Knudsvig, Associate	\$270.00
ASM	Avi S. Mann, Associate	\$270.00
CA	Camila Almonacid, Law Clerk	\$190.00
KGB	Keigan G. Bannerman, Law Clerk	\$190.00
CAS	Carol A. Stillwell, Paralegal	\$270.00
AJR	Andrea J. Roman, Paralegal	\$270.00
CRR	Christie R. Rust, Paralegal	\$235.00
TWS	Tim W. Steuber, Paralegal	\$235.00
MRH	Meghan R. Hockert, Paralegal	\$235.00
DLR	Dena L. Ranum, Paralegal	\$190.00
ATW	Amy T. White, Paralegal	\$220.00
LDS	Lynne D. Spaeth, Paralegal	\$235.00
DMS	Dawn M. Schaefer, Legal Administrative Assistant	\$160.00

**OHNSTAD TWICHELL, P.C.**

WEST FARGO, NORTH DAKOTA 58078

COST ADVANCES BY US FOR YOUR ACCOUNT, FOR WHICH WE HAVE NOT  
BEEN BILLED, WILL APPEAR ON YOUR NEXT STATEMENT.

## Page 2 of 2

## PROFESSIONAL SERVICES RENDERED

15-1395 JTS Invoice # 204084 Flood Diversion Board		Bond Counsel Work - P3
FILE NUMBER	MATTER DESCRIPTION	INVOICE - TOTAL FEES
151395-1	General Topics	\$49,530.30
151395-4	Public Finance Issues	\$542.20
151395-5	Consultant Contract Review/Development	\$1,153.80
151395-9	Environmental Permitting Issues/NEPA	
151395-12	USACE Interface/Questions	\$1,949.00
151395-13	Third Party Utility MOU's	\$22,143.40
151395-17	EPA WIFIA Loan	\$669.20
151395-23	PRAM	\$5,301.50
151395-24	P3 Implementation	\$74,021.20
151395-27	UMA/Utility Review	\$615.00
151395-30	Dispute Review Board Matters	\$8,064.20
151395-31	2027 Definitive Refunding Improvement Bond	\$3,281.80
<b>TOTAL</b>		<b>\$167,271.60</b>

\*exp only

# Invoice #1046

**Billing Period - 03/11/25-06/09/2025**

[illegible]



CLAY COUNTY AUDITOR  
LORI J. JOHNSON  
Office Telephone (218) 299-5006

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July 15, 2025  
Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

RE: Metro Flood Diversion Project

Greetings:

Attached to this email, please find a spreadsheet summary of invoices/expense and documentation for invoices paid by Clay County for the FM Flood Diversion project. All requests were approved or authorized by the Diversion Authority. The current invoice/expense reimbursement request is as follows:

Metro Flood Diversion Expense	\$100,242.26
-------------------------------	--------------

We respectfully request 100% reimbursement as per the Joint Powers Agreement.

If you have any questions, please feel free to contact us.

Sincerely,

Lori J. Johnson  
Clay County Auditor

Enclosures

Clay County Government Center  
3510 12<sup>th</sup> Ave S  
PO Box 280  
Moorhead, MN 56560

## FM Diversion MCCJPA invoices

## Processed

	Invoice		Invoice		Date			Reimb
Vendor	Date		Amount	Invoice #	Approved	Date Paid	Check #	Request
Crown Appraisals, Inc.	6/3/25	Norden oin 1307 flowage easement report	\$8,000.00	5209	6/13/25	6/25/25	125561	7/15/2025
Larkin Hoffman	6/6/25	prof svcs through 5/31/25	\$2,160.00	858046	6/22/25	6/25/25	125578	7/15/2025
Rhoda Ueland	6/30/25	Relocation reimbursement oin 1689,1690,1785,18	\$19,995.00			6/25/25	125614	7/15/2025
Ohnstad Twichell	6/10/25	Upstream mitigation	\$26,727.10	203572	6/22/25	6/25/25	570319	7/15/2025
Ohnstad Twichell	6/10/25	eminent domain clay	\$522.00	203574	6/22/25	6/25/25	570319	7/15/2025
Ohnstad Twichell	6/10/25	eminent domain wilkin	\$11,909.74	203575	6/22/25	6/25/25	570319	7/15/2025
Ohnstad Twichell	6/10/25	Southern embankment	\$480.00	203573	6/22/25	6/25/25	570319	7/15/2025
Ohnstad Twichell	6/10/25	general 2024	\$616.20	203576	6/22/25	6/25/25	570319	7/15/2025
Ohnstad Twichell	6/10/25	aaland law data practices request	\$2,370.42	203577	6/22/25	6/25/25	570319	7/15/2025
Red River Valley Coop	6/3/25	svc 3348 180th ave s	\$82.95		6/24/25	7/2/25	570454	7/15/2025
The Title Co	6/12/25	draw 2 matt ness farms oin 1826	\$50.00	277390b-3	6/24/25	7/2/25	125753	7/15/2025
SRF Consulting Group	5/31/25	prof svc thru 5/31/25	\$6,455.55	13820.00-56	6/26/25	7/2/25	570455	7/15/2025
New Century Press	6/13/25	meeting notice	\$7.43	2025-546130	6/27/25	7/2/25	570450	7/15/2025
Larkin Hoffman	6/6/25	prof svc thru 5/31/25	\$1,050.75	858044	6/27/25	7/2/25	125723	7/15/2025
Ohnstad Twichell		Upstream mitigation	\$14,337.50	203989	7/2/25	7/9/25	570509	7/15/2025
Ohnstad Twichell		eminent domain wilkin	\$1,353.50	203991	7/2/25	7/9/25	570509	7/15/2025
Ohnstad Twichell		eminent domain clay	\$117.50	203990	7/2/25	7/9/25	570509	7/15/2025
Ohnstad Twichell		aaland law data practices request	\$2,370.42	203993	7/2/25	7/9/25	570509	7/15/2025
Ohnstad Twichell		general	\$1,636.20	203992	7/2/25	7/9/25	570509	7/15/2025

\$100,242.26



MINNEAPOLIS OFFICE  
612-340-2600

(Tax Identification No. 41-0223337)

STATEMENT OF ACCOUNT FOR PROFESSIONAL SERVICES

Metro Flood Diversion Authority  
4784 Amber Valley Pkwy  
Suite 100  
Fargo, ND 58104

July 7, 2025  
Invoice Number 4093059

Client-Matter No.: 491379-00004  
Provide advice on potential construction litigation claims

---

**For Legal Services Rendered Through June 30, 2025**

**INVOICE TOTAL**

Total For Current Legal Fees	\$99,694.00
Total For Current Disbursement and Service Charges	\$234.24
<b>Total Due This Invoice</b>	<b>\$99,928.24</b>

**Payment Methods**

**ACH/Wire (Preferred Method)**

Beneficiary Bank U.S. Bank National Association  
800 Nicollet Mall  
Minneapolis, MN 55402  
ABA Routing Number 091000022  
Account Number 1047-8339-8282  
Swift Code USBKUS44IMT

**Check**

Dorsey & Whitney LLP  
P.O. Box 1680  
Minneapolis, MN 55480-1680

**Online Options**

Contact our Billing team for first time access  
credentials at [onlinepayments@dorsey.com](mailto:onlinepayments@dorsey.com)

Payment site:  
[Dorsey Login \(e-billexpress.com\)](https://dorseylogin.com)

Please make reference to the invoice number – send remittance to [remittance@dorsey.com](mailto:remittance@dorsey.com)

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

**ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY**

Questions regarding this invoice? Please contact your Dorsey attorney or Accounts Receivable @ [ARhelpdesk@dorsey.com](mailto:ARhelpdesk@dorsey.com) or 612-492-5278.



Metro Flood Diversion Authority  
 Client-Matter No.: 491379-00004  
 Invoice Number: 4093059

July 7, 2025  
 Page 12

**Total Hours 168.30**

**Total For Legal Fees \$99,694.00**

### Disbursements and Service Charges

Nuix Discover Data Hosting 234.24

**Total for Disbursements and Service Charges \$234.24**

**Total This Invoice \$99,928.24**

### Timekeeper Summary

Name	Hours	Billed Rate	Amount
Burkhart, Rachel	2.60	640.00	1,664.00
Keane, Bryan	10.00	810.00	8,100.00
Knoll, Jocelyn	8.60	860.00	7,396.00
Racine, David	100.70	580.00	58,406.00
Webster, Nathan	46.40	520.00	24,128.00
<b>Total all Timekeepers</b>	<b>168.30</b>		<b>99,694.00</b>

Service charges are based on rates established by Dorsey & Whitney. A schedule of those rates has been provided and is available upon request. Disbursements and service charges, which either have not been received or processed, will appear on a later statement.

**ALL INVOICES ARE DUE 30 DAYS FROM DATE OF INVOICE UNLESS OTHERWISE EXPRESSLY AGREED BY DORSEY & WHITNEY**

Questions regarding this invoice? Please contact your Dorsey attorney or Accounts Receivable @ [ARhelpdesk@dorsey.com](mailto:ARhelpdesk@dorsey.com) or 612-492-5278.

[illegible]



Rush River  
Water Resource  
District

**SENT VIA EMAIL**

William A. Hejl  
Chairman  
Amenia, North Dakota

June 25, 2025

Dick Sundberg  
Manager  
Harwood, North Dakota

Diversion Authority  
P.O. Box 2806  
Fargo, ND 58108-2806

Jacob Gust  
Manager  
Fargo, North Dakota

Greetings:

RE: Metro Flood Diversion Project

Enclosed please find a copy of invoices totaling \$34,323.80 regarding the Metro Flood Diversion Project.

At this time, we respectfully request 100% reimbursement per the Memorandum of Understanding between Metro Flood Diversion Authority and Rush River Water Resource District dated December 21, 2020.

If you have any questions, please feel free to contact us. Thank you.

Sincerely,

RUSH RIVER WATER RESOURCE DISTRICT

*Melissa Hinkemeyer*

Melissa Hinkemeyer  
Director

Enclosure

Melissa Hinkemeyer  
Director, Secretary

1201 Main Avenue West  
West Fargo, ND 58078-1301

701-298-2381  
FAX 701-298-2397  
[wrđ@casscountynđ.gov](mailto:wrđ@casscountynđ.gov)  
[www.casscountynđ.gov](http://www.casscountynđ.gov)



Ankura Consulting Group LLC  
PO Box 74007043  
Chicago, IL 60674-7043

## INVOICE

Date	Invoice Number
07/14/2025	CI-148288

Payment Terms	Due Date
Net 30	08/13/2025

FEIN NO.:	47-2435218
-----------	------------

Bill To:
John Shockley Metro Flood Diversion Authority c/o John Shockley 444 Sheyenne Street, Suite 102 West Fargo, ND 58078 United States of America

Project Information:
Project Name: P-013258 Metro Flood Diversion Authority - Fargo- Moorhead Flood Risk Management Project
Project Number: P-013258
PO Number:

Professional Services rendered, see attached.
-----------------------------------------------

<b>Net Amount:</b>	<b>10,257.50</b>
<b>Tax:</b>	
<b>Total Invoice Amount:</b>	<b>USD 10,257.50</b>

For any questions regarding billing, wire or ACH payments, please contact [accounting@ankura.com](mailto:accounting@ankura.com).

Remittance Information:	
<b>Electronic Payment Info</b>	
<u>Wire Instructions</u>	<u>ACH Instructions</u>
Account Name: Ankura Consulting Group LLC	Account Name: Ankura Consulting Group LLC
Account Number: 226005697768	Account Number: 226005697768
Bank of America	Bank of America
222 Broadway	1455 Market Street
New York, NY 10038	San Francisco, CA 94109
United States	United States
ABA# 026009593	ABA# 054001204
SWIFT: BOFAUS3N	SWIFT: BOFAUS3N
<i>Please include the invoice number and/or Ankura project number to your remittance to ensure prompt application of funds.</i>	

Project #: P-013258  
Invoice Date: 7/14/2025  
Invoice Number: CI-148288  
Professional Services Through: 6/30/2025  
Currency: USD

Professional Services - Summary By Person

Name	Title	Rate	Hours	Amount
Kelsy Kurfirst	Senior Director	385.00	0.5	192.50
Andrew Davis	Director	350.00	1.5	525.00
Marissa Wade	Senior Associate	300.00	31.8	9,540.00
Total			33.8	10,257.50



INVOICE: INV011955

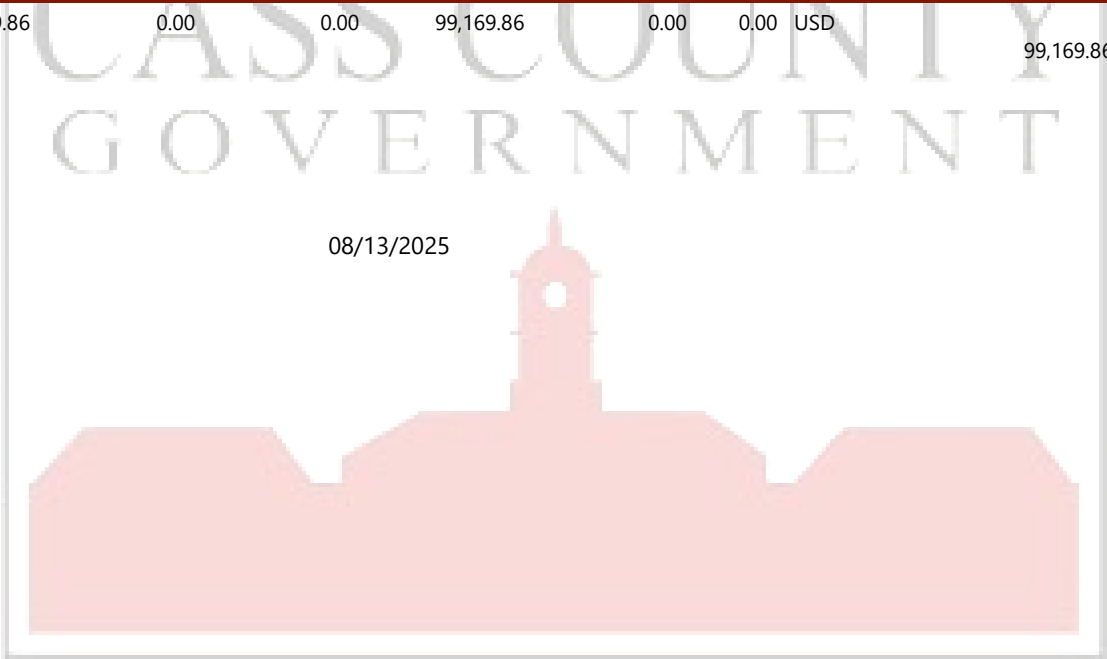
Date 07/14/2025  
Invoice account 198

CITY OF FARGO  
PO BOX 49  
Fargo, ND

Description	Quantity	Unit price	Amount
FM DIVERSION MISC EXPENSES	1.00	6,640.87	6,640.87
FM DIVERSION PAYROLL EXPENSES	1.00	92,528.99	92,528.99

Sales subtotal amount	Total discount	Total charges	Net amount	Sales tax	Round-off	Currency	Total
99,169.86	0.00	0.00	99,169.86	0.00	0.00	USD	99,169.86

Due date 08/13/2025



Please detach and send this copy with remittance.

MAKE CHECK  
PAYABLE TO:

Cass County Government  
211 9<sup>th</sup> Street South  
P.O Box 2806  
Fargo, ND 58108-2806

Invoice:INV011955

Date: 07/14/2025

Total: 99,169.86

Name: CITY OF FARGO

Account #: 198

Due date 08/13/2025

# Budget Change Request

Document Control No. SWMLFC-CH2-FA-RFC-00009	Originator: D. Brown
Budget Change No. 020	Date: 7/14/2025
Title: Minkota Power Task Order 8	
Project: FM-Diversion	

The purpose of this form is for budget management by requesting approval to transfer program contingency budget to the current fiscal year; or make budget transfers within the fiscal year budget; or both.

## Request Description:

Reapportion WP-46 program budget underruns to the Minkota Power cost account to support the scope of work as described under Task Order 8 for the proposed construction (labor, materials and equipment) of Minnkota Power Cooperative, Inc's (MPC) Oxbow 15kV Substation.

The 2025 Cash budget for Minkota Power will be increased from \$2 million to \$4.5 million. The 2025 cash budget will increase from \$425,055,689 to \$427,555,689 as a result of this change.

## Request Justification:

The existing substation is located within the Upstream Mitigation Area of the project and requires relocation. The substation relocation is expected to be completed in 2025.

## General Impacts:

<b>Authority Board Approval Required?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Contract Types</b> <input type="checkbox"/> LS <input type="checkbox"/> TM <input checked="" type="checkbox"/> MOU <input checked="" type="checkbox"/> Task Order <input type="checkbox"/> N/A	<b>Request Type</b> <input type="checkbox"/> Project Initialization <input checked="" type="checkbox"/> Project Change <input type="checkbox"/> Contingency Release	Additional Information:  The program budget for Work Package 46 SEAI / UMA Utility Relocations Paid by DA (MURA's) remains unchanged at \$27,943,996.
<b>Change Impacts To:</b> Scope/Technical <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Schedule <input type="checkbox"/> Budget <input checked="" type="checkbox"/> Subcontract <input type="checkbox"/>			

<b>Budget Request Summary</b>			<b>2025 Budget Request and Status</b>		
<b>Budget Increase:</b> Added Scope: \$0 Over Runs: \$2,500,000.00				Cost Account	Amount (\$)
<b>Budget Decrease:</b> Deferred Scope: \$0 Deleted Scope: \$0			Current Authorization (SOURCE)	CN-4010	2,000,000
<b>Internal Transfers:</b> From: Cost Account CN-4010 Utility Relocation Underrun To: Cost Account CN-4010 Minkota Power			Current Request (Net Change)	CN-4010	2,500,000
			Budget after Change	CN-4010	4,500,000

Authorization Level	Approval / Concurrence	NOTE: Approval will be documented via ACONEX Workflow; or during Finance and Authority Board meetings		
5	Diversion Authority Exec.Director			
4	Program Manager – Paul Barthel			
3	Project Controls – Andy Albertson			
2	Contracts Manager – Ian Joynes			
1	Originator – Dan Brown			



METRO  
FLOOD  
DIVERSION  
AUTHORITY

# Diversion Board of Authority Meeting

July 24, 2025

**Contracting Actions**

# DA Board Approval Contract Actions

(ACTION)



Description	Company	Budget/ Estimate (\$)
Task Order 08, Amendment 0 – Construction of Oxbow 15kV Substation – This Task Order is for the proposed construction (labor, materials and equipment) for the Oxbow 15kV Substation. The existing substation is located within the Upstream Mitigation Area of the project and requires relocation. The new substation is being constructed within the protected area of the FM Area Diversion Project.	Minnkota Power Cooperative, Inc	\$3,376,114.00
Work Package 52H - Raymond Township Mobility Improvements – Recommendation of Award	RJ Zavoral & Sons, Inc.	\$579,297.51

# Executive Director

## Contracting Recommendation



The PMC has prepared the following Contract Action(s):

<b>Minnkota Power Cooperative, Inc</b> <b>TO08 Amendment 0</b> <b>Construction of Oxbow 15kV Substation</b>	<b>\$3,376,114.00</b>
<ul style="list-style-type: none"> <li>• <b>Construction of the relocated Oxbow 15kV Substation</b></li> </ul>	

### 1 Recommendation for action:

The Executive Director has reviewed and recommended approval of the following Contract Action(s).

### 2 Summary of Contracting action:

Per the contract review and approval procedures that were adopted by the Metro Flood Diversion Authority on November 10, 2016 and amended December 16, 2021, the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to task orders and task order amendments for existing Master Utility Relocation Agreements (MURA) and submit them to the Executive Director and Member Entity Technical Representative (METR) for review. The METR will provide comments to the PMC who will combine the comments for the Director of Engineering. The Director of Engineering (DOR) will review and provide recommendations to the Executive Director for review and action.

### 3 Reason why it is required

This task order is for the proposed construction (labor, materials and equipment) of Minnkota Power Cooperative, Inc's (MPC) Oxbow 15kV Substation. The existing substation is located within the Upstream Mitigation Area of the project and requires relocation. The new substation is being constructed within the protected area of the FM Area Diversion Project. The costs are indicative of MPC's standard 15kV distribution substation design and may fluctuate once the final design is complete.

Major material/equipment was identified under Task Order 07. Remaining materials within this Task Order include: grounding, cabling, buss work, concrete, conduit, fittings, arresters, insulators, misc switches, cable trench, oil containment, fencing and crushed rock. Work is to begin in July 2025 and be completed by December 31, 2025.

### 4 Background and discussion

CH2M, now Jacobs, has served as the Program Management Consultant (PMC) to the OWNER since November of 2011, with primary responsibilities to plan and implement the Fargo-Moorhead Area Diversion Project (the PROJECT). As such, the OWNER and CONSULTANT have agreed to enter into a Task Order focused on managing and reporting on the various aspects of the PROJECT. The PMC reports directly to the Executive Director.

In accordance with Section 2.01 of the Master Utility Relocation Agreement between the Metro Flood Diversion Authority (the "Authority") and Minnkota Power Cooperative, Inc ("Utility") dated September 3, 2021 (the "Agreement"), the Authority and the Utility agree to the above services.

See the table below for a summary of this task order's contracting history, including this amendment.

**Table 1 - Summary of Contracting History and Current Contract Action**

Original Agreement or Amendment	Contract Change \$	Original or Revised Contract \$	Agreement Execution Date	Project Completion	Comments
TO08-A0	0.00	3,376,114.00	7/24/2025	12/31/2025	Initial scope of work
Total		3,376,114.00			

**5 Financial considerations:**

The Budget Cost Proposal is attached or in the Task Order document.

Cost account code is required for accounting purposes to match the invoicing in Source for the Diversion Authority to reconcile.

**Table 2 - Summary of Annual Budget Allocation – Per Year**

Original Agreement or Amendment	Cost Account Code	Estimated Cost (\$)	Budget Allocated (\$)	Actual paid to date (\$)	Budget Remaining (\$)	Comments
2025	CN-4010	3,376,114.00	3,376,114.00	0.00	3,376,114.00	Within allocated budget

**6 Attachments:**

- Task Order 08 Amendment 0

The PMC prepared this contracting action and feels the information is accurate, complete, and ready for Executive Director review.

**Recommendation:** Kris Bakkegard, Director of Engineering, recommends approval of this contract.

The Executive Director has approved in Workflow and granted permission to add his name to the document.

**Approved by:** Jason Benson, Executive Director

**Date:** 7/15/2025



4784 Amber Valley Parkway South,  
Suite 200  
Fargo, ND 58104  
[www.jacobs.com](http://www.jacobs.com)

July 11, 2025

Attention Jason Benson, Executive Director  
Metro Flood Diversion Authority  
4784 Amber Valley Parkway South, Suite 100  
Fargo, ND 58104

Project Name: Raymond Township 166th Ave SE, 34th St SE  
Project Number: WP-52H

Subject: **Work Package 52H Raymond Township 166th Ave SE, 34th St SE**  
**Recommendation of Award**

Dear Metro Flood Diversion Authority,

The contract for Work Package 52H Raymond Township 166th Ave SE, 34th St SE, Cass County, North Dakota was publicly advertised, and Five (5) bids were received at the virtual public bid opening on July 10, 2025, at 1:00pm.

The bids were from:

- |                                                        |                |
|--------------------------------------------------------|----------------|
| 1. Excavating Inc., in the amount of                   | \$1,063,086.85 |
| 2. Industrial Builders Inc., in the amount of          | \$739,625.00   |
| 3. Jenson Brothers Construction Inc., in the amount of | \$655,779.74   |
| 4. Park Construction Company, in the amount of         | \$629,257.20   |
| 5. RJ Zavoral & Sons, Inc. in the amount of            | \$579,297.51   |

The Engineers Estimate for the project was \$714,001.00

Jacobs (PMC), HMG LLC (EOR), and the Authority's Legal counsel have reviewed and evaluated the bid documents and recommend the Metro Flood Diversion Authority award the contract for WP52H to **RJ Zavoral & Sons, Inc.** in the amount of **\$579,297.51** as the lowest responsive bidder. Enclosed is the Bid Tabulation Assessment.

Please contact me at [ian.joynes@jacobs.com](mailto:ian.joynes@jacobs.com) if you have any questions regarding this recommendation.

Yours sincerely

A handwritten signature in black ink, appearing to read "I. Joyne".

**Ian Joyne, BEng CEng FICE**, Construction Contracts Manager

Copies to:

Kris Bakkegard  
Bob Zimmerman  
Matt Stamness  
Nathan Boerboom  
Kyle Litchy  
Justin Sorum

Bid Tabulation Assessment

Project: WP52H - Raymond Township

Bid Submission: July 10, 2025

		QUANTITY		Engineers Estimate		Excavating Inc.		Industrial Builders Inc.		Jenson Brothers Const Inc.		Park Construction Company		RJ Zavoral & Sons, Inc.	
No.	ITEM		UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1.	Remove and salvage culvert all types and sizes	LF	180	\$ 40.00	\$ 7,200.00	\$ 65.00	\$ 11,700.00	\$ 15.00	\$ 2,700.00	\$ 22.50	\$ 4,050.00	\$ 59.30	\$ 10,674.00	\$ 20.00	\$ 3,600.00
2.	Removal of pipe all types and sizes	LF	41	\$ 40.00	\$ 1,640.00	\$ 35.00	\$ 1,435.00	\$ 15.00	\$ 615.00	\$ 18.50	\$ 758.50	\$ 22.30	\$ 914.30	\$ 16.00	\$ 656.00
3.	Common excavation – Type C	CY	9,995	\$ 10.00	\$ 99,950.00	\$ 21.00	\$ 209,895.00	\$ 7.00	\$ 69,965.00	\$ 6.25	\$ 62,468.75	\$ 6.05	\$ 60,469.75	\$ 11.25	\$ 112,443.75
4.	Topsoil	CY	25,360	\$ 7.00	\$ 177,520.00	\$ 8.00	\$ 202,880.00	\$ 7.00	\$ 177,520.00	\$ 5.95	\$ 150,892.00	\$ 7.10	\$ 180,056.00	\$ 5.00	\$ 126,800.00
5.	Common excavation - Waste	CY	65	\$ 12.00	\$ 780.00	\$ 11.00	\$ 715.00	\$ 7.00	\$ 455.00	\$ 7.65	\$ 497.25	\$ 16.00	\$ 1,040.00	\$ 11.25	\$ 731.25
6.	Subgrade preparation – Type A	LF	11,245	\$ 10.00	\$ 112,450.00	\$ 15.00	\$ 168,675.00	\$ 7.40	\$ 83,213.00	\$ 8.95	\$ 100,642.75	\$ 3.10	\$ 34,859.50	\$ 2.20	\$ 24,739.00
7.	Seeding Class III	ACRE	10.81	\$ 2,500.00	\$ 27,025.00	\$ 1,000.00	\$ 10,810.00	\$ 950.00	\$ 10,269.50	\$ 925.00	\$ 9,999.25	\$ 939.00	\$ 10,150.59	\$ 951.00	\$ 10,280.31
8.	Temporary Cover Crop	ACRE	10.81	\$ 500.00	\$ 5,405.00	\$ 140.00	\$ 1,513.40	\$ 150.00	\$ 1,621.50	\$ 130.00	\$ 1,405.30	\$ 130.00	\$ 1,405.30	\$ 132.00	\$ 1,426.92
9.	Straw Mulch	ACRE	21.62	\$ 1,000.00	\$ 21,620.00	\$ 360.00	\$ 7,783.20	\$ 350.00	\$ 7,567.00	\$ 335.00	\$ 7,242.70	\$ 338.00	\$ 7,307.56	\$ 344.00	\$ 7,437.28
10.	Riprap Grade I	TON	364	\$ 70.00	\$ 25,480.00	\$ 210.00	\$ 76,440.00	\$ 80.00	\$ 29,120.00	\$ 115.00	\$ 41,860.00	\$ 91.70	\$ 33,378.80	\$ 75.00	\$ 27,300.00
11.	Fiber Rolls 12IN	LF	7930	\$ 3.00	\$ 23,790.00	\$ 3.50	\$ 27,755.00	\$ 3.50	\$ 27,755.00	\$ 3.25	\$ 25,772.50	\$ 3.35	\$ 26,565.50	\$ 3.40	\$ 26,962.00
12.	Remove Fiber Rolls 12IN	LF	3965	\$ 1.00	\$ 3,965.00	\$ 0.85	\$ 3,370.25	\$ 1.00	\$ 3,965.00	\$ 0.78	\$ 3,092.70	\$ 0.78	\$ 3,092.70	\$ 0.80	\$ 3,172.00
13.	Aggregate Base Course CL 7	CY	57	\$ 100.00	\$ 5,700.00	\$ 83.00	\$ 4,731.00	\$ 130.00	\$ 7,410.00	\$ 52.50	\$ 2,992.50	\$ 156.00	\$ 8,892.00	\$ 180.00	\$ 10,260.00
14.	Aggregate Surface Course CL 13	TON	5718	\$ 22.00	\$ 125,796.00	\$ 49.00	\$ 280,182.00	\$ 34.00	\$ 194,412.00	\$ 28.85	\$ 164,964.30	\$ 26.80	\$ 153,242.40	\$ 28.50	\$ 162,963.00
15.	Mobilization	LS	1	\$ 35,000.00	\$ 35,000.00	\$ 27,500.00	\$ 27,500.00	\$ 100,000.00	\$ 100,000.00	\$ 45,000.00	\$ 45,000.00	\$ 63,000.00	\$ 63,000.00	\$ 41,500.00	\$ 41,500.00
16.	Traffic Control	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 1,250.00	\$ 1,250.00	\$ 1,977.00	\$ 1,977.00	\$ 10,000.00	\$ 10,000.00	\$ 1,020.00	\$ 1,020.00	\$ 1,143.00	\$ 1,143.00
17.	Geosynthetic Material Type RR	SY	344	\$ 5.00	\$ 1,720.00	\$ 8.00	\$ 2,752.00	\$ 5.00	\$ 1,720.00	\$ 6.96	\$ 2,394.24	\$ 6.45	\$ 2,218.80	\$ 3.00	\$ 1,032.00
18.	Pipe Corr Steel 0.064 IN 24IN	LF	54	\$ 90.00	\$ 4,860.00	\$ 75.00	\$ 4,050.00	\$ 70.00	\$ 3,780.00	\$ 98.00	\$ 5,292.00	\$ 111.00	\$ 5,994.00	\$ 58.00	\$ 3,132.00
19.	Pipe Corr Steel 0.064 Arch 35IN x 24IN	LF	40	\$ 200.00	\$ 8,000.00	\$ 115.00	\$ 4,600.00	\$ 100.00	\$ 4,000.00	\$ 115.00	\$ 4,600.00	\$ 140.00	\$ 5,600.00	\$ 78.00	\$ 3,120.00
20.	Pipe Corr Steel 0.064 Arch 42IN x 29IN	LF	56	\$ 250.00	\$ 14,000.00	\$ 145.00	\$ 8,120.00	\$ 110.00	\$ 6,160.00	\$ 135.00	\$ 7,560.00	\$ 182.00	\$ 10,192.00	\$ 106.00	\$ 5,936.00
21.	End Sect Corr Steel 0.064IN 24IN	EA	2	\$ 500.00	\$ 1,000.00	\$ 750.00	\$ 1,500.00	\$ 600.00	\$ 1,200.00	\$ 585.00	\$ 1,170.00	\$ 1,180.00	\$ 2,360.00	\$ 410.00	\$ 820.00
22.	End Sect Corr Steel Arch 35IN x 24IN	EA	2	\$ 1,800.00	\$ 3,600.00	\$ 840.00	\$ 1,680.00	\$ 650.00	\$ 1,300.00	\$ 595.00	\$ 1,190.00	\$ 1,250.00	\$ 2,500.00	\$ 504.00	\$ 1,008.00
23.	End Sect Corr Steel Arch 42IN x 29IN	EA	2	\$ 2,000.00	\$ 4,000.00	\$ 1,200.00	\$ 2,400.00	\$ 850.00	\$ 1,700.00	\$ 795.00	\$ 1,590.00	\$ 1,670.00	\$ 3,340.00	\$ 810.00	\$ 1,620.00
24.	Salvage Sign	EA	3	\$ 500.00	\$ 1,500.00	\$ 450.00	\$ 1,350.00	\$ 400.00	\$ 1,200.00	\$ 115.00	\$ 345.00	\$ 328.00	\$ 984.00	\$ 405.00	\$ 1,215.00
	Total				\$714,001.00		\$1,063,086.85		\$739,625.00		\$655,779.74		\$629,257.20		\$579,297.51

# Memorandum



To: Metro Flood Diversion Authority Lands Committee  
From: Jason Benson, Executive Director  
Cc: John Shockley, MFDA Legal Counsel  
Date: July 23, 2025  
Re: OINs 2366Y, 2367Y, and 8852Y Excess Land

---

## RECOMMENDATION/ACTIONS NEEDED:

Approve the sale price of \$730,000 for excess land parcels OIN 2366Y, 2367Y, and 8852Y.

## Background/Key Points:

In November 2024 an excess land recommendation for OINs 2366Y, 2367Y, and 8852Y was presented at the MFDA Land Committee, the CCJWRD Board, and the MFDA Board meetings. The recommendation included a market value of \$767,000 and was unanimously approved at each of the three meetings. Since those approvals, and in accordance with the Policy on Disposition of Excess Lands, the notice of this sale was sent to the Member Entities, the Prior Landowner, and the Adjacent Landowners. During the Adjacent Owner step, interest was received, but agreement was not reached for the listed price. As such, these excess land parcels were made available for public sale. The same interested party has come forward with a proposed purchase price of \$730,000. In addition, the interested buyer requests use of the existing field access points along 27th Street SE, which requires an access easement across the road right-of-way owned by CCJWRD, which was acquired for potential roadway changes. Additionally, the buyer is requesting rights to maintain field drainage for this property, which currently necessitates crossing project-owned land. In 2024 the Project paid \$1,043 in property taxes for these properties. In efforts to dispose of this excess land, we recommend and request approval to proceed with the sale for \$730,000.

## ATTACHMENTS:

- Approved Memo – Excess Lands recommendation – OINs 2366Y, 2367Y, and 8852Y



# Memorandum

TO: Robert Wilson & Michael Redlinger

FROM: Jodi A. Smith

DATE: October 30, 2024

RE: Excess Lands Recommendation – OINs 2366Y, 2367Y, and 8852Y

## 1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Co-Executive Directors may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Co-Executive Directors to declare OINs 2366Y, 2367Y, and 852Y as Excess Land and begin the process to dispose of these properties as one sale following the Policy.

## 2. Pertinent Facts Regarding OINs 2366Y, 2367Y, and 8852Y

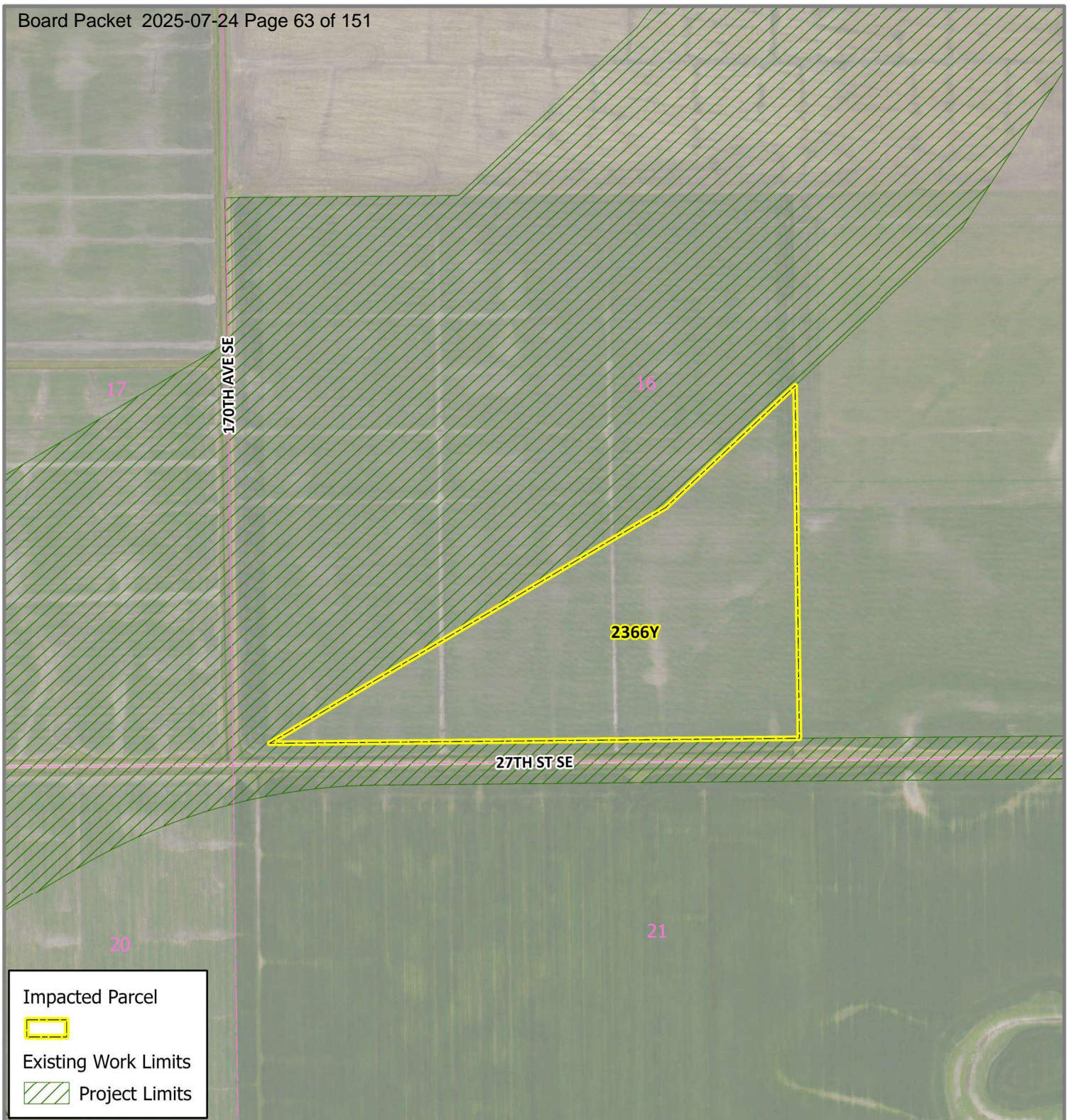
Description of Parcel(s)	See Exhibit A for a map showing the parcels recommended as excess land.
Legal Description	See Exhibit B for the legal descriptions of the parcels recommended as excess land.
Asset Parcel(s) Size	OIN 2366Y: 42.3 acres OIN 2367Y: 47.42 acres OIN 8852Y: 0.82 acres <b>TOTAL = 90.54 acres</b>

Narrative Description of Parcel(s)	OINs 2366Y, 2367Y, and 8852Y are located along the south side of the Diversion Channel, northeast of I29.
Purchase Date	OIN 2366 & 2367: March 8, 2017 OIN 8852: April 4, 2017
Purchase Price	OIN 2366 & 2367: \$1,315,000, which equates to approximately \$6,000/acre OIN 8852: \$5,000, which equates to approximately \$5,000/acre
Proposed Sale Price	OIN 2366Y, 2367Y, and 8852Y: \$767,000 <ul style="list-style-type: none"> <li>Based on \$8,500/acre</li> </ul>
Former Owner	OIN 2366Y & 2367Y: City of Fargo OIN 8852Y: Edwin & Margaret Ployhart
Adjacent Owners	OIN 2366Y & 2367Y: Ordean & Helen Nygren (OIN 2367X) OIN 8852Y: Ordean & Helen Nygren (OIN 2367X) / Herman Rabanus (OIN 9053X)
Property Management Approach	OIN 2366Y: Pifer's Land Management since 2019 OIN 2367Y: Pifer's Land Management since 2019 OIN 8852Y: Pifer's Land Management since 2019
Property Taxes	There is no recorded property tax data for these parcels.
Relation to Construction	The OINs in this recommendation are located along the south side of the Diversion Channel northeast of I29. These parcels are no longer needed or impacted by construction of the Project.
Right of First Refusal	OIN 2366Y: No OIN 2367Y: No OIN 8852Y: No

### 3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 2366Y, 2367Y, and 8852Y as "Excess Land" and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

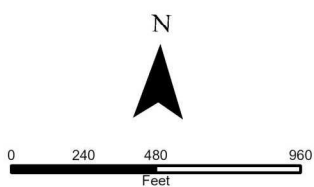
## Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Any reliance upon this map is at user's own risk. AE25 does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.

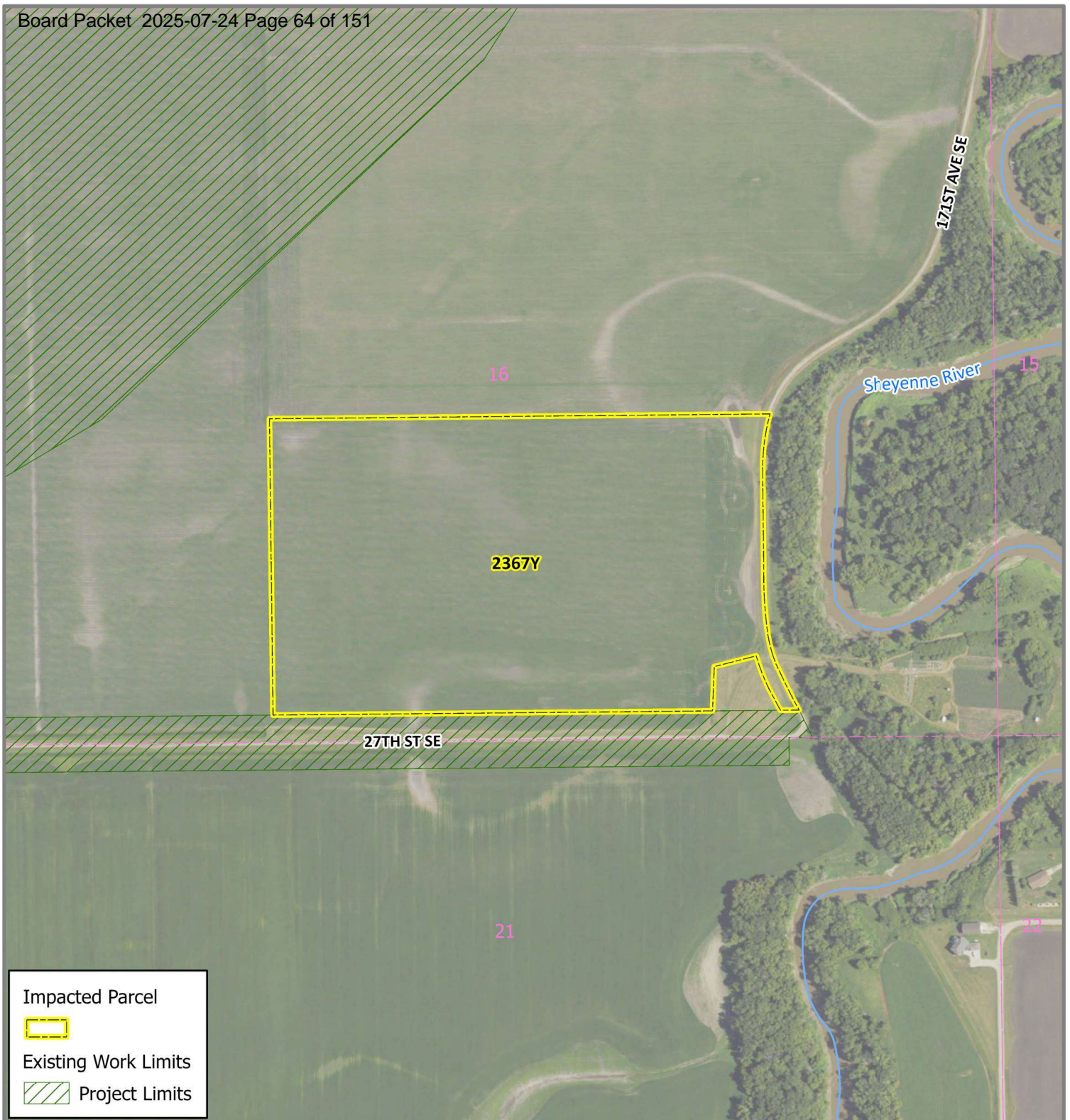
Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout



OIN: 2366Y  
**CASS COUNTY JOINT WATER RESOURCE DISTRICT**  
**Parcel ID: 44-0000-00610-010**  
**Cass County, ND**

FM AREA DIVERSION  
 Map Date: 10/10/2024

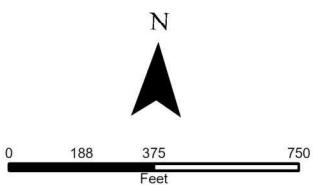




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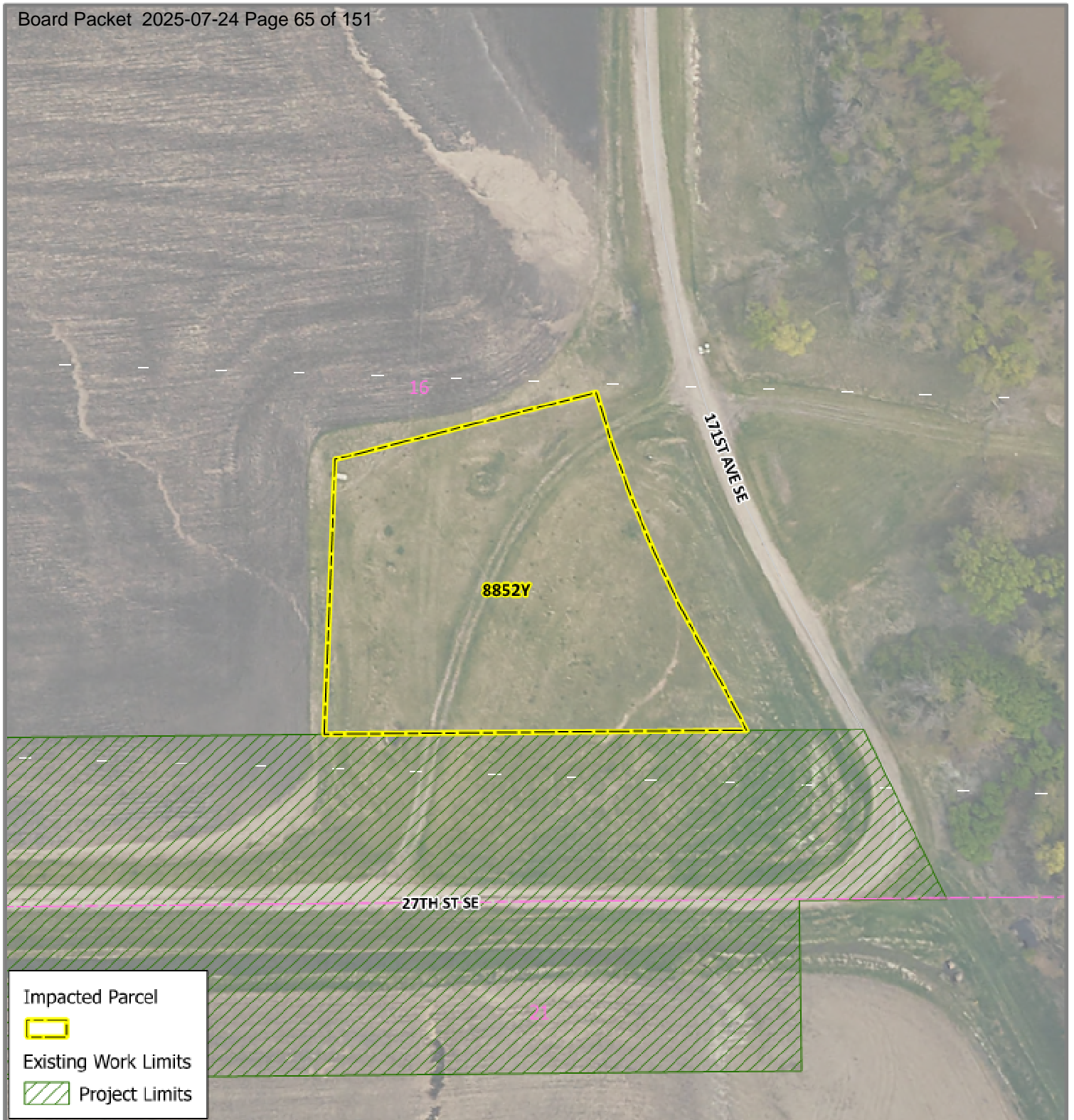
Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout



**OIN: 2367Y**  
**CASS COUNTY JOINT WATER RESOURCE DISTRICT**  
**Parcel ID: 44-0000-00620-050**  
**Cass County, ND**

FM AREA DIVERSION  
 Map Date: 10/10/2024

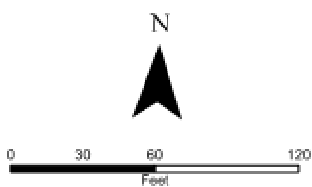




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**All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.**

Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: CLidenberg | C:\Data\Projects\GIS Projects\FM Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout



**OIN: 8852Y**  
**CASS COUNTY JOINT WATER RESOURCE DISTRICT**  
**Parcel ID: 44-0000-00620-060**  
**Cass County, ND**

**FM AREA DIVERSION**  
Map Date: 10/10/2024



## Exhibit B: Legal Description for Parcel Recommended as Excess Lands

OIN 2366Y

That part of the Southwest Quarter (SW1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southeast Corner of the Southwest Quarter (SW1/4) of said Section 16; thence North 02 degrees 41 minutes 46 seconds West on the east line of said SW1/4 a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence South 87 degrees 27 minutes 11 seconds West parallel with, and 100.00 feet north, of the south line of said SW1/4, and on said easterly line of Lot 1 a distance of 2,474.12 feet to a corner of said Lot 1; thence North 57 degrees 13 minutes 38 seconds East on said easterly line of Lot 1 a distance of 2,152.96 feet to a corner of said Lot 1; thence North 44 degrees 43 minutes 16 seconds East on said easterly line of Lot 1 a distance of 829.87 feet to the east line of said SW1/4; thence South 02 degrees 41 minutes 46 seconds East on said east line of the SW1/4 a distance of 1,646.95 feet to the Point of Beginning.

Said parcel contains 42.33 acres, more or less.

OIN 2367Y

That part of the Southeast Quarter (SE1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southwest Corner of the Southeast Quarter (SE1/4) of Section 16; thence North 02 degrees 41 minutes 46 seconds West on the west line of said SE1/4 a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence continuing North 02 degrees 41 minutes 46 seconds West on said west line of the SE1/4 of Section 16 a distance of 1,080.73 feet; thence North 87 degrees 27 minutes 15 seconds East a distance of 1,825.22 feet to the centerline of the township road as currently located in said SE1/4 of Section 16; thence, on said township road centerline, 151.74 feet on the arc of a non-tangential curve, concave to the southeast, having a radius of 450.00 feet, a central angle of 19 degrees 19 minutes 15 seconds, and a long chord length of 151.03 feet bearing South 07 degrees 21 minutes 09 seconds West; thence, continuing on said township road centerline, South 02 degrees 18 minutes 28 seconds East, tangent to the preceding curve, a distance of 494.12 feet; thence, continuing on said township road centerline, 387.83 feet on the arc of a tangential curve, concave to the northeast, having a radius of 800.00 feet, a central angle of 27 degrees 46 minutes 35 seconds, and a long chord length of 384.04 feet bearing South 16 degrees 11 minutes 46 seconds East; thence, continuing on said township road centerline, South 30 degrees 05 minutes 03 seconds East a distance of 72.89 feet to a corner of said Lot 1; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, the south line of said SE1/4 of Section 16, and on the easterly line of said Lot 1 a distance of 68.73 feet; thence North 30 degrees 16 minutes 22 seconds West a distance of 84.58 feet; thence 131.74 feet on the arc of a non-tangential curve, concave to the northeast, having a radius of 710.49 feet, a central angle of 10 degrees 37 minutes 26 seconds, and a long chord length of 131.55 feet bearing North 23 degrees 15 minutes 02 seconds West; thence South 73 degrees 40 minutes 35 seconds West a distance of 157.93 feet; thence South 00 degrees 15 minutes 17 seconds West a distance of 160.50 feet to the easterly line of said Lot 1; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, the south line of said SE1/4, and on said easterly line of Lot 1 a distance of 1,602.89 feet to the Point of Beginning.

Said parcel contains 44.19 acres, more or less.

OIN 8852Y

That part of the Southeast Quarter (SE1/4) of Section 16, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

Commencing at the Southeast Corner of the Southeast Quarter (SE1/4) of Section 16; thence South 87 degrees 27 minutes 15 seconds West on the south line of said SE1/4 a distance of 796.45 feet; thence North 02 degrees 32 minutes 45 seconds West perpendicular to said south line a distance of 100.00 feet to the easterly line of Lot 1, Block 6, FMD-Harwood Subdivision in Sections 1-3, 9-10, 16-17, 19-21 & 30, T141N, R49W, 5th P.M., Cass County, North Dakota being the Point of Beginning; thence South 87 degrees 27 minutes 15 seconds West parallel with, and 100.00 feet north of, said south line of the SE1/4, and on said easterly line of Lot 1 a distance of 247.09 feet; thence North 00 degrees 15 minutes 17 seconds East a distance of 160.50; thence North 73 degrees 40 minutes 35 seconds East a distance of 157.93 feet; thence 131.74 feet on the arc of a non-tangential curve, concave to the northeast, having a radius of 710.49 feet, a central angle of 10 degrees 37 minutes 26 seconds, and a long chord length of 131.55 feet bearing South 23 degrees 15 minutes 02 seconds East; thence South 30 degrees 16 minutes 22 seconds East a distance of 84.58 feet to the Point of Beginning; Said parcel contains 0.82 acres, more or less.

## Exhibit C: Declaration of Excess Land Form

I hearby declare that OINs 2366Y, 2367Y, and 8852Y as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

*Robert W. Wilson*

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Robert Wilson  
Co-Executive Director

10/30/2024

Date

*Michael Redlinger*

---

Michael Redlinger  
Co-Executive Director

10/30/2024

Date

# Memorandum



To: Metro Flood Diversion Authority Lands Committee  
From: Jason Benson, Executive Director  
Cc: John Shockley, MFDA Legal Counsel  
Date: July 23, 2025  
Re: OIN 7004 Excess Land Recommendation

---

## RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 7004 (7.96 acres) to begin the process to dispose of the Excess Land per the Policy on the Disposition and Management of Comprehensive Project Lands.

## Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

## ATTACHMENTS:

- Excess Lands Recommendation – OIN 7004



# Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 10, 2025

RE: Excess Lands Recommendation – OIN 7004, subject to a Flowage Easement

## 1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Executive Director to declare OIN 7004 as Excess Land and begin the process to dispose of the property following the Policy. Note that the parcel is in the Upstream Mitigation Area (UMA) and therefore the Authority (via the Cass County Joint Water Resource District (CCJWRD)) shall reserve a flowage easement on this property as part of a sale.

## 2. Pertinent Facts Regarding OIN 7004

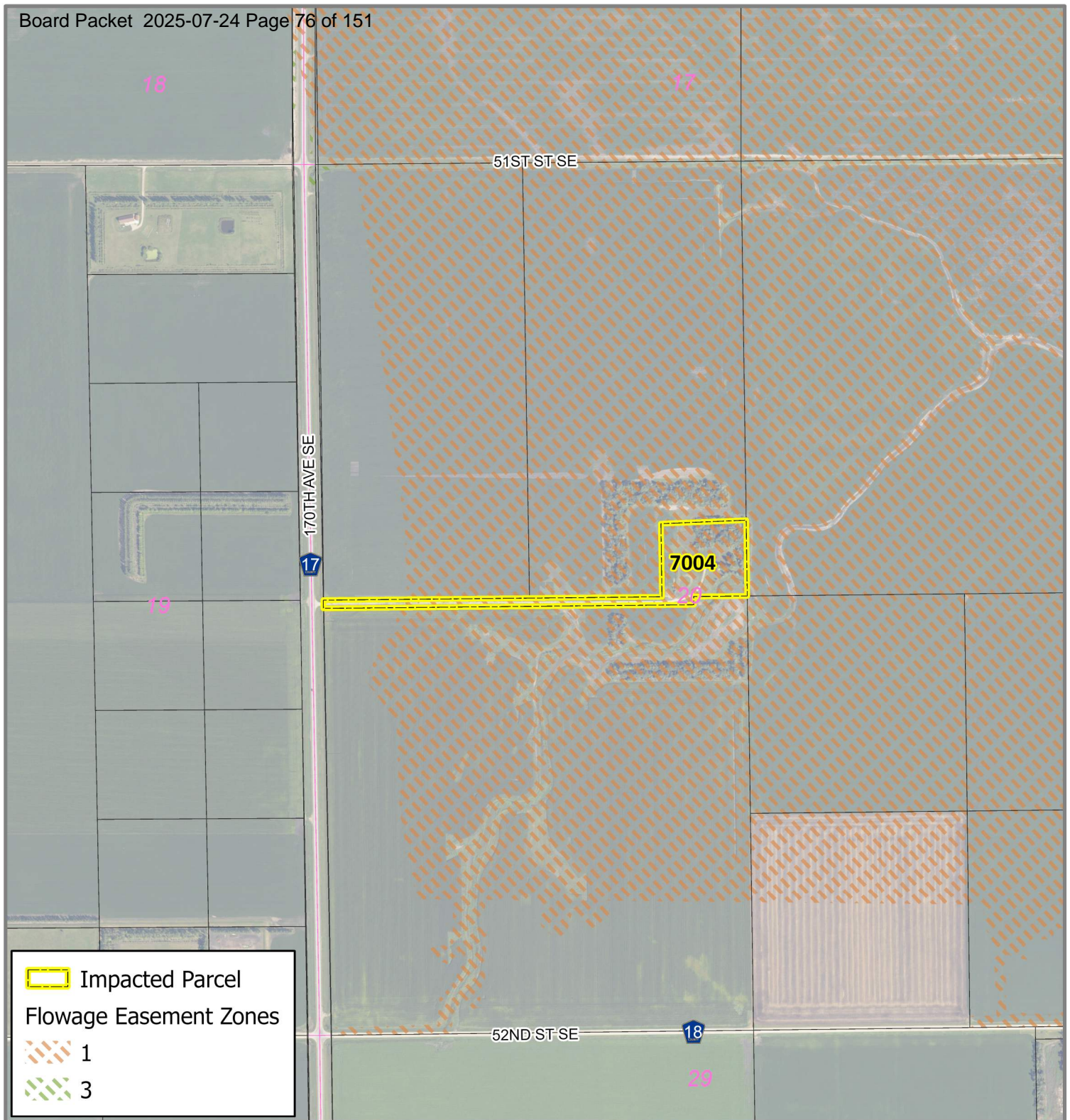
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	7.96 acres

Narrative Description of Parcel(s)	OIN 7004 is located off of 170 <sup>th</sup> Ave SE (CR 17) in the Upstream Mitigation Area associated with the project. This former residential property has had all structures removed from the property as part of the project.
Purchase Date	November 25, 2019
Purchase Price	\$850,852 (for the lot and structures that have now been removed from property)
Proposed Sale Price	\$40,000  Based on \$5,000 per acre
Former Owner	Brian & Emily Potter
Adjacent Owners	OIN 855 and 1961 – Michael Staber  OIN 854 – David & Barbara Beliveau  OIN 1954 – Sandra K. Nipstad
Property Management Approach	This parcel has been maintained through a weed control and mowing contract with JT Lawn Services since 2022.
Property Taxes	The 2024 property taxes were \$0.
Relation to Construction	Parcel is in the UMA, and not impacted by construction of the Comprehensive Project. The former owner desired a full buyout of the property. The former buildings on the parcel have been removed and the site has been restored.  Any future sale will need to reserve a flowage easement on the parcel to ensure no future development.
Right of First Refusal	The prior landowner had a ROFO that expired on November 25 <sup>th</sup> , 2024.

### 3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 7004 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

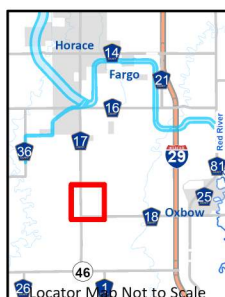
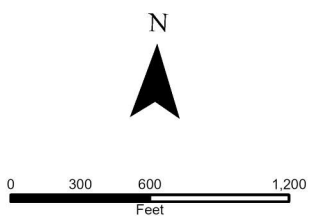
## Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.  
 All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.  
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: hrecords | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | IndividualLayout

OIN: 7004  
**CASS COUNTY JOINT WATER RESOURCE DISTRICT**  
 Parcel ID: 57-0000-10335-090  
 Cass County, ND

FM AREA DIVERSION  
 Map Date: 2/13/2024



## Exhibit B: Legal Description for Parcel Recommended as Excess Lands



1578085

Page: 1 of 4  
11/27/2019 10:00 AM  
WD \$20.00



TITLE CO

RECORDER'S OFFICE, CASS COUNTY, ND  
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE.  
DEBORAH A. MOELLER, COUNTY RECORDER

by Shena Garcia Deputy

1578085

WARRANTY DEED

238172

THIS INDENTURE, made this 26 day of NOV-, 2019, between Brian Potter and Emily Potter, husband and wife, GRANTORS, and the Cass County Joint Water Resource District, a North Dakota political subdivision, GRANTEE, whose post office address is 1201 Main Avenue West, West Fargo, North Dakota 58078.

WITNESSETH, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, GRANTORS do hereby GRANT, BARGAIN, SELL, AND CONVEY unto the GRANTEE all of the following real property lying and being in Cass County, North Dakota, and described as follows:

All that part of the Southeast Quarter of the Northwest Quarter of Section Twenty, in Township One Hundred Thirty-seven North of Range Forty-nine West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota, described as follows: Commencing at the West Quarter Corner of said Section Twenty (North Dakota Land Survey Monument Record No. 645); thence on an assumed bearing of South 89°32'41" East on and along the South line of said Northwest Quarter of Section Twenty a distance of 2127.36 feet to the Point of Beginning; thence North 00°12'57" East a distance of 444.00 feet; thence North 88°39'35" East a distance of 518.36 feet to the East line of said Northwest Quarter of Section Twenty; thence South 00°12'57" West on and along said East line of the Northwest Quarter of Section Twenty a distance of 460.25 feet to the Center of Section Corner (North Dakota Land Survey Monument Record No. 646); thence North 89°32'41" West on and along said South line of the Northwest Quarter of Section Twenty, a distance of 518.18 feet to the point of beginning.

57-0000-10335-000

2 Title Co.



1578085

Page: 2 of 4

11/27/2019 10:00 AM

TITLE CO

WD \$20.00

The above property may also be described as Auditor's Lot 1 part of the Northwest Quarter of Section 20, in Township 137, Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota.

AND

The North 50 feet of the West 2320 feet of the Southwest Quarter of Section Twenty, in Township One Hundred Thirty-seven North of Range Forty-nine West of the Fifth Principal Meridian, situate in the County of Cass and the State of North Dakota.

The GRANTORS for themselves, their heirs, personal representatives, and administrators, do covenant with the GRANTEE that they are well seized in fee of the land and premises aforesaid and have good right to sell and convey the same in manner and form aforesaid; that the same are free from all encumbrances, except installments of special assessments or assessments for special improvements which have not been certified to the County Auditor for collection, and the above granted lands and premises in the quiet and peaceable possession of the GRANTEE, against all persons lawfully claiming or to claim the whole or any part thereof, the GRANTORS will warrant and defend.

*(Signatures on the following pages.)*

## Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 7004 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.



---

Executive Director

7/15/25

Date

# Memorandum



To: Metro Flood Diversion Authority Lands Committee  
From: Jason Benson, Executive Director  
Cc: John Shockley, MFDA Legal Counsel  
Date: July 23, 2025  
Re: OIN 9347 Excess Land Recommendation

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## RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 9347 (3 acres) to begin the process to dispose of the Excess Land per the Policy on the Disposition and Management of Comprehensive Project Lands.

## Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared "Excess Land" by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

## ATTACHMENTS:

- Excess Lands Recommendation – OIN 9347



# Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 10, 2025

RE: Excess Lands Recommendation – OIN 9347, subject to Flowage Easement

## 1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Co-Executive Directors may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Co-Executive Directors to declare OIN 9347 as Excess Land and begin the process to dispose of the property following the Policy.

## 2. Pertinent Facts Regarding OIN 9347

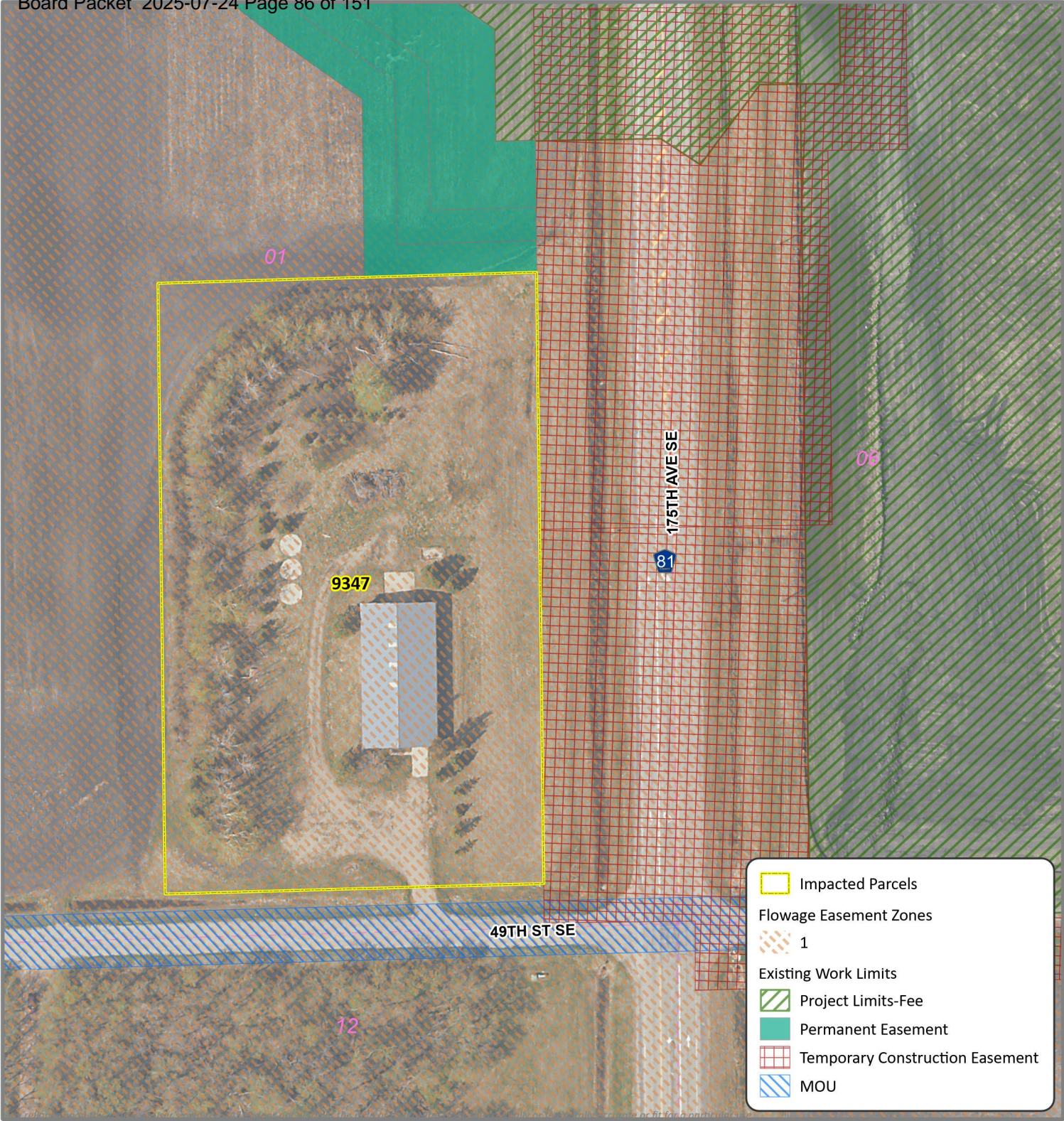
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	3.00 acres

Narrative Description of Parcel(s)	OIN 9347 is located in North Dakota on the corner of 49 <sup>th</sup> St SE and 175 <sup>th</sup> Ave SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	August 22, 2024
Purchase Price	\$550,000
Proposed Sale Price	<p>\$15,000</p> <p>Based on \$5,000/acre for flowage easement encumbered recreational land. This is a reduced valuation of recreational land due to it not being along the Red River and its isolated location that may limit the appetite of this parcel for hunting use.</p>
Former Owner	Vincent Ulstad, KLF LLP
Adjacent Owners	<p>OIN 8919X – Vincent Ulstad RLT</p> <p>OIN 9993 &amp; 9994 – Larry Brandt RLT</p> <p>OIN 809X – Karen Offutt Trust</p>
Property Management Approach	To date no maintenance has been needed on this property. The site will soon be fully mitigated and seeded.
Property Taxes	For 2024 this property had an annual of \$50 in property taxes.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. The former buildings on the parcel have been removed from the site, and the site has been restored. Any future sale will need to reserve a flowage easement on the parcel to ensure no future development.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

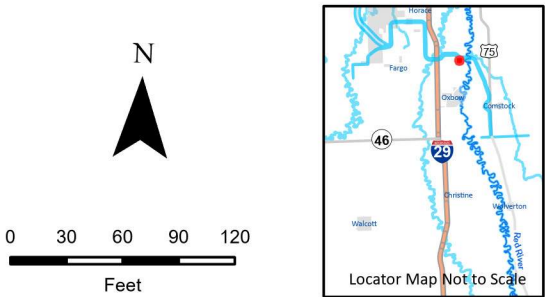
### 3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 9347 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

## Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.  
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps - General Inquiry\ArcPro General Individual Layout.aprx | Not Data Driven Layout



**OIN: 9347**

**Owner: CCJWRD**

**Parcel ID: 57-0375-00010-000**

**Cass County, ND**

**FM AREA DIVERSION**  
 Map Date: 5/20/2025




## Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated August 23, 2024.

Lot 1, Block 1, of Callies Run Subdivision being a plat of part of the E1/2 of the SE1/4 of Section 1, Township 137 North, Range 49 West, Fifth Principal Meridian, Cass County, North Dakota.

## Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 9347 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

  
\_\_\_\_\_  
Jason Benson  
Executive Director

7/15/25  
\_\_\_\_\_  
Date

# Memorandum



To: Metro Flood Diversion Authority Lands Committee  
From: Jason Benson, Executive Director  
Cc: John Shockley, MFDA Legal Counsel  
Date: July 23, 2025  
Re: OIN 1834 Excess Land Recommendation

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## RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 1834 (9.53 acres) to begin the process to dispose of the Excess Land per the Policy on the Disposition and Management of Comprehensive Project Lands.

## Background/Key Points:

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Executive Director may be made available for sale, lease, or exchange in accordance with this Policy.

## ATTACHMENTS:

- Excess Lands Recommendation – OIN 1834



# Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 11, 2025

RE: Excess Lands Recommendation – OIN 1834, subject to Flowage Easement

## 1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by the Co-Executive Directors may be made available for sale, lease, or exchange in accordance with this Policy.

This Memorandum serves as a recommendation for the Co-Executive Directors to declare OIN 1834 as Excess Land and begin the process to dispose of the property following the Policy.

## 2. Pertinent Facts Regarding OIN 1834

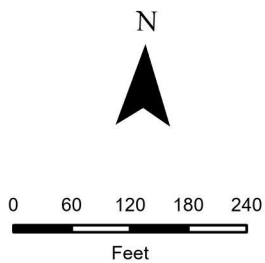
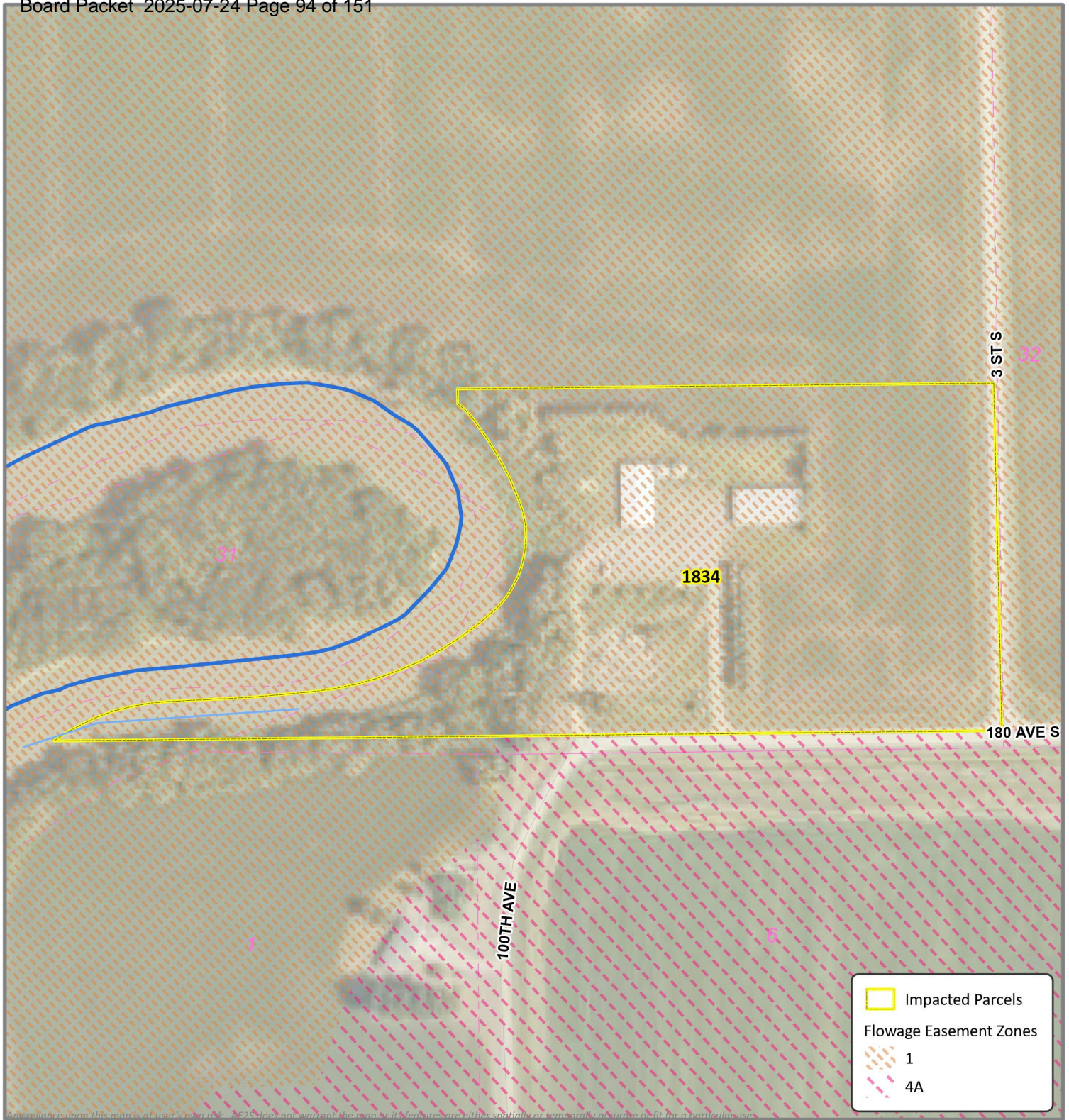
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	9.53 acres

Narrative Description of Parcel(s)	OIN 1834 is located in Minnesota on the corner of 180 <sup>th</sup> Ave South and 37 <sup>th</sup> St South in the Upstream Mitigation Area associated with the Comprehensive Project. There are approximately 3 acres of irregularly shaped tillable land as part of this parcel
Purchase Date	November 14, 2021
Purchase Price	\$620,800
Proposed Sale Price	\$52,000  Based on \$5,500/acre for flowage easement encumbered recreational land, considering the tillable acres on this parcel are small and irregularly shaped.
Former Owner	Micki Barnard
Adjacent Owners	OIN 1827 & 1833X – Ness Family Farm LLP  OIN 1252 & 1824X – Keith & Norma Kragerud  OIN 1250X – Paul & James Quinnild  OIN 1670X – Larry & Judith Ness, LLLP
Property Management Approach	The farmstead portion of this parcel has been maintained through a weed control and mowing contract with JT Lawn Services and a Farmland Lease on the tillable acres.
Property Taxes	For 2024 this property had an annual of \$3,662 in property taxes and \$46 so far for 2025.
Relation to Construction	This parcel is in the UMA and not impacted by construction of the Comprehensive Project. The former owner desired a full-take buyout of the property. The former buildings on the parcel have been removed from the site, and the site has been restored. Any future sale will need to reserve a flowage easement on the parcel to ensure no future development.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

### 3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 1834 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

## Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



OIN: 1834

Owner: MCCJPA  
Parcel ID: 15.031.4401

Clay County, MN

FM AREA DIVERSION  
Map Date: 5/20/2025



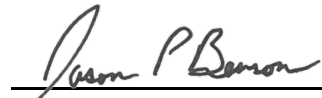
## Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated October 19, 2021.

The South 507 feet of that part of Government Lot Six and the Northeast Quarter of the Southeast Quarter of Section Thirty-one, Township One Hundred Thirty seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota, which is included within the following metes and bounds description: Beginning at the Southeast corner of Section Thirty-one, Township One Hundred Thirty-seven North of Range Forty-eight West of the Fifth Principal Meridian, Clay County, Minnesota; thence North 00°00'00" West along the East line of said Section Thirty-one, a distance of 1,743.82 feet; thence South 89°50'40" West a distance of 760.61 feet; thence South 00°17'38" West a distance of 1,324 feet, more or less, to a Point of Intersection with the East Bank of the Red River of the North; thence Southerly and Southwesterly along said East River Bank to the Point of Intersection with the South line of said Section Thirty-one; thence South 89°23'43" East along said South Section line a distance of 1,429 feet, more or less, to the point of beginning.

## Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1834 as noted in Exhibit A (the parcel) is deemed Excess Land and authorize the disposal of the parcel in accordance with the Policy on the Disposition and Management of Comprehensive Project Lands.

  
\_\_\_\_\_  
Jason Benson  
Executive Director

7/14/2025  
\_\_\_\_\_  
Date

# Memorandum



To: MFDA Land Management Committee  
From: Jason Benson  
Cc: Jodi Smith, Justin Fisher  
Date: 07/23/2025  
Re: Excess Land Disposal Update for OIN 7249 (part of the former Horace rail corridor)

---

## REQUESTED ACTION:

Approve the recommended options outlined below for disposing of OIN 7249.

## BACKGROUND:

The MFDA approved a recommendation to declare OIN 7249 as Excess Land in April 2024. Since that time, staff and consultants have been working to notify the appropriate parties as outlined in the Policy of the Disposition and Management of Comprehensive Project Lands (Policy). With no interest from the Member Entities or Prior Owner, we notified the Adjacent Owners, as noted in section 5.4 of the Policy. We received an intent to purchase from all adjacent landowners and then proceeded to prepare a plat to subdivide the property, along purchase agreements, quit claim deeds, and other documents to subdivide and sell the property to the 11 adjacent owners on the north side and one adjacent landowner on the south side of the property. Subsequently, the adjacent landowner south of the property has backed out of their intent to purchase the property, citing the approved sale price of \$0.50 per square foot. We then contacted the 11 north-side adjacent landowners asking if they would be interested in purchasing a larger, full-width portion of the property. After some discussion and feedback with the north-side adjacent landowners, they have indicated interest in purchasing the property, but at a reduced price (see attached email). Staff are not in favor of selling the property at a discounted price.

## RECOMMENDATION

Staff and consultant teams have reviewed this situation and recommend proceeding with the following two options:

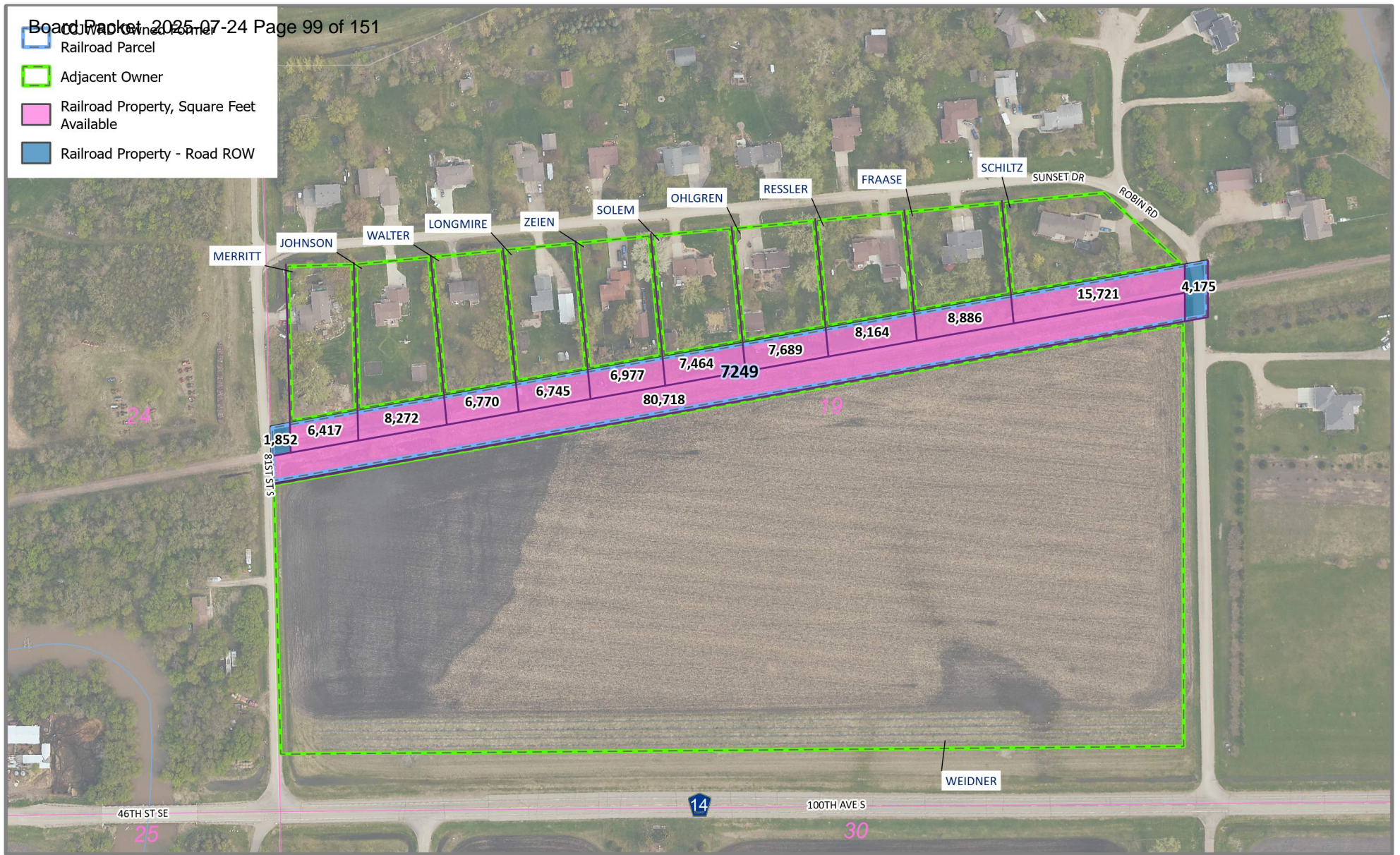
1. Continue with sale of north  $\frac{1}{2}$  of the property at \$0.50/sf.
  - a. If the landowners agree with this option, we would need to replat the property and redo purchase agreements and closing documents. We would ask the buyers to put 10% earnest money down as a non-refundable deposit for this process.
  - b. The south  $\frac{1}{2}$  of the property would be moved to the “public sale” step following our policy. We could entertain bids on the south  $\frac{1}{2}$  of the property and take any bids to a future land management committee, following the policy.

2. Move the entire property into the public sale step of our policy
  - a. If the north-side landowners are not in favor of Option 1, we would then move the entire property (OIN 7249) into the public sale step of the process.
  - b. Under this scenario, we would sell the property as one parcel and we would not complete the platting or subdividing of the property, unless the buyers also agreed to a \$300 platting fee per portion of the subdivided parcel.

**ATTACHMENTS:**

- Map Exhibit for OIN 7249, Potential parcel subdivision, and Adjacent Landowners
- Email from north-side adjacent landowners

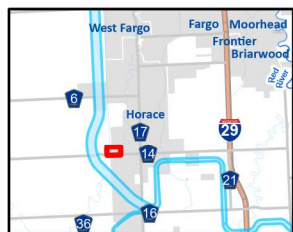
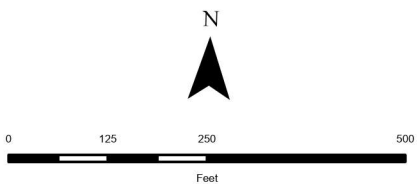
- Railroad Parcel
- Adjacent Owner
- Railroad Property, Square Feet Available
- Railroad Property - Road ROW



Any reliance upon this map is at user's own risk. AE2S does not warrant the map or its features are either spatially or temporally accurate or fit for a particular use.

All parcel acreages and legal descriptions shown hereon are based on County GIS data. Final acreages and legal descriptions to be determined by boundary survey.

Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\DCA\Horace Railroad\HoraceRailroad.aprx | Horace Railroad\_AdjacentOwners\_OINs



Locator Map Not to Scale

## Railroad Corridor near Horace, ND Adjacent Owners, Adjacent Square Feet OIN 7249

FM AREA DIVERSION  
Map Date: 7/16/2025



## Eric Dodds

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**From:** poo2fer@aol.com  
**Sent:** Tuesday, July 15, 2025 12:07 PM  
**To:** jacob.s.merritt@gmail.com; loraschiltz@gmail.com; millerkevin1201@gmail.com; samjohnson509@gmail.com; ahron.walter@gmail.com; blongmire@aol.com; sjzeien@aol.com; nikkisolem93@hotmail.com; casey.r.ressler@gmail.com; kfraase@lane-enterprises.com; Eric Dodds  
**Subject:** Re: Purchase of Rail Corridor Update for OIN 7249 -Neighborhood Response

Eric,

After we learned the southern landowner backed out of the agreement to purchase the railroad land, we met together as a neighborhood community to discuss the situation. We are interested in purchasing both the north and south sides adjacent to our properties, but not at 50 cents per square foot. The land cannot be used for any material purpose and is overpriced. We also have questions and concerns that need to be addressed.

We would like a meeting with you to discuss. Please provide evening options when you can meet with us. If you are not the individual who has the power to negotiate pricing, please ensure that person(s) is also available to speak with us.

Thank you.

Sincerely,


River Bend Neighborhood Members:  
*Jacob Merritt & Mattie Merritt*  
*Samuel Johnson & Ashley Johnson*  
*Michael Walter*  
*Bryan Longmire & Beverly Longmire*  
*Jonathan Zeien & Stephanie Zeien*  
*Nicole Solem*  
*Richard Ohlgren & Vanita Vik-Ohlgren*  
*Casey Ressler & Stephanie Ressler*  
*Keith Fraase & Susanne Fraase*  
*Lora Schiltz*

On Tuesday, June 24, 2025 at 02:24:24 PM CDT, Eric Dodds <eric.dodds@ae2s.com> wrote:

River Bend neighborhood,

Please be informed that the landowner on the south side of the rail property has decided to forgo purchasing their portion of the rail property. This is disappointing news at this step in the process as know several of you have already reached out to The Title Company to process your paperwork. Given this, we are now wondering if the landowners on the north side of the rail corridor would be willing/interested in expanding your purchase to include the full-width of the rail corridor? I have attached an updated property split map showing a revised concept for selling the rail property to the north-side landowners. As a reminder, the sale price is \$0.50 per square foot. Please let us know if you are interested in this approach, or if you have any questions.

Thank you!

 **Eric Dodds, PE**  
Program Manager  
Mobile: (701) 793-7354

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**From:** Eric Dodds  
**Sent:** Thursday, June 12, 2025 6:17 PM  
**To:** Billy Longmire <blongmire@aol.com>; garretttrochman@financialguide.com; sjzeien@aol.com; poo2fer@aol.com; kfraase@lane-enterprises.com; ahron.walter@gmail.com; nikkisolem93@hotmail.com; jacob.s.merritt@gmail.com; samjohnson509@gmail.com; loraschiltz@gmail.com; millerkevin1201@gmail.com; artweidner@yahoo.com  
**Cc:** Sabrina Tusa <Sabrina.Tusa@AE2S.com>; Jodi Smith <smithj@fmdiversion.gov>; Lukas D. Andrud <landrud@ohnstadlaw.com>; Tiffany J. Findlay <tfindlay@ohnstadlaw.com>; Anna Lindberg <anna@thetitlecompany.com>  
**Subject:** RE: Purchase of Rail Corridor Update for OIN 7249

River Bend neighborhood,

Good evening and thank you again for your continued patience as we work to sell you the abandoned rail corridor adjacent to your property. As you have probably noticed, the ballast removal project has been completed along the railbed property in your area, and we received the attached approval letter from ND Department of Environmental Quality.

Given this, we are ready to proceed with the signing documents to complete the process. As noted in previous correspondence, we will need all adjacent landowners to:

1. Sign your purchase agreements and closing documents.
2. Make payment for your purchase to The Title Company.
3. Sign the plat, which will be held in trust at The Title Company along with the quit claim deeds until closings with all the owners have been completed.



# FARGO MOORHEAD DIVERSION PROJECT

## MONTHLY UPDATE

24 July 2025

### 1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 99% complete. Completion date is now 28 Oct 2025. Training held 19 June. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated in November 2025.

### 2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 98% complete. Completion date is now 28 November 2025. Operating machinery corrections, final inspections and training upcoming. Turnover to Sponsors for OMRRR anticipated in December 2025.

### 3 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 81% complete. Construction completion date is 30 April 2026. East and west dam wall and approach apron and gate machinery install ongoing. Red River re-route rescheduled for 7 Aug 2025 due to wet and high river conditions.

### 4 Southern Embankment – Reach SE-2A - Construction

Construction is 76% complete but continues to be behind schedule. Scheduled completion date of 13 October 2024 was not met. Revised schedule and completion date pending.

### 5 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract for wetland establishment. Completion date is 1 December 2027. Contractor replanting areas disturbed by adjacent producers.

### 6 FY2024 Contract Awards - Construction:

OHB Ring Levee: 50% complete. Levee construction ongoing. Contractor digging inspection trench. Contract completion date is 17 October 2025.

Reach SE-1B: 36% complete. Anticipate opening CR16/17 by October 2025. Contract completion date is 13 March 2026.

Reach SE-2B: 45% complete. Embankment construction ongoing. Paving of CR16 crossing pending. Contract completion date is 23 August 2026.

Forest Mitigation #1: Contractor is planting. Contract completion date is 31 Dec 2028.

Reach SE-4: 9% complete. Embankment construction continues. road work. Contract completion date is 30 September 2026.

### 7 FY2025 Contract Awards - Construction:

SE-3: 2% complete. Embankment construction continues. Contract completion date is 11 September 2026.

SE-5: Contractor is clearing and grubbing. Wolverton Creek crossing must be complete by 15 Nov 2025. Contract completion date is 8 September 2026.

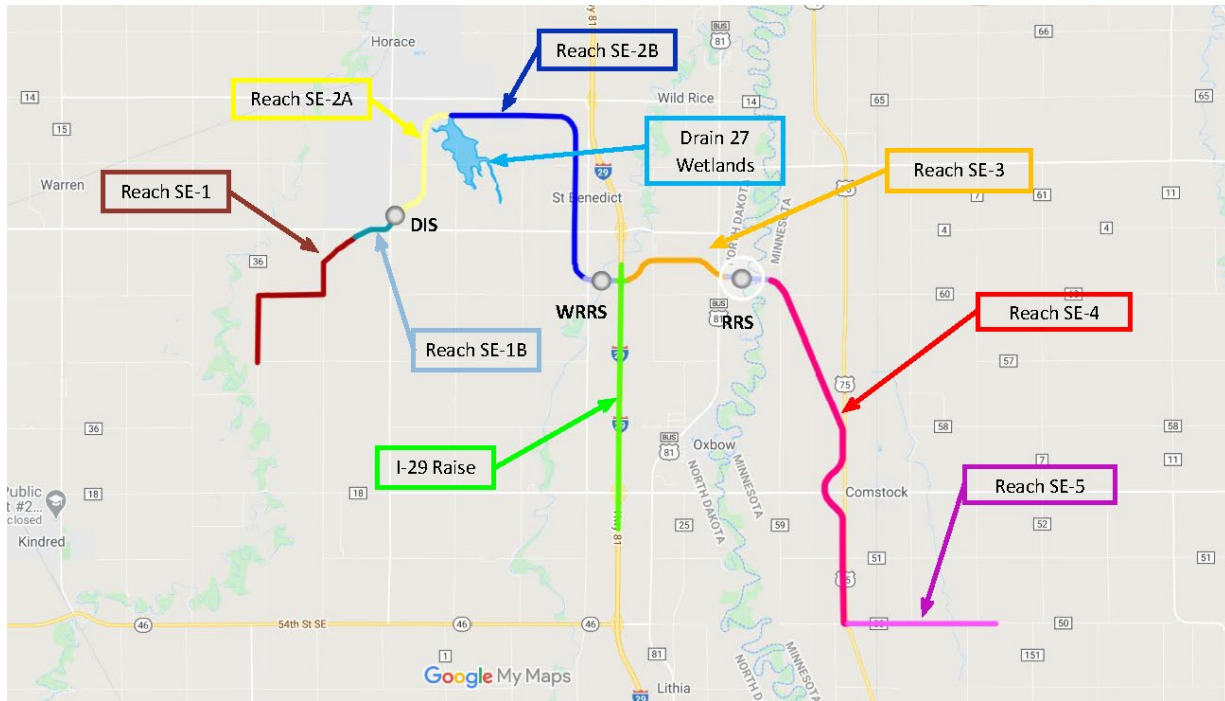
Forest Mitigation #2: Contractor is planting. Contract completion date is 31 Dec 2029.

### 8 I-29 Raise – Operations and Maintenance (OMRRR)

Turnover to MFDA occurred on 20 December and preparation of O&M documents is ongoing.

### 9 Drayton Dam Mitigation Project Design - Operations and Maintenance (OMRRR)

Turnover to MFDA for O&M occurred on 28 Nov 2023. OMRRR manual coordination continues.

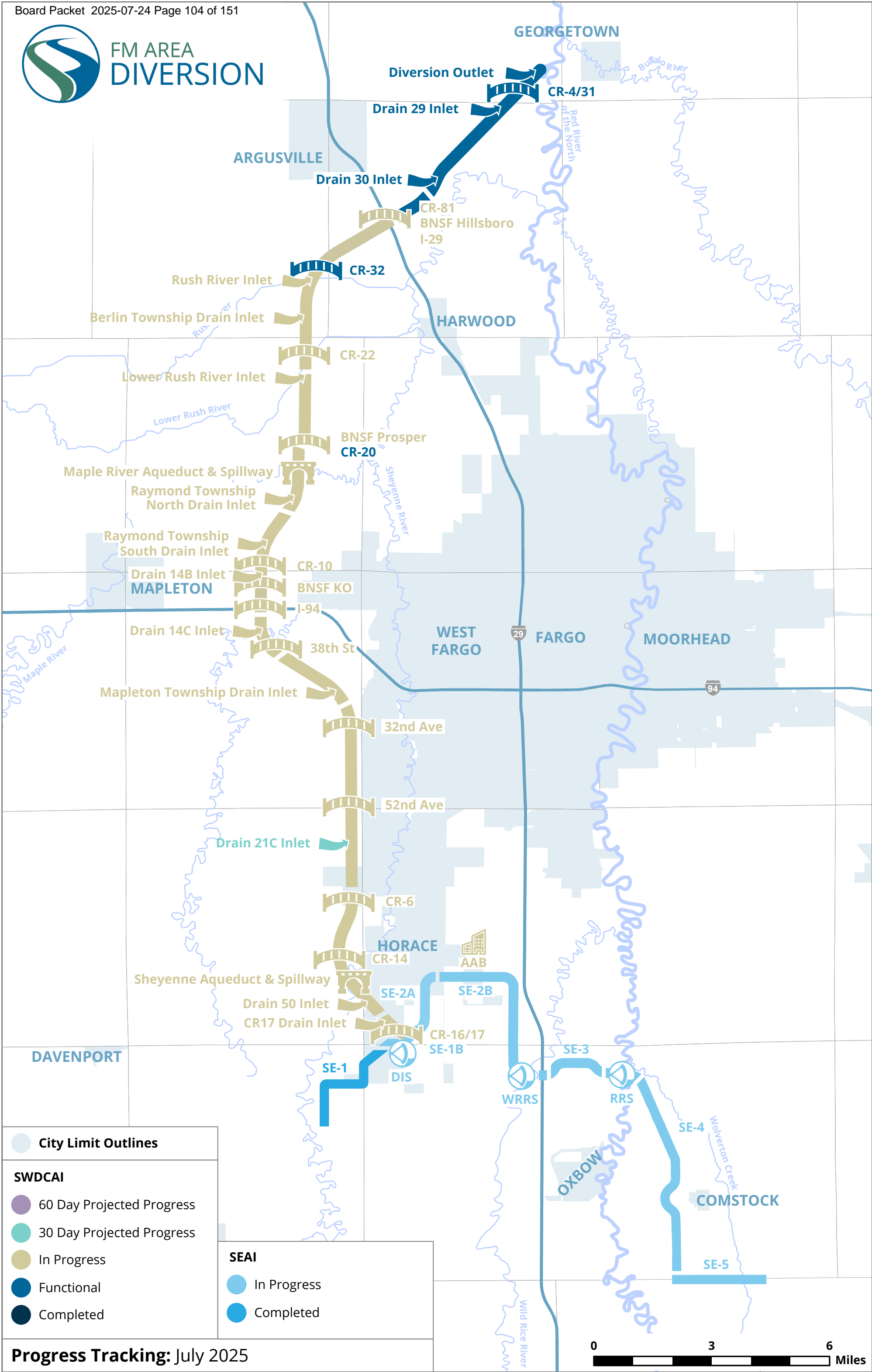


***Fargo-Moorhead Metro FRM – Federal Work/Southern Embankment and Control Structures***

DIS = Diversion Inlet Control Structure

WRRS = Wild Rice River Control Structure

RRS = Red River Control Structure



City Limit Outlines

SWDCAI

- 60 Day Projected Progress
- 30 Day Projected Progress
- In Progress
- Functional
- Completed

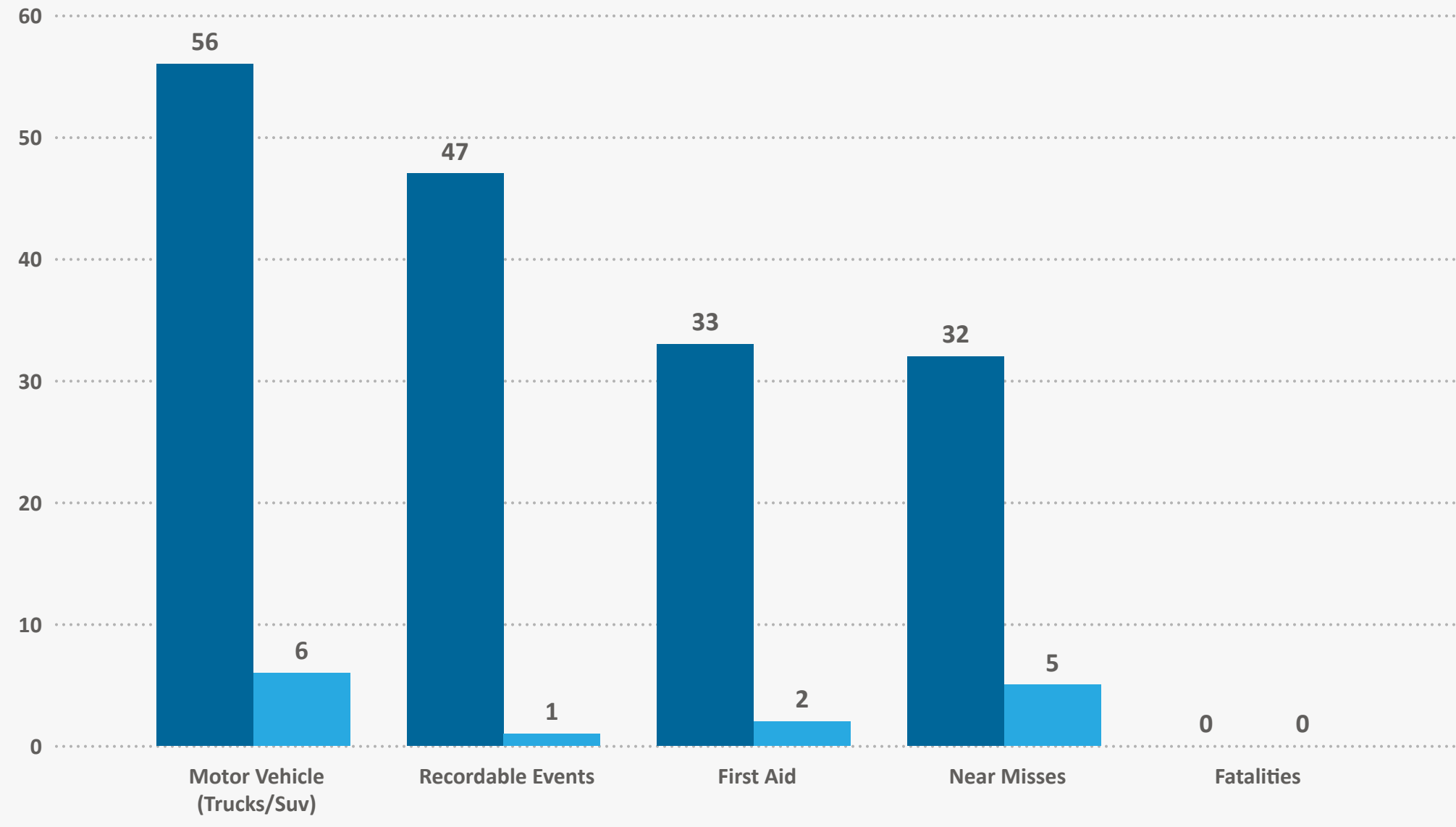
SEAI

- In Progress
- Completed

Current Reporting Period: June 1 - June 30

## Developer Led Projects

● Sum to Date ● Sum of Current Reporting Period



## City of Fargo Led Projects

Sum of Current Reporting Period	Sum to Date
1	2
Incident	Incidents

## Authority Led Projects

Sum of Current Reporting Period	Sum to Date
0	1
Incidents	Incident

## PMC P3 SUMMARY REPORT FOR JUNE 2025

Issue Date – July 16, 2025

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### PROGRESS

Construction of the SWDCAI is approximately 65%<sup>1</sup> complete based on Earned Value from RRVA's latest Schedule Submittal. The work during the reporting period is summarized below.

- **General:** Work continued Project-wide during the reporting period on almost all areas of the P3 project, although some storms did curtail work on occasions.
- **Aqueducts:** Maple River Aqueduct: installation of epoxy rebar, form work and placing concrete at east and west maintenance bridges decks. Installation of sheet piles to Sections C1, C2 and D. Installation of handrails to wing walls. Application of Texcote to all surfaces. Sheyenne River Aqueduct: Installation of epoxy rebar for wingwall #1 section 1 foundation; pier walls #1 and #2; wingwall #3 section 2 stage 1 and wingwall #2 section-1 footing. Erection of formwork to wingwalls #1, #3 and #4; pier wall #1, #2, #3, #4 and #7. Concrete placed to wingwall #4 and pier walls #3 and #4. Mud removal and backfill to wingwall #4. Cultural monitoring is ongoing.
- **Stormwater Diversion Channel:** Reach 01 and 02: installation of signs, grading of EMBs, plug removal, bollards to parking lot and reinstatement of laydown yard. Reaches 03, 06, 11 and 13: mass excavation of channel. Reach 12: topsoil placed to slopes.
- **Interstate Crossings:** I-29: Concrete placed to north ends of northbound and southbound crossings and pavement panels at the south end. Building up of pavements and final profiling. Formwork for curbs and gutters I-94: Eastbound infill material placed in approaches. Rebar, formwork and concrete placed to sleeper slabs. Westbound: placement of geofoam at east end. Rebar and formwork installed, and concrete placed for single slope barriers.
- **County Road Crossings:** CR 81 Crossing: Geofoam blocks placed. CR32 Crossing: reworking of road surface including placing of class 13 material. CR 22 Crossing: Geofoam blocks placed. Rebar and formwork installed for Texas corral barrier, and sleeper slab and stem wall at west end. CR 20 Crossing: installation of pedestrian and bike railing. Placement of riprap. Approach road asphalt laid. CR 10 Crossing: Preparation of finishes and application of Texcote. Earthwork operations in preparation for base course. 38th St Crossing: Preparation of deck for grooving. Slopes and pier foundations prepared for riprap. 32<sup>nd</sup> Ave Crossing: Repair to wind damaged overhangs and falsework. Installation of epoxy coated rebar for the deck 52<sup>nd</sup> Ave Crossing: Erection of overhangs and falsework for bridge deck. Excavation for, and placement of, geofoam CR 6 Crossing: Girders installation. CR 14 Crossing: Installation of falsework on all spans and end wall formwork to both abutments. Installation of deck rebar and preparation for concrete placement. CR 16/17 Crossing: Preparation for bedding and riprap.
- **Hydraulic Structures:** Rush River Inlet: Excavation of the rock weir structure and placement of riprap. Lower Rush River Inlet: Texcote applied and barriers installed. Raymond North Township Drain Inlet: Formwork erected to upstream headwall. Drain 14C Drain Inlet: Concrete placed to south abutment and wing walls. Mapleton Drain 24: trash racks and handrails installed. Drain 17 Drain Inlet: Backfill and compaction around reinforced concrete pipes.
- **Diversion Outlet:** Investigations continue for compliance issues.
- **Railroad Crossings:** BNSF Hillsboro Railroad Crossing: Girder installation continues. Installation of decking falsework and overhangs. Installation of expansion joints and galvanized steel. Installation of wingwall extension formwork and decking rebar. BNSF Prosper Railroad Crossing: Bearing plates installed and

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<sup>1</sup> Note: Overall Percent Complete is based on the RRVA April 2025 PSSU submitted on May 15, 2025, and is calculated based on Earned Value (EV).

installation of girders commenced. **BNSF K.O. Railroad Crossing:** Formwork installed to Pier #3 cap, piers #4 and #6 columns, and east abutment wingwalls. Rebar installed to Pier #4 columns. Concrete placed in east and west abutment wingwalls, pier #3 pier cap and pier #4 columns.

- **Roadways:** reconstruction of CR 32 continues.
- **Authority Administration Building (AAB):** concrete placed to all foundation walls.

Observed progress during the reporting period and percentage complete for each buildable unit (BU) is set forth in *Attachment A – Construction Progress by Buildable Unit*.

### General Administration

Significant effort is ongoing for the first Interim Completions including records reviews and walk-throughs for punch lists. Unresolved Nonconformances and Noncompliance Events and submittal of records continue to cause delays in Certification of Interim Completion.

Large amounts of staff time are taken up with correspondence exchange on meritless commercial issues.

The construction of the Maintenance Roads/Trails continue to give the Authority concern as to fitness for purpose.

Discussion continues to find an acceptable solution to remediate the Diversion Outlet and Rush River Inlet.

### Disputes

The following disputes have been referred to the Technical Dispute Review Board:

Dispute	Description	Date Referred	Status
Epoxy-Coated Reinforcing Steel	RRVA disagrees that epoxy-coated reinforcing steel is required by the Technical Requirements (TRs) for all reinforced concrete	May 15, 2024	RRVA continues to incorporate black rebar into the work <sup>2</sup> ; dispute is pending Technical Dispute Review Board (TDRB) hearing and decision.*
CE-015 and CE-018 – Failure of a Third Party (BNSF) to Comply with Third-Party MOU	RRVA maintains that BNSF has failed to comply with the Project Baseline Schedule (PBS) in that it failed to carry out the work of installing the track for the shooflies in accordance with the dates set forth in the RRVA's PBS, despite the RRVA not having RFC documents and thus the required Construction & Maintenance (C&M) Agreement in place; RRVA maintains that this has caused delays to its work	June 25, 2024	Dispute is pending TDRB decision*
CE-014 – Modified Permit Delay Impact	RRVA maintains that modifications to the 404 Permit have led to delays in carrying out its work	July 31, 2024	Dispute is pending TDRB decision*
CE 023 – Epoxy Coated Rebar Delays	RRVA disagrees that epoxy-coated reinforcing steel is required by the Technical Requirements (TRs) for all reinforced concrete and maintains that the Authority has caused delays as a result	June 5, 2025	Dispute is pending TDRB decision*
CE 024 – Authority Administration Building (AAB) Material at the AAB Site	RRVA maintains that the Authority did not deliver the quantity of material that is specified by the TR and that it has caused they Developer disruption and delay	April 18, 2025	Dispute is pending TDRB decision*

<sup>2</sup> The Developer and the Authority has entered into a 'without prejudice' agreement, and an extension thereto, for the Developer to incorporate epoxy-coated reinforcing steel into those structures that do not yet have Released For Construction Documents.

Dispute	Description	Date Referred	Status
CE-026 - Hazardous Environmental Conditions Reach 13	RRVA maintains that it Encountered Hazardous Environmental Conditions on Reach 33	June 20, 2025,	Dispute is pending TDRB decision*
Noncompliance Points Assessed for RRVA_LLC-NCR-00207 and RRVA_LLC-NCR-00222	RRVA disputes and refuses to cure Noncompliance Points Assessed for NCR207 and NCR222	May 8, 2025	Dispute is pending TDRB decision*
Notice of Interim Completion Package for Legal Drain 29	Authority disputes the Authority's position to not grant certification of ICEs for Drain 29	April 18, 2025	Dispute is pending TDRB decision*
Notice of Interim Completion Package for Legal Drain 30	Authority disputes the Authority's position to not grant certification of ICEs for Drain 30	May 9, 2025,	Dispute is pending TDRB decision*

\* *Dispute was pending TDRB decision at the end of this reporting period. However, it should be noted that all Disputes are subject of settlement negotiations and the associated 'Statement of Principles' agreement that was executed on July 3, 2025.*

The Authority and the Developer has re-established the Technical Dispute Review Board and a new chair of the Financial Dispute Review Board has been appointed. The members of both boards are prepared to participate in the highly unusual approach to conduct Alternative Dispute Resolution meetings in public.

## COMMERCIAL

### Compensation and Relief Events

By the end of June 2025, RRVA had submitted notices of 33 (thirty-three) Compensation Events and 2 (two) Relief Events. A summary and status of the Compensation Events and Relief Events is in *Attachment B – Submitted Compensation Events (CEs) and Relief Events (REs)*. It should be noted that all Compensation Events and Relief Events are subject of settlement negotiations and the associated 'Statement of Principles' agreement that was executed on July 3, 2025, after this reporting period.

### Change Requests

A change request (CR) can be initiated by the Authority or RRVA, and it is the mechanism set out in the Project Agreement to modify the Technical Requirements to resolve issues, clarify requirements, or modify the scope of RRVA's work.

There have been 26 (twenty-six) Authority-initiated change requests (ACRs) through the end of the reporting period. 12 (twelve) have been agreed-to and progressed to agreed-upon change orders, totaling a cost to the Authority of \$5,380,700.38 and a credit to the Authority of \$950,000. 3 (three) ACRs were withdrawn, and 9 (nine) are pending negotiation with RRVA. A summary of the ACRs is in *Attachment C – Authority Change Requests*.

There were 57 (fifty-seven) developer-initiated change requests (DCRs) through the end of the reporting period. 35 (thirty-four) have been agreed to and progressed to agreed-upon change orders, totaling \$3,712,553.63 cost to the Authority and a credit to the Authority of \$50,000. A summary of the DCRs is in *Attachment D – Developer Change Requests*.

It should be noted that all Change Requests are subject of settlement negotiations and the associated 'Statement of Principles' agreement that was executed on July 3, 2025, after this reporting period.

## PROJECT CONTROLS

### Schedule

The Developer submitted the thirty-second Project Status Schedule (PSSU) update on June 13, 2025, for the month of May 2025 (01-Jun-25 Data Date). The submittal was accepted for review, but the review was terminated in early July 2025 because of the Statement of Principles agreement and no comments were provided to the Developer. To create the PSSU, the Developer reported making approximately 2,670 changes to the previous PSSU, including new and deleted activities, changes to logic and relationships between activities, activity description changes, calendar changes, WBS modification and activity duration modifications. The Project Substantial Completion Date in this PSSU is March 8, 2027, which is the same as the April 2025 PSSU Project Substantial Completion Date (March 8, 2027). The approved PBS Project Substantial Completion Date (Scheduled Project Substantial Completion Date) is October 1, 2026 – a difference of 158 days from the May 2025 Project Substantial Completion Date.

### Invoicing and Payment

BNSF has submitted 104 invoices through the month of June totaling \$11,213,962.94. These have been forwarded to the Developer for payment for work performed by BNSF and its subcontractors at the Prosper, Hillsboro and KO locations. 95 of the 104 were paid for a total of \$10,800,705.55. The unpaid amount falls within the 60 day turn around period. The BNSF Construction and Maintenance Agreement (C&M Agreement) between the Authority and BNSF is considered a "Third Party Agreement" as administered under Section 11 of the Project Agreement. Therefore, the invoices received by the Authority are transmitted to the Developer for payment directly to BNSF within 60 days of the invoice date according to Section 7 of the C&M agreement. Future invoices received will be handled in a like manner. There are no overdue amounts as of the end of June.

### Payments to RRVA

Additional Milestone Payments (AMP) for the BNSF shoofly installations at the Hillsboro, Prosper and KO locations were made in March 2025. See attachment E for details.

The following table includes all payments to RRVA through May 2025. June costs have not yet been posted.

Totals to date	Amounts	Notes
Pay Units	\$14,390,103.00	(See Attachment E)
ACRs	\$4,695,010.06	(see Attachment C)
DCRs	\$3,712,553.80	(See Attachment D)
DRB Members (50% share)	\$119,125.13	Includes Polsinelli PC cost share.
<b>Total</b>	\$ \$22,916,791.99	

### Other:

The following invoices are forecasted to be submitted in 2025:

Invoice Name	Pay Unit #	Forecasted Payment Date	Pay Unit /ACR DCR Amount
Drain 30 Inlet	12	Jul-2025	\$3,193,006
Drain 29 Inlet	11	Jul-2025	\$1,717,383
CR 32 Crossing	26	Jul-2025	\$8,327,806
Combined CR 4 and CR 31 Crossing and Collector Roadway Improvements	28	Aug-2025	\$9,014,526
Sheyenne River Aqueduct Changes & Aqueduct Design Maple River - Milestone 2 - RFC Approval of Maple and Sheyenne	ACR016-2023 & ACR022-2023 - 2	Sep-2025	\$750,000
Diversion Outlet	1	Sep-2025	\$7,344,833
Channel Reach 01 Pay Unit	2	Sep-2025	\$14,590,302
Berlin Township Drain Inlet	14	Sep-2025	\$4,258,118
Raymond Township South Drain Inlet	17	Oct-2025	\$3,181,911
Channel Reach 03 Pay Unit	4	Oct-2025	\$16,776,000
Mapleton Township Drain Inlet	49	Oct-2025	\$3,193,006
38th Street W Interim Connection (roadway connection south of I-94) - Construction	ACR023-2024 - 2	Oct-2025	\$51,750
CR 20 Crossing	55	Oct-2025	\$6,484,885
Drain 14B Inlet	18	Nov-2025	\$3,581,328
Channel Reach 02 Pay Unit	3	Nov-2025	\$23,787,986
Lower Rush River Inlet	15	Nov-2025	\$8,862,507
MLGC FOC Installation in Mapleton Township	ACR011-2023	Nov-2025	\$350,000
38th Street West Crossing	57	Nov-2025	\$6,507,075
CR 10 Crossing	54	Nov-2025	\$6,584,740
CR 22 Crossing	25	Dec-2025	\$5,986,779
I-29 Northbound Crossing	21	Dec-2025	\$11,123,724
I-29 Southbound Crossing	22	Dec-2025	\$11,123,724
<b>Total</b>			<b>\$156,791,389</b>

The forecast Payment Dates are from the latest PSSU. In terms of Interim Completion Elements, the actual dates of the receipt of complete ICE Notices have not kept pace with anticipated dates.

## CONSTRUCTION AND O&M

### Construction

Construction activities by buildable unit (BU) during the reporting period are provided in *Attachment A – Construction Progress by Buildable Unit*.

The summary for Safety for the Month of June is as follows:

	Recordables	Lost Time Incidents	Near Misses	First Aid Cases	TRIR	Manhours	No. orientations
Month ending 06/2025	1	0	5	2	2.25	88,996.19	92
Project to date	47	13	32	33	4.08	2,306,228.66	1,578

6/2/2025 - ASN - Reach 01, equipment operator hit a sign with their GPS post when entering the maintenance road. Minor damage to the sign.

6/3/2025 - DJV-Hatch - ASN HR Office's parking lot, employee's rental vehicle was involved in a hit and run in front of the HR office while she was working inside, an ASN operator witnessed the incident and got the plate number of the black pickup GMC 1500 which was backed into a parking spot next to the rental car. The black truck turned into the left front of the rental car while pulling out of the parking spot, tearing up the left front of the car and the bumper. The driver refused to stop when the ASN employee yelled "What are you doing? Stop! 911 was called.

6/4/2025 - ASN - 38th St W Crossing - Employee was removing a 4x8 plywood underneath bridge. Upon removal as the plywood gave way, the nails from the plywood weight came down and 2 nails poked employee's right arm.

6/4/2025 - ASN - 32nd Ave - Employee was driving nails and made contact with finger resulting in contusion to the right index finger.

6/5/2025 - ASN - 38th St W Crossing - While working under the bridge in a man lift, employee pushed the controls down and the lift moved to the right resulting in the employee smashing his hand between the cage of the man lift and girder.

6/5/2025 - ASN - 38th St W Crossing - Employee was driving an ASN truck in reverse and contacted the equipment.

6/9/2025 - RDO - Reach 11 - An RDO employee was relocating excavator, EX-8701 to the other side of county road 6 for repairs. This required the excavator to pass under a 69 kV (BU-MP7) power line owned by Minnkota Power. Contact was made, causing a 27-minute power outage. There were no injuries.

6/10/2025 - ASN - Reach 12 - haul truck operator backed up to the right EMB lift and proceeded dump his load, once dumping was completed the operator put the truck in drive to move ahead but the truck remained in reversed resulting in the truck backing onto the pile and tipping the bed of the truck sideways, cab remained upright.

6/10/2025 - ASN - Channels All Hand Safety Meeting.

6/11/2025 - ASN - Channels All Hand Safety Meeting.

6/13/2025 - ASN & SRF - CR 17 Drain Inlet - SRF employee was driving on the maintenance road to CR 17 Drain Inlet when she attempted to pass a mini-excavator that was also traveling on the maintenance road. Mini excavator swung the bucket contacting the driver's side of the vehicle.

6/16/2025 - ASN - Raymond North Inlet - While using the skid steer forks to lift trailer and lock the ball hitch, the arms of the skid steer caught the open window and caused it to shatter.

6/18/2025 - ASN - Sheyenne River Aqueduct, upon inspecting the Tele-handler prior to use, employee noticed the windshield was cracked.

6/19/2025 - ASN - Reach 06, Employee had minor heat related illness

6/20/2025 - ASN - Structures All Hand Safety Meeting.

### Road Closures for Bridge Construction

Temporary Road Closures	Anticipated Mainline Opening Date
Interstate 29 – Bypass Operational	August 2025
County Road 81 - Bypass Operational	August 2025
County Road 22 - Bypass Operational	July 2025
County Road 20 -Crossing Open to the public	June 2025
County Road 10 - Bypass Operational	June 2025
32nd Ave – Traffic Detoured to CR 8 and CR 31	August 2025
52nd Ave – Traffic Detoured to CR 8 and CR 31	August 2025
Interstate 94 – Bypass Operational	August 2025
Interstate 94 – Eastbound Left Lane Closure	
County Road 6 - Bypass Operational	September 2025

Roadway currently closed.	Upcoming Permanent Road Closures (Tentative Schedule)
24th St SE – Closed 9/21/2022	32 <sup>nd</sup> Ave. NW – Planned date August 2026 (MRA Access)
172nd Ave. SE – Closed 9/19/2022	40 <sup>th</sup> Ave. / CR 8 – Planned date August 2025
171st Ave. SE – Closed 10/31/2023	81 <sup>st</sup> S – Planned date August 2026 (SRA Access)
170th Ave. SE – Closed 10/31/2023	
169th Ave. SE – Closed 6/21/2023	<b><u>ACTIVE BYPASSES</u></b>
29th St. SE – Closed 9/17/2023	CR 81, I-29, CR 22, CR10, I-94 and CR6
32nd St. SE – Closed 3/20/2024	<b><u>ACTIVE BRIDGES</u></b>
37th St. SE – Closed 9/20/2023	CR 4/31 and CR32 Crossing
166th Ave. SE – Closed 5/24/2024	<b><u>ACTIVE DETOURS</u></b>
43rd St. SE Closed 10/7/2024	32 <sup>nd</sup> /52 <sup>nd</sup> Ave. W Crossings
38th St. NW – Closed 10/7/2024	<b><u>UPCOMING DETOURS</u></b>
112th Ave. S – Closed 10/10/2024	38 <sup>th</sup> St. West and CR 16/17
64th Ave. S – Closed 10/7/2024	
45th St. SE – Closed 10/10/2024	
26th St. W – Closed 10/15/2024	
21st Ave. W – Closed 10/15/2024	
21st Ave. W – Closed 10/15/2024	
35th St. SE – Closed 10/7/2027	

## O&M

RRVA continued general inspections throughout the ROW, Local Drainage inspections to ensure ditches and culverts are free from debris, and Interim Completion Element inspections. Upcoming weed control by the Aired method.

## Testing:

The number of tests carried out by the PMC by type for June are as follows: Atterberg (15); concrete cylinders (354); density testing compliance checks (114); field notes (50); hydrometer (15); Proctor (15); Sieve (2).

**Survey GIS:** CR20 finished deck

**Cass County Monitoring of County Bridges (by HMG)**

(48) Field Reports submitted.

**Daily Observations/Compliance Checks:**

The PMC team conducted, on behalf of the Authority: (1593) observations in the June 2025 reporting period; (319) compliance checks were conducted for compliance referencing the Technical Requirements and the Released for Construction (RFC) Documents. (9) punch list items closed and (16) issues were noted that the Contractor was able to resolve readily.

For Monthly Construction activities update, see Appendix A at the end of this document.

**UTILITIES:**

- Utility design work is complete. Released for Construction (RFC) documents have been issued for all 105 utility Buildable Units (BUs) in the Developer's scope.
- Utility Submittal Summary:
  - 61 Preliminary Design Reports.
  - 79 Final Design Reports.
  - 83 Construction Document submittals.
  - 83 sets of RFC Documents.
  - 122 Inspection and Test Plans (ITPs) have been approved for Utility activities.
  - 58 shop drawing submittals for Developer Managed utility relocations are approved. Only 1 shop drawing submittal remains, and it is in review.
- Overall, 44 of 108 identified utility conflicts (41%) have all work including HDD void grouting and removal of abandoned facilities completed.
- Relocations for 57 of the 61 utilities crossing under the channel are tied-in or cut over. Only the 4 CenturyLink at 38th Street remain to have cable placed/removed.
- Abandoned/retired utility facilities have been removed for 44 Utility BUs. Buried segments of 51 utilities still need to be removed.
- The voids have been grouted on both the entry and exit sides at 35 HDD installations. Six bores still require grouting on both sides and 3 require the HDD void to be grouted on one side only.
- Adjustments for 3 of the 14 overhead electric transmission lines crossing the channel ROW are complete; Otter Tail Power's 115 kV line (OT1) to remain in place in Reach 10, Xcel Energy's 230 kV line (XE3) south of 32nd Ave W in Reach 11, and Minnkota Power's 69 kV line (MP1) in Reach 1.
- Brink Constructors completed construction on Minnkota Power Cooperative's 69 kV overhead electric transmission line (MP1) in Reach 1, and the 345 kV line (MP3) and 230 kV line (MP4) in Reach 5.

## SUBMITTALS

The following is a summary of submittals for the P3 project:

Submittal	Reporting Period	To Date
Submittals received for review and comment	99	3,907
Reviews carried out*	137	3,793
Submittals returned with no comment	51	1,318
Submittals in review with the Authority as at end of reporting period	52	n/a
Submittals back with RRVA for resubmission as at end of reporting period		320
rejected as incomplete	6	94
rejected with comments	41	226
number of comments	5,291	46,644
CDS returned with no comments	1	188
RFC documents	0	187
Relating to utility relocations	0	80
RFCs back in redesign	0	33
Redesigned once (RFC1)	0	28
Redesigned twice (RFC2)	0	6
Redesigned three times (RFC3)	0	1

\* Some submittals will have been seen more than once within the reporting period and therefore this section may not tally with the number “back with RRVA” or “no comment” which is a position as at the month-end.

The three ICE Notices relating to the BNSF Shooflies were certified in early February.

The ICE Notice for Drain 29 was rejected after its third review and sent back to the Developer on June 9, 2025, it was resubmitted by the Developer for its fourth review on June 13, 2025.

The ICE Notice for Drain 30 was rejected after its fourth review and sent back to the Developer on June 9, 2025.

The ICE Notices for CR32 and CR4/32 were rejected after their first review and sent back to the Developer at the end of May 25, these have not been resubmitted by the Developer.

These four ICE Notices (Drain 30, Drain 29, CR32 and CR4/31) have comments that have been referred to the Expedited Dispute Process by the Developer.

The ICE Notice for Diversion Channel Reach 2 was due to be received by the Authority in March 2025 but remains undelivered by the Developer. The ICE Notices for four drain inlets were due to be received by the Authority in May 2025 but remain undelivered. The ICE Notice for Diversion Outlet was expected in December 2024 but remains undelivered.

A 15 business day notice was received for the Lower Rush Inlet in June 2025.

A 60 day notice was received for the Raymond Township North Drain in June 2025.

## TECHNICAL

Design Review

- Progress continues to be made with submittal, review, and completion of design documents. The developer target of all designs completed in August 2024 has yet to be achieved.
- Review of Sheyenne and Maple Aqueduct design revisions have been completed during this period. Comments have been delivered to the Developer.
- Design revisions which will allow for flow management and maintenance have been completed for the Sheyenne Aqueduct. Maple Aqueduct flow management during maintenance period still not finalized by the Developer
- The Authority Administration Building (AAB) design is complete. The developer will be submitting a re-design to reflect changes in the sanitary system. Revision will introduce a mound system instead of holding tanks. This change was initiated by the Developer.
- Ongoing coordination with the City of Fargo regarding the AAB continues. The Developer has decided to apply for ONLY a foundation permit currently, while revisions are being made to the plans. A permit which will cover all construction activities will be requested upon completion of the re-design.
- Revisions and clarifications to the construction plans via the RFI process (Request for information) continue this reporting period.

### **Agency Coordination**

Agency specific coordination including initial design review, design change review and construction interim completion site reviews continue this reporting period. Bi-weekly and as required meetings are being held with the following agencies.

- NDDOT
  - No significant concerns this reporting period
    - Standing coordination meetings with NDDOT continue.
    - There are no technical issues or concerns to report currently.
- Cass County
  - No significant concerns this reporting period
    - Standing coordination meetings with Cass County continue.
    - There are no technical issues or concerns to report currently.
- BNSF
  - Standing coordination meetings with BNSF continue.
    - Coordination and communication with BNSF leadership and staff remains good.
    - Construction modifications, relatively minor, have been identified, corrective actions initiated, and completion coordinated with BNSF.
    - The Developer schedule for placement of girders on the BNSF structures continues to be a near-term concern. No Developer response stating a modified workplan to minimize further schedule degradation has been received to date.

### **Challenges**

Challenges continue to be similar to those in the last reporting period

- Modification of Aqueducts to provide ability to comply with maintenance requirements

- Finalization of Aqueduct Engineered Channel modifications
- Diversion Outlet as-built conditions
- Developer incorporation of comments in the H&H model
- Developer correction of errors on the Rush River Inlet – significant re-construction is underway.
- The Developer is beginning to remobilize design staff (ASN) as the design task is nearing completion. The relationships developed with these personnel which have contributed to the mostly-positive outcome of the design efforts will need to be re-established with their replacements.

#### Successes

- Changes in key leadership positions in the Developers organization have recently taken place. Initial impression is encouraging that the new leadership team is listening to concerns from the Authority and attempting to initiate actions which address some of the Authorities' concerns.

## QUALITY

### Nonconformances

The Authority did not notify the Developer of any Nonconformances this period.

The following table summarizes Nonconformances that trigger Noncompliance Points (NCPs) through the end of this month. A summary of Noncompliance Points (NCPs) is in *Attachment F – Noncompliance Points Status Tables*:

Summary of points as of July 3, 2025	Number of Nonconformances	Max NCPs	Recommended NCPs	Assessed NCPs
Assessed Noncompliance Points	72	7242	4877	592
Pending NCPs for Cured Nonconformances	0	0	0	0
Pending NCPs for Uncured Nonconformances	0	0	0	0

\*Evaluation related to concurrent Noncompliance Events resulting in possible reduction of NCPs is ongoing

## ENVIRONMENTAL

### Environmental Compliance

2024 Section 404 Permit Special Condition M:

- Rush River: has been accepted by USACE
- Maple River: awaiting acceptance of RFCs then will submit documentation for USACE approval
- Sheyenne River: awaiting acceptance of RFCs then submit documentation for USACE approval

The eagles have returned to the nest near the Sheyenne River Aqueduct with three eaglets observed; ; monthly monitoring reports are being submitted to USFWS as required.

### Permanent Native Vegetation

Erosion control seeding began as needed. Permanent planting/seeding work began this month with planting completed this month. USACE approved the 2025 seed mixes on March 5, 2025.

### Permanent Seeding/Planting Annual Summary – no change

Year	# of Trees	Acres Seeded	Reaches
2024	3,508	1,077	1, 2, & 3
2025	TBD	56.13	Reach 2
2026	TBD	TBD	TBD

### Permits

Open/Applied For	Closed	Total
90	415	505

2024 404 Permit – At MFDA’s request on March 19, 2025, USACE issued an amendment letter on April 11, 2025, to the 2024 Section 404 Permit that removed the tree cutting restrictions for the change in the Northern Long-Eared Bat range; and also addressed corrections to the wetlands mitigation acreages (approximately one acre).

Sheyenne River Sovereign Lands Permit - RRVA submitted their supplemental information on October 6, 2024. RRVA informed the Authority, during the January 14, 2025, Environmental Biweekly meeting, that NDDWR is waiting for resolution of the maintenance method at the Sheyenne River Aqueduct before issuing this permit. RRVA submitted maintenance documentation to NDDWR including showing a temporary diversion for aqueduct work; this caused confusion at the agency level which was addressed during a meeting. The Authority requested RRVA to provide a work plan, which has not yet been received, in response to RRVA’s request for a meeting to discuss this matter. The work plan will require further discussion with the agencies.

### Cultural Monitoring

Cultural excavation and monitoring by the Developer occurred as follows:

- *Site 5/TR-5, Maple River: June 2-6, 9-13, 18-20, 23-27 and June 30<sup>th</sup>.*  
*Occasional fire stains began appearing near the month’s end at the rate of one to three per week.*
- *Site 14/TR-9, Sheyenne River: June 2-6, 9-13, 17-20 and 25-27<sup>th</sup>.*  
*No features to report*
- *Site 2/TR-2: June 2-4, 2025, for utility work.*

### Mussel Salvage

The Authority requested RRVA’s draft RFP for mussel and fish salvage; RRVA has on-boarded a subcontractor and a workshop was held with the agencies after receipt of a working draft. RRVA is preparing an updated work plan to be sent for agency review upon receipt. RRVA is considering preventative nets, no new word on this consideration.

### Spills, Contamination and Hazardous Materials

RRVA reported on February 26, 2025, that a preliminary lab report indicates the presence of asbestos, a CERCLA hazardous material, in structures at OIN 1199N (near the Sheyenne River) and is reaching out to NDDEQ to determine the requirements for proper management and disposal, these details will be sent to us along with final lab reports. - no change.

The Developer requested CCJWRD’s signature as landowner for a Land Treatment Application with NDDEQ to treat the BNSF KO contaminated material on site within the Project ROW just north of I-94; CCJWR signed the application at its Board meeting on May 22, 2025, and the permit; the permit to treat ~12,600 CY has been received.

On June 3, 2025, there was a hydraulic spill of 5-10 gallons at Drain Inlet 14C; this was reported to NDDEQ and all required measures were implemented.

#### **Environmental Nonconformances (NCRs)**

No new environmental NCRs were opened or closed.

### **RESILIENCE AND SUSTAINABILITY**

#### **Resilience**

The Resilience 2024 Annual Report was resubmitted April 30, 2025, and was returned with comments on May 27, 2025; awaiting resubmittal.

The Resilience Program Plan update for February was resubmitted on 22-Apr-25, was returned with comments on May 15, 2025.

- Appendix M Proposal Commitments: Upon completion of the 2024 Annual Report and Resilience Program Plan update staff should be able to analyze what Commitments are not being met or only partially being met; this will allow staff to prepare a recommendation to the Authority – no change.
- An audit of the Resilience Program Plan is scheduled for July 8, 2025, which should also inform Appendix M Proposal Commitments.

#### **Sustainability**

- RRVA's Sustainability efforts outside of the PA are: 1. Education and Skills; 2. Renewable Energy; and 3. Culture & Heritage. No Sustainability update meeting was held this month due to no progress to report.

### **FEDERAL COMPLIANCE**

#### **Reporting**

The 2024 FRC Annual Report was resubmitted May 23, 2025, was returned with comments in June and then resubmitted on June 26, 2025, and was under review at month's end.

#### **Davis Bacon**

For 2025, the Developer appears to have improved their certified payroll quality control process; we will continue to monitor. The Developer has stated that they plan a complete rewrite of the Federal Requirements Compliance Plan which will address quality control processes – awaiting submittal of this update – no change.

### **EMPLOYEE APPRENTICESHIP PROGRAM**

The 2024 EAP Annual Report was accepted on March 20, 2025, and submitted per the ongoing FOIA request. The EAP Q1 (first quarter) Report was accepted May 14, 2025, and submitted per the ongoing FOIA request. The Q2 EAP Report is to be submitted by July 15, 2025.

**Attachment A – Construction Progress by Buildable Unit**

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
<b>Buildable Unit Group - Aqueducts</b>					
A51	Maple River Aqueduct Flume/Conduit Structure	710+17	Active	F/R/C Flume vehicle barrier F/R/C Flume East and West maintenance bridge deck Installation of Boulders Texcote installation on Flume Installation of Heat tryas Installation of sill beam Point and Patch Formwork, rebar and concrete to Flume West maintenance bridge deck Formwork, rebar and concrete to Flume East maintenance bridge deck Backfill between Wingwalls 1 & 5. Backfill between wingwalls 2 & 6. Backfill between wingwalls 3 & 7. Railing installation on wingwalls.	62.63%
A52	Maple River Aqueduct Spillway	710+17	Active	Continues to drive sheet piles in section D but not all are at finished elevation yet.	50.78%
A53	Maple River Aqueduct Engineered Channel	710+17	Not Started	No work during reporting period	29.66%
A56	Sheyenne River Aqueduct	1477+50	Active	F/R/C Flume West and East abutment Form (shoring installation) Flume slab section 1,2,3 F/R/C Wingwall 1 section 1 stem wall Backfill at west abutment Formwork, rebar and concrete to Flume Pier 1 stage 3 Formwork, rebar and concrete to Flume Pier 2 stage 3 Formwork, rebar and concrete to Flume Pier 3 stage 2 (north side)	32.82%

<sup>3</sup> Status and progress are as observed by the PMC at the end of May 2025.

<sup>4</sup> Note: Buildable Unit Percent Complete is based on the RRVA April PSSU submitted on or around May 15, 2025, and is calculated based on Earned Value (EV). This may vary from the status and progress observed by the PMC as one is visual observation and the latter is derived from the PSSU electronic schedule.

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
				Placed concrete for Flume Pier 3 stage 2 (north side) on 5/30/25 Formwork, rebar and concrete to Flume Pier 4 stage 2 (north side) on 5/30/25 Formwork (shoring installation) Flume North Bypass section 2 Formwork, rebar and concrete to Wingwall 1 Section 1 footing Formwork, rebar and concrete to Wingwall 4 Section 3 Section 1 wall stage 2 Formwork, rebar and concrete to Wingwall 4 Section 1 wall stage 2.	
Buildable Unit Group – Local Drainage					
CR1	Local Drainage in Rush River WRD - Reach C01	41+70 to 219+29	Active	Re-work has begun. All existing rip rap was removed, excavation was conducted to reach plan elevation. New geotextile installed and bedding placed.	45.79%
CR2	Local Drainage in Rush River WRD - Reach C02	219+29 to 302+00	Active	No work during reporting period	67.98%
CR3	Local Drainage in Rush River WRD – Reach C03	302+00 to 428+53	Active	No work during reporting period	48.82%
CR4	Local Drainage in Rush River WRD - Reach C04	428+53 to 576+00	Active	No work during the reporting period	81.13%
CM1	Local Drainage in Maple River WRD – Reach C05	576+00 to 655+00	Active	No work during the reporting period	93.60%
CM2	Local Drainage in Maple River WRD – Reach C06	655+00 to 762+77	Active	No work during the reporting period	38.51%
CM3	Local Drianage in Maple River WRD – Reach C07	762+77 to 859+53	Active	No work during the reporting period	72.25%
CM4	Local Drainage in Maple River WRD – Reach C08	859+53 to 912+00	Active	No work during the reporting period	33.18%
CM5	Local Drainage in Maple River WRD – Reach C09	912+00 to 968+00	Active	No work during the reporting period	78.64%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
CS1	Local Drainage in Southeast Cass WRD - Reach C10	968+00 to 1080+28	Active	No work during the reporting period	91.79%
CS3	Local Drainage in Southeast Cass WRD - Reach C12	1235+72 to 1327+00	Active	No work during the reporting period	78.69%
CS4	Local Drainage in Southeast Cass WRD - Reach C13	1327+00 to 1554+59	Active	No work during the reporting period	71.45%
CS5	Local Drainage in Southeast Cass WRD – Reach C14	1554+59 to 1571+70	Not Started	No work during the reporting period	72.90%
<b>Buildable Unit Group - Diversion Channel</b>					
C01	Diversion Channel, Low Flow Channel (LFC), Engineered Material Berms (EMBs), Diversion Channel Line of Protection in Reach-01	27+63 to 219+29	Active	Right EM B Placement Sta 154+00 – 87 CY Topsoil Placement Sta 42+00 to 160+00	91.46%
C02	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-02	219+29 to 302+00	Active	Right EMB Placement Sta 234+30 to 238+00 – 1,750 CY Left EMB Placement Sta 238+00 – 292 CY	93.42%
C03	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-03	302+00 to 428+53	Active	Maintenance Road Placement Sta 340+00 to 421+00 2,495 CY	81.14%
C04	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-04	428+53 to 576+00	Active	Maintenance Road Placement Sta 340+00 to 421+00 - 1,452 CY Right EMB Placement Sta 436+0 – 130 CY Left EMB Placement Sta 436+00 – 281 CY	70.64%
C05	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-05	576+00 to 655+00	Active	Maintenance Road Placement Sta 591+00 – 92 CY	86.94%
C06	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-06	655+00 to 762+77	Active	Levee Placement Sta 666+00 to 681+00 – 17,824 Right EMB Placement Sta 670+00 to 687+00 – 16,525 CY Left EMB Placement Sta 666+00 to 670+00 – 12,527 CY	43.75%
C07	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-07	762+77 to 859+53	Active	No work during reporting period	74.25%
C08	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection, in Reach-08	859+53 to 912+00	Active	No work during reporting period	43.38%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
C09	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-09	912+00 to 968+00	Active	No work during the reporting period	65.99%
C10	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-10	968+00 to 1080+28	Active	No work during the reporting period	61.38%
C11	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-11	1080+28 to 1235+72	Active	Right EMB Placement Sta 1217+00 – 817 CY Left EMB Placement Sta 1098+00 to 1234+00 – 44,638 CY	41.29%
C12	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-12	1235+72 to 1327+00	Active	Right EMB Placement Sta 1239+00 to 1253+00 – 5,666 CY Left EMB Placement Sta 1249+00 to 1295+00 – 1,248 CY	65.91%
C13	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-13	1327+00 to 1554+59	Active	Right EMB Placement Sta 1348+00 to 1375+86 – 27,653 CY	64.48%
C14	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-14	1554+59 to 1571+70	Active	No work during reporting period	50.77%
<b>Buildable Unit Group - Hydraulic Structures</b>					
S08	Drain 29 Inlet	27+63	Active	Complete Punch list items to be addressed	98.96%
S16	Drain 30 Inlet	213+75	Active	No work during the reporting period	99.65%
S09	Rush River Inlet	431+75	Hold	Re-work begun: Removal of bedding; Excavation of subgrade; placement of geotextile and placement of new bedding. Placement of riprap Placement of bedding	69.56%
S10	Lower Rush River Inlet	578+50	Active	No work during the reporting period.	81.44%
S03	Berlin Township Drain Inlet	492+84	Active	Flap gates installation	84.60%
S04	Raymond Township North Drain Inlet	756+00	Active	Formwork, rebar and concrete to U/S headwall stage 1	51.03%
S32	Raymond Township South Drain Inlet	793+00	Active	Worked on punch list items	84.19%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
S33	Drain 14B Inlet	856+00	Active	No work during reporting period	78.06%
S34	Drain 14C Inlet	929+30	Active	No work performed	82.26%
S15	Mapleton Township Section 24 Drain Inlet	1078+00	Active	No work performed	79.59%
S55	Mapleton Township Section 9 Drain Inlet	929+00	Complete	Complete	90.65%
S68	Drain Inlet 21C		Not started	No work performed; 72" RCP stockpiled; on hold	23.85%
S69	Drain 50		Not started	No work performed due to heavy storms.	24.65%
S74	Drain Inlet associated with CR17	1548+00	Not started	No work was performed due to heavy storms. RCP installation and backfill under RCP	41.14%
<b>Buildable Unit Group - Diversion Outlet</b>					
O00	Diversion Outlet Structure	27+63 to 41+70	On Hold	ASN is reporting this work as complete, but Boulders are currently under dispute. A preliminary punch list was generated by the Authority.	99.76%
<b>Buildable Unit Group - Roadways</b>					
R19	25th St. Connection Parcel 2368	160+00 LT	Active	Embankment construction and gravel placement	93.80%
R20	27th St. Connection to CR81	300+00 LT	On Hold	No work during reporting period	93.39%
R21	35th St. SE to Parcel 938	802+00 RT	On Hold	No work during reporting period	79.30%
R22	37th St. SE, East of Diversion Channel	905+00 LT	On Hold	No work during reporting period	90.67%
R23	37th St. SE, West of Diversion Channel	905+00 RT	On Hold	No work during reporting period	89.57%
R65	15th St. SW from CR 8 to 32nd Ave. W	1146+00 LT	Not Started	No work during reporting period	22.74%
R24	169th Ave. SE Connection to Landlocked Parcel 2363	350+00 LT	On Hold	Complete	87.62%
R26	172nd Ave. SE Connection to realigned CR4	114+00 RT	Complete	Complete- Final Inspection conducted	87.67%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
R18	24th St. SE Connection to realigned CR4	100+00 RT	Complete	Complete – Final Inspection conducted.	84.98%
M11	County Road 4/31 Crossing (Bridge)	86+91	On Hold	Complete. Bridge opened to the public December 4	99.65%
M12	County Road 81 Crossing Bridge	310+20	Active	Leveling sand and aggregate backfill material delivery Geofoam placement and backfill Levee construction Sub-grade preparation on mainline and gravel placement Girders installed	69.41%
Z11	County Road 4/31 Crossing (Roadways)	86+91	Active	Roadways opened to the public December 4 However, punch list item to correct soft spots has not been accomplished	100.00%
R25	171st Ave. SE Crossing at Drain 30	215+00 LT	Active	No work during reporting period	91.66%
Y12	County Road 81 Crossing (Bypass)	310+20	Complete	No work during reporting period	96.69%
G12	County Road 81 Crossing (Settlements)	310+20	Complete	No work during reporting period	94.96%
M35	Interstate I-29 Northbound & Southbound Crossing (Bridge)	NB 313+75 SB 314+81	Active	NB intermediate diaphragms concrete placed. Deck formwork and rebar in progress; SB approach slab Formwork, rebar and concrete to in progress Subgrade preparation and embankment construction (on both north and south side) Geo-grid placement and salvage base placement on subgrade Moving excess material to tie-ins and dewatering.	91.94%
Y35	Interstate I-29 Northbound & Southbound Crossing (Bypass)	NB 313+75 SB 314+81	Complete	No work during reporting period	91.45%
G35	Interstate I-29 Northbound & Southbound Crossing (Settlements)	NB 313+75 SB 314+81	On Hold	Complete	97.34%
M13	Country Road 32 Crossing (Bridge)	408+08	On Hold	Complete. Bridge opened to the public December 17 Punch list items need to be addressed	100.00%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
G13	Country Road 32 Crossing (Settlements)	408+08	Complete	Complete	100.00%
Z13	Country Road 32 Crossing (Roadways)	408+08	Active	Roadways opened to the public December 17. However, a “Major” punch item agreed to by Cass County to re-due CR 32 soft spots and replace gravel needs to be accomplished as soon as the road restrictions are off. Subgrade preparation and roadway gravel grading Traffic control devices removal	97.67%
R14	Country Road 22 Crossing	571+84	On Hold	Geofoam placement and backfill completed	76.34%
R15	CR 20 Crossing	679+37	Active	Subgrade preparation and bedding material delivery Roadway gravel placement (CL13) Dewatering and working on punch list items Inspection with Authority and Cass County	85.20%
R27	CR10 (12th Ave. NW Connection to multiple parcels)	870+00 RT	Not Started	No work during reporting period	20.04%
R17	CR 10 Crossing	852+46	Active	East approach slab concrete placed. S. barrier F/R in progress Sub-grade preparation on mainline and embankment at tie-ins. Geo-grid delivery	89.36%
R36	Interstate I-94 Eastbound & Westbound Crossing	WB 902+89 EB 903+74	Active	EB deck rebar installation in progress; WB overhang installation in progress. Geofoam placement and backfill completed	80.98%
R58	38th St W Crossing (Township Road)	976+17	Active	South barrier walls on approach complete. North barrier walls F/R in progress Deck repair in progress	85.17%
R59	32nd Avenue W Crossing (Township Road)	1119+06	Active	Took delivery of geofoam. Deck rebar installation in progress	69.96%
R60	52nd Avenue W Crossing (Township Road)	1224+92	On Hold	Took delivery of geofoam. Deck formwork/overhangs/diaphragms in progress	69.13%
R61	County Road 6 Crossing	1330+41	Active	Waiting for the girders to be delivered. Possibly the third week of June.	65.66%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
				Formwork preparation in progress	
R62	County Road 14 Crossing	1438+97	Active	Structural excavation of Abutments and Piers Deck pour preparation in progress	72.79%
R73	County Road 16/17 Crossing	1558+40	Active	Sub-structure Formwork, rebar and concrete to in progress; Geofoam delivered Deck formwork in progress	59.25%
R74	24th St. SE Connection to Landlocked Parcel 1222	55+00	On Hold	No work during reporting period	95.88%
R75	38th St. NW Connection to the Maintenance Road/Trail	874+00	Not Started	No work during reporting period	15.43%
R76	47th St. SE access to Parcel 1200	1500+00	On Hold	No work during reporting period	87.47%
R77	170th Ave. Xing Drain 13 & Legal Drain 30	250+00	Complete	Complete	0.00%
R3A	Dead-End Termination of Local Roads in Reach-01	27+63 to 219+29	Complete	No work during reporting period	73.83%
R3B	Dead-End Termination of Local Roads in Reach-02	219+29 to 302+00	Complete	No work during reporting period	90.18%
R3C	Dead-End Termination of Local Roads in Reach-03	302+00 to 428+53	Complete	No work during reporting period	60.74%
R3D	Dead-End Termination of Local Roads in Reach-04	428+53 to 576+00	Complete	No work during reporting period	92.15%
R3E	Dead-End Termination of Local Roads in Reach-05	576+00 to 655+00	Complete	No work during reporting period	81.31%
R3F	Dead-End Termination of Local Roads in Reach-06	655+00 to 762+77	Complete	No work during reporting period	82.16%
R3G	Dead-End Termination of Local Roads in Reach-07	762+77 to 859+53	Complete	No work during reporting period	88.94%
R3J	Dead-End Termination of Local Roads in Reach-09	912+00 to 968+00	Complete	No work during reporting period	86.47%
R3K	Dead-End Termination of Local Roads in Reach-10	968+00 to 1080+28	Complete	No work during reporting period	89.25%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
R3L	Dead-End Termination of Local Roads in Reach 11	1080+28 to 1235+72	On Hold	No work during the reporting period	57.67%
R3M	Dead-End Termination of Local Roads in Reach 12	1235+72 to 1327+00	Complete	Signage installation complete	87.74%
R3N	Dead-End Termination of Local Roads in Reach 13	1327+00 to 1554+59	Complete	Signage installation complete	97.15%
RA6	Security and Access Reach 1	27+63 to 219+29	Active	No work during reporting period	41.10%
RB6	Security and Access Reach 2	219+29 to 302+00	Active	No work during reporting period	100.00%
RC6	Security and Access Reach 3	302+00 to 428+53	Active	No work during reporting period	0.00%
RD6	Security and Access Reach 4	428+53 to 576+00	Active	F/R/C North Abutment	10.76%
RE6	Security and Access Reach 5	576+00 to 655+00	Active	No work during reporting period	32.91%
RF6	Security and Access Reach 6	655+00 to 762+77	Active	No work during reporting period	0.00%
RG6	Security and Access Reach 7	762+77 to 859+53	Active	No work during reporting period	0.00%
RA7	Security and Access Reach 9	912+00 to 968+00	Active	No work during the reporting period due to bird nests.	31.10%
<b>Buildable Unit Group – Railroad Crossings</b>					
X71	BNSF Hillsboro crossing – BU1 – Shoofly	311+61	Complete	No work during reporting period	99.47%
X72	BNSF Hillsboro crossing – BU2 – Tie-in to Shoofly	311+61	Complete	No work during reporting period	99.14%
X73	BNSF Hillsboro crossing – BU3 – Bridge and Track	311+61	Active	Slope stabilization and surcharge removal Deck rebar completed.	70.74%
X74	BNSF Hillsboro crossing – BU4 – Final Ballast, Tie and Rail	311+61	Not Started	No work during reporting period	9.09%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote <sup>3</sup>	Developer's assessment of BU % complete – see footnote <sup>4</sup>
X75	BNSF Hillsboro crossing – BU5 – Removal of Shoofly	311+61	Not Started	No work during reporting period	18.31%
X81	BNSF Prosper crossing – BU1 – Shoofly	661+59	Complete	No work during reporting period	99.54%
X82	BNSF Prosper crossing – BU2 – Tie-in to Shoofly	661+59	Complete	No work during reporting period	98.80%
X83	BNSF Prosper crossing – BU3 – Bridge and Track	661+59	Active	Girder installation in progress	58.58%
X84	BNSF Prosper crossing – BU4 – Final Ballast, Tie and Rail	661+59	On Hold	No work during reporting period	12.39%
X85	BNSF Prosper crossing – BU5 – Removal of Shoofly	661+59	Not Started	No work during reporting period	15.71%
X91	BNSF K.O. crossing – BU1 – Shoofly	870+87	Complete	No work during reporting period	99.34%
X92	BNSF K.O. crossing – BU2 – Tie-in to Shoofly	870+87	Complete	No work during reporting period	90.92%
X93	BNSF K.O. crossing – BU3 – Bridge and Track	870+87	Active	Fine filter delivery and slope stabilization Substructure concrete is ongoing. Columns complete pier caps in progress	61.43%
X94	BNSF K.O. crossing – BU4 – Final Ballast, Tie and Rail	870+87	On Hold	No work during reporting period	6.73%
X95	BNSF K.O. crossing – BU5 – Removal of Shoofly	870+87	Not Started	No work during reporting period	13.09%
Utility Adjustments					
AT1	AT&T Reach 8 @ Design (COM-ATT-871+00)	871+00	Active	Partial removal of abandoned utility	99.65%
DC1	Dakota Carrier - Reach 7 @ Design (COM-DCN-851+00)	851+00	Active	Utility removal at the levee footprint	99.25%
DC2	Dakota Carrier - Reach 11 @ Design (COM-DCN-1171+00)	1171+00	Active	Utility removal at the east side of the channel	99.69%
F09	CenturyLink - Reach 4 @ Design (COM-CLN-571+50)	571+50	Active	Utility removal at the levee footprint	98.20%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
F10	CenturyLink - Reach 4 @ Design (COM-CLN-571+61)	571+61	Active	Utility removal at the levee footprint	98.20%
F12	CenturyLink - Reach 6 @ Design (COM-CLN-679+11)	679+11	Active	Utility removal at the levee footprint	98.90%
F13	CenturyLink - Reach 7 @ Design (COM-CLN-851+00 (1))	851+00	Active	Utility removal at the levee footprint	99.05%
F14	CenturyLink - Reach 7 @ Design (COM-CLN-851+00 (2))	851+00	Active	Utility removal at the levee footprint	99.05%
F15	CenturyLink - Reach 7 @ Design (COM-CLN-852+00)	852+00	Active	Utility removal at the levee footprint	99.05%
F18	CenturyLink - Reach 9 @ Design (COM-CLN-962+00 (1))	962+00	Active	Conduit installation at the bridge abutments	94.64%
F19	CenturyLink - Reach 9 @ Design (COM-CLN-962+00 (2))	962+00	Active	Conduit installation at the bridge abutments	94.64%
F20	CenturyLink - Reach 9 @ Design (COM-CLN-962+00 (3))	962+00	Active	Conduit installation at the bridge abutments	94.64%
F22	CenturyLink - Reach 10 @ Design (COM-CLN-978+00 (1))	978+00	Active	Conduit installation at the bridge abutments	94.80%
F25	CenturyLink - Reach 11 @ Design (COM-CLN-1118+00 (2))	1118+00	Active	Utility removal at the levee footprint	97.51%
F26	CenturyLink - Reach 11 @ Design (COM-CLN-1118+00 (1))	1180+00	Active	Utility removal at the levee footprint	97.51%
F27	CenturyLink - Reach 11 @ Design (COM-CLN-1171+00 (2))	1171+00	Active	Utility removal at the levee footprint	99.55%
F28	CenturyLink - Reach 11 @ Design (COM-CLN-1171+00 (1))	1171+00	Active	Utility removal at the levee footprint	99.57%
F34	CenturyLink - Reach 13 @ Design (COM-CLN-1490+00 (1))	1490+00	Active	Cable installation by Third Party	100.00%
MP1	Minnkota Power - Reach 1 @ Design (ELC-MKP-54+12)	54+12	Active	Temporary relocation at CR 4-31 and Drain 29	99.83%

<b>Buildable Unit</b>	<b>Description</b>	<b>Station</b>	<b>Status observed by the PMC</b>	<b>Progress during reporting period as observed by the PMC – see footnote<sup>3</sup></b>	<b>Developer's assessment of BU % complete – see footnote<sup>4</sup></b>
MS2	Midcontinent - Reach 7 @ Design (COM-MCC-851+00)	851+00	Active	Utility removal at the levee footprint	99.21%
MS4	Midcontinent - Reach 10 @ Design (COM-MCC-982+000)	982+00	Active	Conduit installation at the bridge abutments	99.09%
MS5	Midcontinent Reach 11 @ Design (COM-MCC-1171+00)	1171+00	Active	Utility removal at the levee footprint	99.49%
P02	Cass County Electric - Reach 1 @ Design (ELC-CCE-51+84)	51+84	Active	Cable installation, splicing and poles removal by CCE and abandoned utility removal by ASN	99.56%
P09	Cass County Electric - Reach 7 @ Design (ELC-CCE-851+00)	851+00	Active	Utility removal at the levee footprint	99.30%
P14	Cass County Electric Reach 10 @ Design (ELC-CCC-979+00)	979+00	Active	Conduit installation at the bridge abutments	99.39%
W03	Cass Rural Water - Reach 1 @ Design (WAT-CRW-153+81)	153+81	Active	Lowering of the CRW at CR 31	99.25%
W05	Cass Rural Water - Reach 3 @ Design (WAT-CRW-304+98)	304+98	Active	Removal of utility	95.15%
W14	Cass Rural Water - Reach 9 @ Design (WAT-CRW-962+00)	962+00	Active	HDD and plow method installation, hydro pressure and disinfection tests	99.34%
W16	Cass Rural Water - Reach 11 @ Design (WAT-CRW-1119+00)	1119+00	Active	Utility removal at the levee footprint	99.70%
<b>Buildable Unit Group - Administration Building</b>					
AB1	Authority Administration Building - Settlement Works		Complete	No work during reporting period r.	0.0%
AB2	Authority Administration Building - Building Works		Active	Foundation forms were excavated and concrete placed. Slab on grade F/R C.	3.03%

**Attachment B – Submitted Compensation Events (CEs) and Relief Events (REs)**

CE-#/RE-#	Description	Date Initial CE Notice Submitted	Cost / Relief Submitted <sup>5</sup>	Cost / Relief Agreed	Status
CE 001	Century Link MOU Amendments	March 18, 2022	\$570,337.50	N/A	Withdrawn
CE 002	Cass Rural Water MOU Betterment	March 18, 2022	Not submitted	N/A	Closed – withdrawn by the RRVA
CE 003	City of Mapleton MOU Amendments	March 18, 2022	\$282,000.00	N/A	Withdrawn
CE 004	Drain 14 Design and Construction Amendments due to Others	March 18, 2022	\$96,800.00	N/A	Closed – Transferred to ACR006-2022
CE 005	I-94 NDDOT Bridge Work Interference	March 18, 2022	Not submitted	N/A	Closed – Withdrawn by the RRVA
CE 006	Cass County - Change from Kansas Corral Rail to Texas Corral Rail	April 20, 2022	Not submitted	N/A	Closed – Transferred to ACR002-2022
CE 007-01	Compensatory Wetland Mitigation and Section 404 Permit / Fish Passages – Part 1	May 4, 2022	Not submitted	TBD	Ongoing*
CE 007-02	Compensatory Wetland Mitigation and Section 404 Permit / Fish Passages – Part 2	May 4, 2022	Not submitted	N/A	Closed – Withdrawn by the RRVA
CE 008	Berlin Townships MOU Amendments	May 13, 2022	Not submitted	N/A	Closed – Withdrawn by the RRVA
CE 009	NDDOT MOU Amendments, Expansion Joints	May 24, 2022	Not submitted		Closed – Withdrawn by the RRVA
CE 010	Material Flood Event Sheyenne River on Gol Road Near Kindred	June 6, 2022	Not submitted	N/A	Closed – Withdrawn by the RRVA
CE 011	BNSF Delays	July 25, 2022	\$35,825,167.00* (*Includes CE 011, CE012 & CE 013)	N/A	Closed – Withdrawn by the RRVA – See DCR2023-030
CE 012	BNSF Review Delays Prosper	July 25, 2022	See CE 011	N/A	Closed – Withdrawn by the RRVA – See DCR2023-030
CE 013	BNSF Review Delays KO	July 25, 2022	See CE 011	N/A	Closed – Withdrawn by the RRVA – See DCR2023-030
CE 014	Modified Permit Delay Impact	December 2, 2022	\$69,571,469.40	N/A	Closed – Submitted to TDRB
CE 015	Failure of a Third Party (BNSF) to Comply with Third Party MOU	October 18, 2023	\$25,704,786.00	N/A	Closed – Submitted to TDRB
CE 016	Contamination on Reach 9	November 6, 2023	\$106,844.28	TBD	Closed – Submitted to TDRB
CE 017	Initial-Undisclosed Hazardous Environmental Condition at KO & Prosper	November 21, 2023	Not yet submitted	TBD	Ongoing *
CE 018	Failure of a Third Party (BNSF) to Comply with Third Party MOU	January 24, 2024	\$3,253,991.63	N/A	Closed – Submitted to TDRB

<sup>5</sup> Costs are required to be submitted with Detailed CE Notices; however, RRVA submits these with its Final Detailed CE Notices.

CE-#/RE-#	Description	Date Initial CE Notice Submitted	Cost / Relief Submitted <sup>5</sup>	Cost / Relief Agreed	Status
CE 019	Additional Riprap Requirement due to Hydraulic Analysis of DIS	March 20, 2024	\$1,840,509.39	TBD	Withdrawn
CE 020	Updates to Project Agreement, Exhibit 4 (Project Land)	May 20, 2024	Not yet submitted	TBD	Withdrawn
CE 021	Attachment 3-14 Update (related to Exhibit 4)	May 20, 2024	Not yet submitted	TBD	Withdrawn
CE 022	Rush River Excavation - 404 Permit Delay	June 25, 2024	\$829,468.55	TBD	Ongoing*
CE 023	Epoxy Coated Rebar Delays	July 5, 2024	\$40,830,176.27	N/A	Closed – Submitted to TDRB
CE 024	AAB Material Delivery	July 25, 2024	\$438,416.53	TBD	Closed – Subject to dispute provisions of the Project Agreement (Section 54.3)
CE 025	Obstructions Uncovered Hillsboro	July 22, 2024	Not yet submitted	TBD	Withdrawn
CE 026	Hazardous Environmental Conditions in Reach 13	September 20, 2024	\$21,629.47	N/A	Closed – Subject to dispute provisions of the Project Agreement (Section 54.3)
CE 027	Initial Compensation Event Notice – Issuance of Nonconformance Reports by Authority	October 11, 2024	Not yet submitted	TBD	Ongoing*
CE 028	Undisclosed Hazardous Environmental Conditions at County Road 8	December 3, 2024	\$2720.84	TBD	Ongoing*
CE 029	Drain 14C – Mapleton Drain 9	December 24, 2024	\$394,875.56	TBD	Ongoing*
CE 030	Obstructions uncovered in Reach 9	January 10, 2025	\$16,639	TBD	Ongoing*
CE 031	Authority Failure to Use Reasonable Efforts Pursuant to Article 54	January 20, 2025	Not yet submitted	TBD	Ongoing*
CE032	Qualifying Change in Law	January 20, 2025	Not yet submitted	TBD	Ongoing*
CE033	Delay to Certificates of Interim Completion	April 24, 2025	Not yet submitted	TBD	Ongoing*
RE 001	Non-Material Flood - Maple	May 3, 2023	36 calendar days	0 calendar days	Closed – Authority determination provided
RE 002	Non-Material Flood - Sheyenne	May 3, 2023	36 calendar days	0 calendar days	Closed – Authority determination provided

*\* Ongoing at the end of this reporting period. However, it should be noted that all Compensation Events and Relief Events are subject of settlement negotiations and the associated 'Statement of Principles' agreement that was executed on July 3, 2025.*

**Attachment C – Authority Change Requests (ACRs)**

ACR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
ACR001-2022	Use of local roads	May 31, 2022	No Cost	N/A	Executed
ACR002-2022	Cass County – Change from Kansas Corral Rail to Texas Corral Rail	May 31, 2022	\$450,000.00	\$410,000.00	Paid
ACR003-2022	Attachment 3-25 Update	July 28, 2022	\$1,317,138.95	N/A	Ongoing*
ACR004-2022	EAP Utilization Plan	September 2, 2022	No Cost	N/A	Executed
ACR005-2022	Amend TR Section 2.2.6.1(2) to include re-baselining PBS for Compensation Events and approved Change Orders	October 18, 2022	N/A	N/A	Withdrawn
ACR006-2022	Cass County Drain 14C	October 18, 2022	(\$662,360.00)	(\$950,000.00)	Executed
ACR007-2022	NDDOT Conduits	December 2, 2022	\$337,475.14	\$283,940.32	Executed
ACR008-2022	CCRW connection of waterline from Res B to Res C	November 28, 2022	\$2,259,945.46	\$1,246,760.06	Paid
ACR009-2022	Township Mobility Improvements	December 23, 2022	N/A	N/A	Withdrawn
ACR010-2022	Acceleration of Tree Felling	December 21, 2022	\$1,000,000.00	N/A	Ongoing*
ACR011-2023	MLGC FOC Installation in Mapleton Township	January 20, 2023	\$368,550.67	\$350,000.00	Executed
ACR012-2023	TR Section 3.10.3.1 (10)	January 24, 2023	No Cost	N/A	Executed
ACR013-2023	37th Street SE west of the Diversion Channel	January 26, 2023	(\$62,111.04)	N/A	Ongoing*
ACR014-2023	Relocation of CRWUD waterline	February 2, 2023	\$48,449.58	N/A	Ongoing*
ACR015-2023	Deletion of requirement to establish and maintain Woodland Species (Att 3-21 Woodland Species)	May 10, 2023	N/A	N/A	Withdrawn
ACR016-2023	Aqueduct Design Sheyenne River	August 14, 2023	\$37,535,575.00	\$2,975,000.00	Partially Paid
ACR017-2023	River Inlets and Drain Inlets	August 31, 2023	No Cost	N/A	Executed
ACR018-2022	CR 10 to 166th Ave. Connection	September 27, 2023	\$178,278.79	N/A	Ongoing*
ACR019-2023	38th St. NW connection to the MRT connected to Project ROW (Access south of BNSF KO line)	September 27, 2023	\$37,247.13	N/A	Ongoing*
ACR020-2023	Updates to Project Agreement, Exhibit 4 (Project Land)	October 6, 2023	No Cost	N/A	Directive Letter Issued
ACR021-2023	Attachment 3-14 update (related to Exhibit 4)	October 6, 2023	No Cost	N/A	Directive Letter Issued
ACR022-2023	Aqueduct Design Maple River	December 22, 2023	\$15,459,470.80	\$2,975,000.00	Partially Paid
ACR023-2024	38th Street W Interim Connection (roadway connection south of I-94)	February 7, 2024	\$135,735.28	\$115,000.00	Executed
ACR024-2025	Road Connection in Harwood Township	February 6, 2025*	\$7,468,785.89	TBD	Ongoing*
ACR025-2025	AAB Modifications	May 29, 2025	TBD	TBD	Ongoing*

ACR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
ACR026-2025	County Road 17 Connection	May 30, 2025	TBD	TBD	Ongoing*

*\* Ongoing at the end of this reporting period. However, it should be noted that all Change Requests are subject of settlement negotiations and the associated 'Statement of Principles' agreement that was executed on July 3, 2025.*

**Attachment D – RRVA Change Requests (DCRs)**

DCR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
DCR2022-001	Deletion of Preliminary Design Report Submission for Diversion Channel Bus/Move to 60% design	March 25, 2022	No Cost	N/A	Executed
DCR2022-002-1	Change Definition of Days – Part 1	April 20, 2022	No Cost	N/A	Executed
DCR2022-002-2	Change Definition of Days – Part 2	April 20, 2022	No Cost	N/A	Executed
DCR2022-003	Change the Calculation Methodology of Designing Sizes of Ripraps	June 3, 2022	N/A	N/A	Rejected
DCR2022-004	Amendment to Re-Submitting to Submit Next Step Buildable Units	July 14, 2022	No Cost	N/A	Executed
DCR2022-005	Amendment to Combine PDF drawing file for Submittals	June 30, 2022	No Cost	N/A	Executed
DCR2022-006	Change Cass County Review Period for Specific Buildable Units Reports and Submittals	July 14, 2022	No Cost	N/A	Executed
DCR2022-007	Deletion of Demolition Buildable Units Reports	July 14, 2022	No Cost	N/A	Executed
DCR2022-008	Change Location of maintenance Road/Trail on the left EMB	July 14, 2022	No Cost	N/A	Executed
DCR2022-009	Maple River Aqueduct Spillway Design and Operational Changes	December 5, 2022	\$3,500,000.00	\$3,500,000.00	Paid
DCR2022-010	Changing Dead End Termination Types for Local Roads at Diversion Channel	October 5, 2022	\$50,000.00	\$17,440.50	Paid
DCR2022-011	Amend Number of Individuals for Cultural Resource/Archaeological Monitoring	July 13, 2022	No Cost	N/A	Executed
DCR2022-012	ITP Submittal Requirement from R&C to FIO	July 28, 2022	N/A	N/A	Rejected
DCR2022-013	Amendment for the Expansion Joint Details of NDDOT	January 24, 2022	N/A	N/A	Withdrawn
DCR2022-014	Project Office	August 10, 2022	No Cost	N/A	Executed
DCR2022-015	Amendment in Submitting Native Files before RFC Documents	August 15, 2022	No Cost	N/A	Executed
DCR2022-016	Amendment O&M QMP Implementation	August 18, 2022	No Cost	N/A	Executed
DCR2022-017	Amendment in Considering Temporary Flow	September 27, 2022	N/A	N/A	Withdrawn
DCR2022-018	Amendment to Design Quality Management Plan Technical Requirements	August 30, 2022	No Cost	N/A	Executed
DCR2022-019	SWPP NPDES	September 7, 2022	No Cost	N/A	Executed
DCR2022-020	Exhibit 5 technical Requirements Volume 4 Wetlands	September 26, 2022	No Cost	N/A	Executed
DCR2022-021	Proposed edits on TR 2.10.1 (Executive Council Meetings)	March 10, 2023	No Cost	N/A	Executed
DCR2022-022	Local Drainage Freeboard Variance	October 27, 2022	No Cost	N/A	Executed
DCR2022-023	Combination of Local Drainage with Diversion Channel Buildable Units	November 2, 2022	N/A	N/A	Withdrawn
DCR2022-024	Key Personnel Project Information Officer and Land Manager	January 24, 2023	No Cost	N/A	Executed
DCR2022-025	Seed Mixes	June 8, 2023	No Cost	N/A	Executed
DCR2022-026	Cultural Resources OIN 936	December 16, 2022	N/A	N/A	Withdrawn

DCR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
DCR2022-027	BNSF Comments Raised in the Design Review Process	December 19, 2022	N/A	N/A	Rejected
DCR2022-028	Key Personnel RRVA's Project Quality Monitor	February 2, 2023	No Cost	N/A	Executed
DCR2022-029	Design Deliverables Schedule and Electronic Deliverables Tracking Log Submissions	February 1, 2023	No Cost	N/A	Executed
DCR2023-030	Acceleration measures due to BNSF Delays	February 16, 2023	\$195,113.13	\$195,113.13	Paid
DCR2023-031	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 3.3.4.4.3(1) – 85% Compaction and Plow Installation of Utilities	March 3, 2023	No Cost	N/A	Executed
DCR2023-032	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 3.3.4.4.5(2) – Grouting of HDD	March 3, 2023	(\$154,000.00)	N/A	Rejected
DCR2023-033	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 2.5.5(5) – RFC Hardcopies	February 28, 2023	No Cost	N/A	Executed
DCR2023-034	Dispute Resolution Board -Exhibit – Part 1 Clause 2.2	March 21, 2023	No Cost	N/A	Executed
DCR2023-035	Section 2.11.10.2 SWPPP NPDES, (2) & (4)	March 23, 2023	No Cost	N/A	Executed
DCR2023-036	Dispute Resolution Board – Exhibit Part 2 SECTION 1.4	N/A	N/A	N/A	Pending – Not submitted
DCR2023-037	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Rs 3.3.1. ("Transitions for Legal Drains")	April 18, 2023	N/A	N/A	Rejected
DCR2023-038	Amendment Exhibit 1 Definitions	April 18, 2023	N/A	N/A	Rejected
DCR2023-039	Vol 1 Art 7 Section 7.3 (b) Definitions ("Discretionary Submittals)	April 18, 2023	N/A	N/A	Rejected
DCR2023-040	Exhibit 1 Definitions Noncompliance Start Date and Time	April 19, 2023	N/A	N/A	Rejected
DCR2023-041	TR Attachment 4-1 Performance and Measurement Table	May 2, 2023	No Cost	N/A	Executed
DCR2023-042	Levee Monitoring	June 28, 2023	N/A	N/A	Rejected
DCR2023-043	Deletion of Dead-End Termination Reach 8 and Reach 14 BU Reports	August 30, 2023	N/A	N/A	Withdrawn
DCR2024-044	H&H Model – Amendment to Section 3.5.1.3 (1) of the Technical Requirements	March 7, 2024	N/A	N/A	Rejected
DCR2024-045	I-29 & I-94 Duration Ramp Closure	March 15, 2024	No Cost	N/A	Executed
DCR2024-046	Interim Completion Element	June 12, 2024	No Cost	N/A	Rejected
DCR2024-047	Section 2.2.4.5 Quarterly As-Built Drawing Update	June 17, 2024	No Cost	N/A	Rejected
DCR2024-048	Aqueduct Gate Considerations in H&H Model – Amendment to Section 3.5.1.3 (2) (d) of the TR	August 23, 2024	No Cost	N/A	Withdrawn
DCR2024-049	Cass County Ditch Requirement	August 7, 2024	\$3,903,546.12	N/A	Rejected
DCR2024-050	Amendment to Project Agreement, Exhibit 5 TR, Volume 3, Section 2.6.3(6) Shop Drawings signed by the Buildable Unit Construction Manager	August 23, 2024	No Cost	No Cost	Executed

DCR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
DCR2024-051	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 2.2.4.5 Quarterly As-Built Drawing Update	October 16, 2024	No Cost	No Cost	Executed
DCR2024-052	H&H Model – Amendment to Section 3.5.1.3 (1) of the Technical Requirements	October 17, 2024	\$243,123.21	N/A	Rejected
DCR2024-053	Aqueduct Gate Considerations in H&H Model - Amendments to Section 2.5.7(2), Section 3.5.1.3(1), Section 3.5.1.3...	October 17, 2024	No Cost	No Cost	Executed
DCR2024-054	DCR-2024-054 - F01 & P01 Abandonment under Right EMB – Reach 1	October 17, 2024	(\$12,000.00)	(\$50,000)	Executed
DCR2024-055	Amendment to Project Agreement Exhibit 1 Definitions, Technical Requirements Section 2.2.2, Technical Requirements Section 2.2.9 (2), Technical Requirements (Definition of Interim Completion Element)	October 22, 2024	No Cost	No Cost	Executed
DCR2025-056	Amendment to Project Agreement Exhibit 1 Definitions - Interim Completion Element	March 7, 2025	No Cost	No Cost	Executed
DCR2025-057	Change to Technical Requirements, Volume 3, Section 3.3.1.13-Local Drainage	April 30, 2025	\$2,442,041.81, (plus \$957,400 O&M)	N/A	Rejected

**Attachment E – Pay Unit Summary**

ICE No.	Element Description	Pay Unit	Value	Interim Completion Certificate Date	Invoice Date	*Date Paid
ICE32-353802	BNSF KO Shoofly East Bound Crossing	35	\$3,472,708.00	2/7/2025	2/28/2025	3/26/2025
ICE32-353802	BNSF KO Shoofly West Bound Crossing	38	\$3,472,708.00	2/7/2025	2/28/2025	3/26/2025
ICE29-003202	BNSF Proper Shoofly	32	\$3,195,335.00	2/7/2025	2/28/2025	3/26/2025
ICE26-002902	BNSF Hillsboro Shoofly	29	\$4,249,352.00	2/7/2025	2/28/2025	3/26/2025
Total			\$14,390,103.00			

- Additional Milestone payments are due to the Developer within 30 calendar days upon receipt of an approved invoice.

**Attachment F – Noncompliance Points (NCPs) Status Tables**

<b>Assessed Noncompliance Points for Cured Nonconformances</b>					
<b>NCR Number</b>	<b>Title/Description</b>	<b>Maximum NCPs</b>	<b>Recommended NCPs</b>	<b>Assessed NCPs</b>	<b>Status</b>
NCR-00001	MFDA-NCR-0001 – Audit Program scheduling	2	2	2	
NCR-00017	MFDA-NCR-0003 – Lack of full-time engagement for key personnel: RRVA’s public information officer and D&C contractor’s land manager	27	27	0	
NCR-00019	MFDA-NCR-0004 – Lack of timely issuance for the May 2022 Monthly Performance Report	0	0	0	
NCR-00028	Lack of timely issuance for the July 2022 Monthly Performance Report by Aug. 10, 2022	0	0	0	
NCR-00041	MFDA-NCR-0012 – Lack of implementing effective corrective actions to prevent recurrence of Nonconformances associated with late issuance of meeting minutes	18	0	0	
NCR-00042	MFDA-NCR-0013 – Start of construction work without RFC documents and without resolving Authority’s comments	3	3	3	
NCR-00043	MFDA-NCR-0014 – Start of construction work without submitting an Inspection and Test Plan	3	3	3	
NCR-00044	Starting construction work on permanent works in Reach 01 without having an approved Inspection and Test Plan	9	6	6	
NCR-00045	Start of construction on permanent works in Reach 01 without complete RFC document package	9	6	6	
NCR-00046	Starting horizontal directional drilling work without having an approved Inspection and Test Plan for Cass Rural Water (W02) 84+03	3	3	3	
NCR-00047	Starting horizontal directional drilling work without having a complete RFC package for Cass Rural Water (W02) 84+03.	6	0	0	
NCR-00048	Lack of submitting ECS Certification for Channel Reach 2 prior to commencement of construction	4	4	4	
NCR-00051	Identification of Nonconformance in the Sept. 2022 Audit, DQP 3.15	18	4	0	
NCR-00053	Identification of Nonconformance in the Sept. 2022 Audit, DQP 3.19	18	16	14	
NCR-00072	MFDA-NCR-0015 – Start of construction work without resolving Authority’s comments for drilling operations ITP WAT-CRW-309+20	6	6	6	
NCR-00073	Starting construction work without having an approved Inspection and Test Plan for Cass Rural Water (W03) 153+81	3	3	3	
NCR-00078	MFDA-NCR-0020 – Start of construction work without RFC Documents E40-F04 COM-CLN-156+09/156+20	3	3	3	
NCR-00079	MFDA-NCR-0021 – Start of construction work without RFC documents F07 COM- CLN-310+66; P04 – ELE-CCE-309+58	3	3	3	
NCR-00080	Start of construction work without approved Inspection and Test Plan documents E40-F04 COM-CN-156+09/156+20	3	3	3	
NCR-00081	Start of construction work without approved Inspection and Test Plan documents F07 COM-CLN-310+66; P04 – ELE-CCE-309+58	3	1	1	
NCR-00082	MFDA-NCR-0024 – Start of construction work without accepted ITP for wick drains installation at BU-G11 CR 4/31	0	0	0	

Assessed Noncompliance Points for Cured Nonconformances					
NCR Number	Title/Description	Maximum NCPs	Recommended NCPs	Assessed NCPs	Status
NCR-00084	MFDA-NCR-0023 – Start construction work without ITP open trench BU-W02	9	9	9	
NCR-00086	October 2022 Audit, DQP 3.10(2) – DCS workflows are not used in the returning of shop drawings as outlined in Procedure 4.d	12	0	0	
NCR-00087	October 2022 Audit, DQP 3.14(1) – DM hasn't provided the initial review of the RFI per Procedure 1, DJV has a new role, the DSCS who is providing the review	12	0	0	
NCR-00088	No signature has been provided on the RFI response per Procedure 4	12	0	0	
NCR-00089	Procedure 5, prior notification of the RFI response to ASN was made in some reviews, but not all reviews	12	0	0	
NCR-00093	MFDA-NCR-0028 – Incorrect Engineer of Record signing and sealing Design Deliverables E40-W03 – WAT-CRW-153+81	18	18	0	
NCR-00094	MFDA-NCR-0029 – Unapproved key personnel, core staff discipline, staff and specialist performing the work	6	0	0	
NCR-00097	MFDA-NCR-0033 – Lack of implementing Design Quality Procedure DQP 3.7	18	18	18	
NCR-00098	MFDA-NCR-0031 – Incorrect Engineer of Record signing and sealing Design Deliverables E30-G11 – CR4 31 Crossing	18	18	0	
NCR-00099	MFDA-NCR-0034 – Lack of CQMP procedure associated with processes leading into issuance of record drawings	360	200	200	Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00100	The Project Quality Monitor did not attend the project office during the Month of November (2022)	3	0	0	
NCR-00110	MFDA-NCR-0036 – Lack of issuing Federal Compliance Report for year 2022	28	14	14	
NCR-00112	Lack of RRVA not having a RRVA's Local Affairs Project Manager on staff	12	12	12	
NCR-00123	MFDA-NCR-0039 – Lack of implementing the process for checking and reviewing design deliverables as described in DQP 3.3 Design Deliverables Drawing Review	114	50	50	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00134	MFDA-NCR-0049 – Lack of implementing the process for checking and reviewing design deliverables	104	40	40	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00147	Starting construction work without having an approved Inspection and Test Plan for CenturyLink Utility Line (F09) at 571+50	9	6	6	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00148	Starting construction work without having an approved Inspection and Test Plan for CenturyLink Utility Line (F10) at 571+61	9	6	6	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00151	MFDA-NCR-0054 – Starting work without accepted ITP (F11)	9	6	6	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00154	Identification of NC in the CQMP May 2023 Audit – Tracking Completion of BUs and PEs	68	4	4	
NCR-00155	Identification of NC in the CQMP May 2023 Audit – Coordination of CQM and CM for coordinating completion of each PE and BU	68	0	0	
NCR-00171	MFDA-NCR-0056 – Starting work without accepted ITP	6	3	3	Compensation Event Notice CE 027 – Issuance of NCRs by Authority

Assessed Noncompliance Points for Cured Nonconformances					
NCR Number	Title/Description	Maximum NCPs	Recommended NCPs	Assessed NCPs	Status
NCR-00172	MFDA-NCR-0057 – Starting work without accepted ITP	3	3	3	Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00174	MFDA-NCR-0055 – Starting work without accepted ITP	6	3	3	Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00180	Lack of RRVA not having a safety coordinator on staff	0	0	0	
NCR-00185	MFDA-NCR-0064 – Starting work without accepted revised safety plan	109	11	11	Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00199	MFDA-NCR-0075 – Lack of erosion and sedimentation protection	2	2	2	
NCR-00207	MFDA-NCR-0076 – Lack of registering Nonconformance	12	12	12	Written Protest issued by the Developer
NCR-00208	MFDA-NCR-0077 – Lack of compliance with work zone traffic	1	1	1	
NCR-00222	MFDA-NCR-0084 – Lack of conducting audit in accordance with the Audit Program	6	6	6	Written Protest issued by the Developer
NCR-00224	MFDA-NCR-0085 – Utilized compaction equipment for levee and EMB fill	130	2	2	Initial Compensation Event Notice CE 027 – Issuance of NCRs by Authority
NCR-00247	Starting construction work without having an approved Inspection and Test Plan for BNSF Prosper settlement activities	21	0	0	
NCR-00254	MFDA-NCR-0096 – Failure to provide timely notification of Hazardous Environmental Condition	55	0	0	
NCR-00309	R36 – I-94 1-Week Ramp Closure	5	5	5	
NCR-00347	Key Personnel Position – D&CC-CQMP position not filled	9	9	9	Previous reporting included incorrect status.
NCR-00362	C02 (Tree Planting) – Starting Construction Work without having an approved ITP	0	0	0	
NCR-00363	Key Personnel Position – D&CC – CM position not filled	0	0	0	
<b>Total</b>		<b>1407</b>	<b>551</b>	<b>482</b>	

Pending Noncompliance Points for Cured Nonconformances					
NCR Number	Title/Description	Maximum NCPs	Recommended NCPs	Assessed NCPs	Status

Pending Noncompliance Points for Uncured Nonconformances					
NCR Number	Title/Description	Maximum NCPs	Recommended NCPs	Assessed NCPs	Status
NCR-00096	MFDA-NCR-0032 – Lack of issuance of Schedule of Design Deliverables updates	802	802**	10	NCPs assessed as of July 3, 2025
NCR-00109	MFDA-NCR-0035 – Lack of issuing updated PBS and WBS as a result of Buildable Unit changes identified in the Project Status Schedule Update for December 2022	725**	725**	10	NCPs assessed as of July 3, 2025
NCR-00242	MFDA-NCR-0091 – Performing work without submitting affected Reviewable Submittal (List of Buildable Units)	463	463	10	NCPs assessed as of July 3, 2025

Pending Noncompliance Points for Uncured Nonconformances					
NCR Number	Title/Description	Maximum NCPs	Recommended NCPs	Assessed NCPs	Status
NCR-00253	MFDA-NCR-0095 – Failure to provide records related to BNSF notification of Hazardous Environmental Condition	198	198	10	NCPs assessed as of July 3, 2025
NCR-00256	Outlet Structure - Boulders in Rock Weirs not meeting the minimum Diameter Requirements	50	50	0	NCPs assessed as of July 3, 2025
NCR-00264	MFDA-NCR-0100 – Lack of notifying the occurrence of Noncompliance Event associated with Nonconformance RRVA- QU-NCR-00256 (NCR-00256)	926	926	10	NCPs assessed as of July 3, 2025
NCR-00323	MFDA-NCR-0108 – Lack of issuing PBS Monthly Updates	385**	0	10	NCPs assessed as of July 3, 2025
NCR-00324	MFDA-NCR-0109 – Lack of Modifying or Adding WBS Elements in PBS	385**	0	10	NCPs assessed as of July 3, 2025
NCR-00325	MFDA-NCR-0110 – Lack of including activities in PBS	385**	0	10	NCPs assessed as of July 3, 2025
NCR-00327	MFDA-NCR-0112 – Starting work without accepted changes to the RRVA Project Management Plan	463	463	10	NCPs assessed as of July 3, 2025
NCR-00330	MFDA-NCR-0115 – Lack of covering the complete list of Buildable Units in the PBS	385**	0	10	NCPs assessed as of July 3, 2025
NCR-00380	Lack of updates to the H&S Organizational Chart	290	290	10	NCPs assessed as of July 3, 2025
NCR-00432	MFDA-NCR-0131 – Lack of Shop Drawing and Samples approval prior to flap gates installation at Drain 30	188	188	0	NCPs assessed as of July 3, 2025
NCR-00433	MFDA-NCR-0132 – Lack of listing Design Change on the applicable Construction Certificates for Drain 30	58	58	0	NCPs assessed as of July 3, 2025
NCR-00434	MFDA-NCR-0133 – Failure to report Nonconformance related to geotextile fabric installation at Drain 30	132	132	0	NCPs assessed as of July 3, 2025
<b>Total</b>		<b>5835</b>	<b>4326</b>	<b>110</b>	

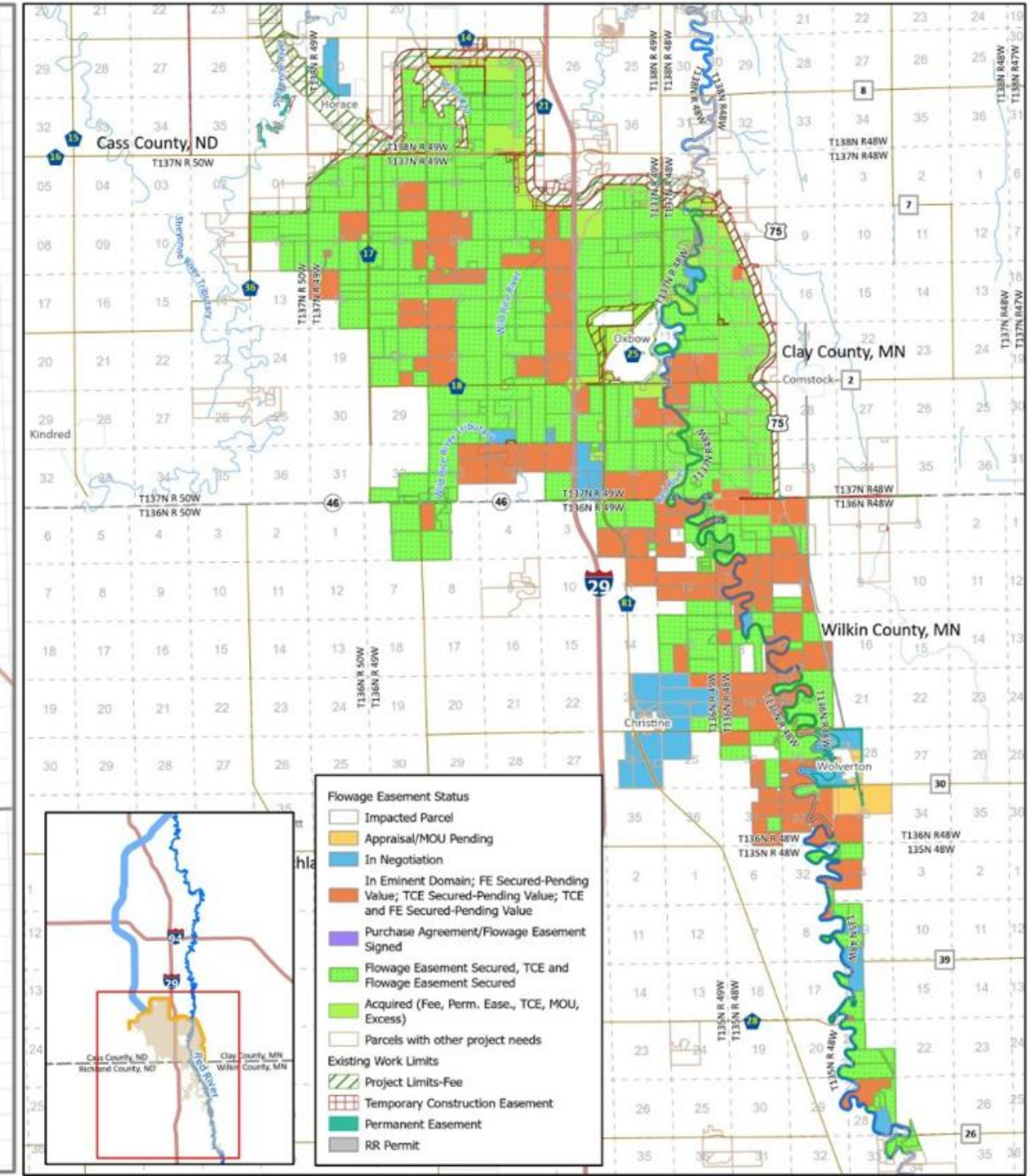
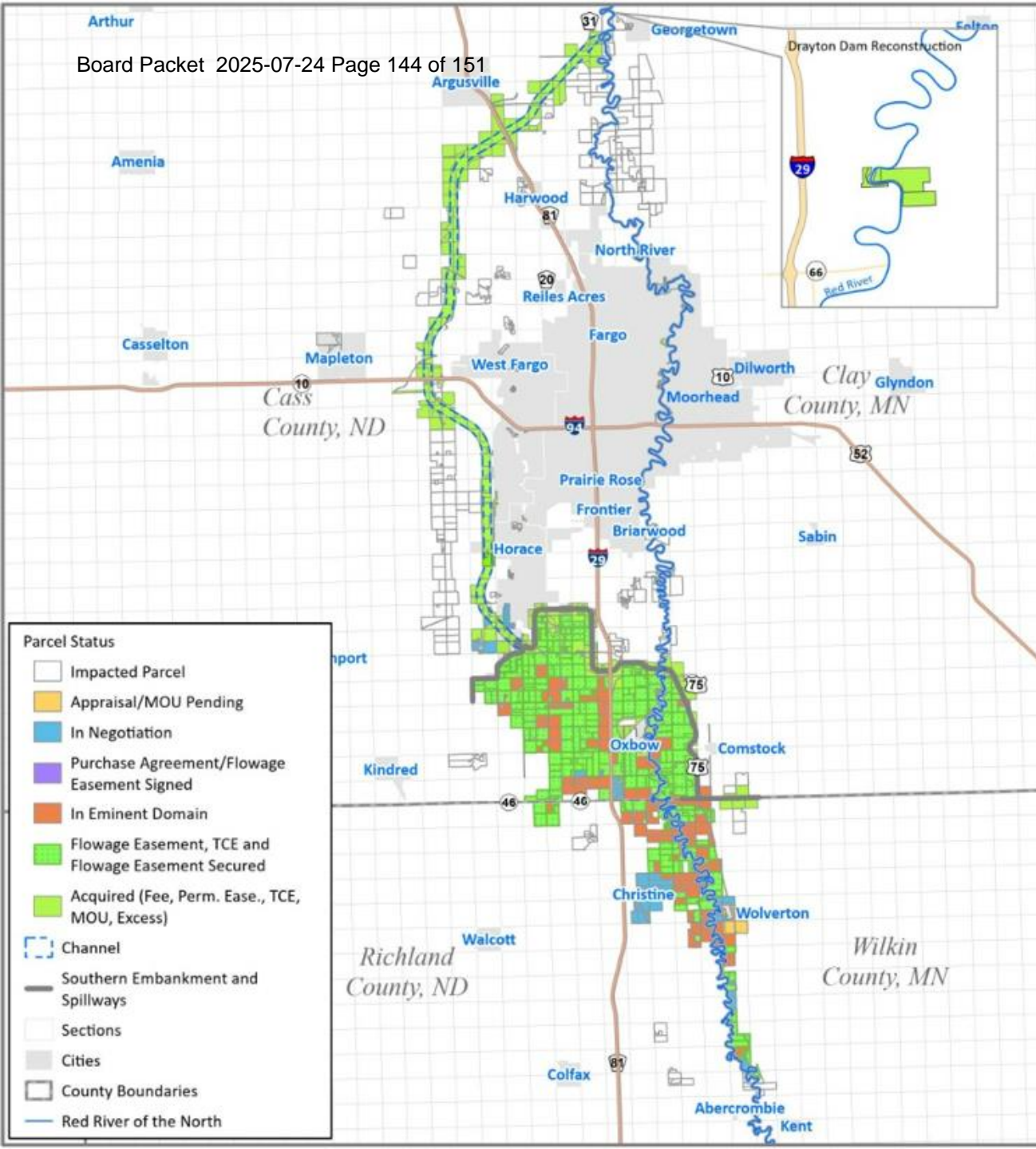
\*\* Although these are different requirements, The Authority may evaluate them as concurrent Noncompliance Events related to issuance of PBS, resulting in assessing NCPs for a single Noncompliance Event only



# Lands Status Report

July 2025





# Property Acquisition Progress

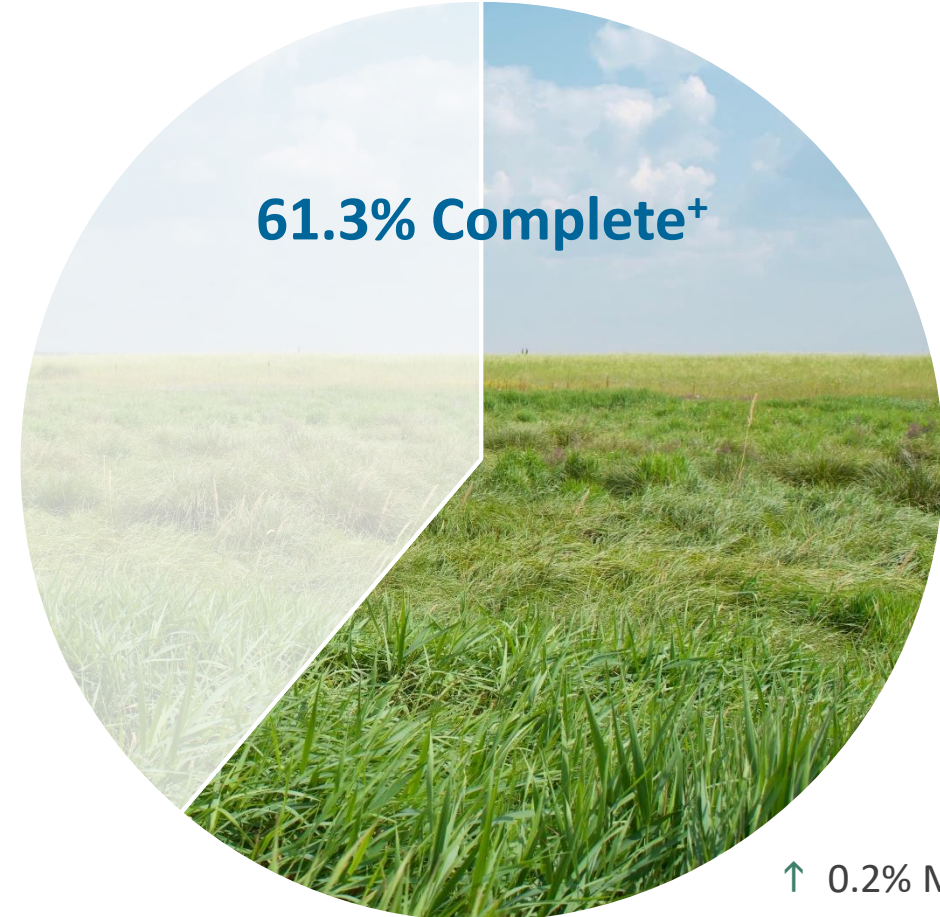


Construction Footprint<sup>\*</sup>



No Change

UMA Footprint<sup>\*\*</sup>

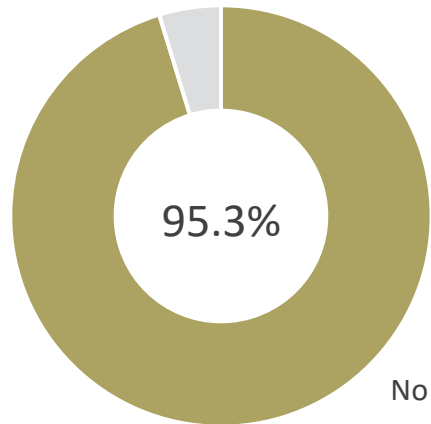


↑ 0.2% MoM

<sup>\*</sup> Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

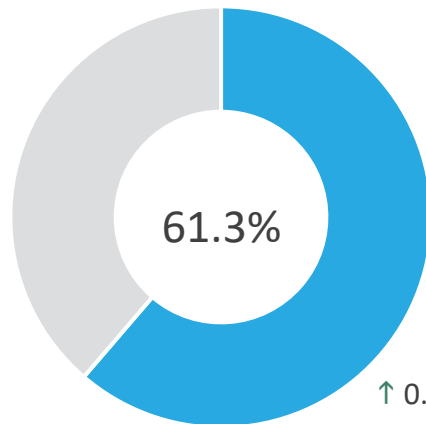
<sup>\*\*</sup> Includes parcels for Christine and Wolverton  
As of July 15, 2025

# Property Acquisition Progress by Location



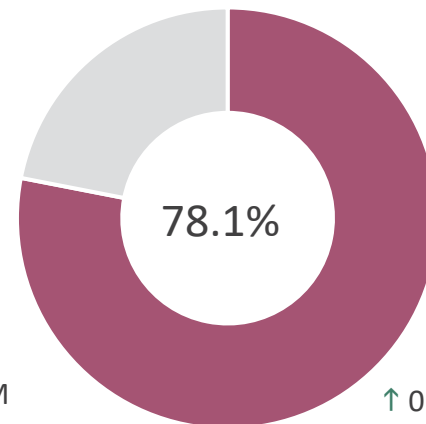
No Change

Southern Embankment &  
Associated Infrastructure



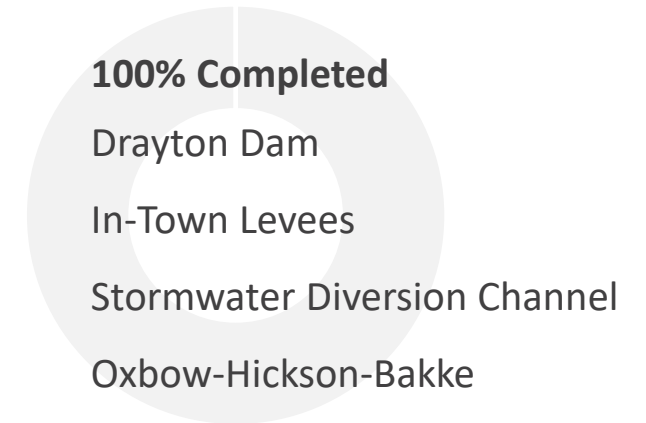
↑ 0.2% MoM

Upstream Mitigation  
Area



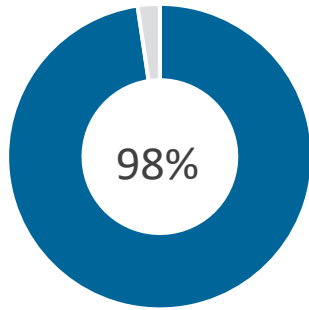
↑ 0.5% MoM

Environmental  
Monitoring Easements



# Landowner Overview

## Construction Footprint\*



### 298 Owner Groups

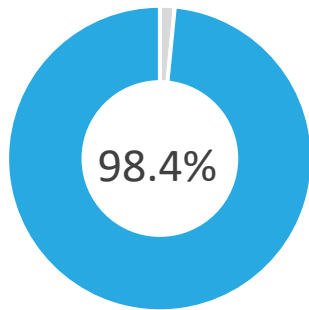
264 in ND & 35 in MN<sup>+</sup>

292 settlements achieved  
0 ongoing negotiations  
7 in litigation

98% of owner groups have settled



Parcels

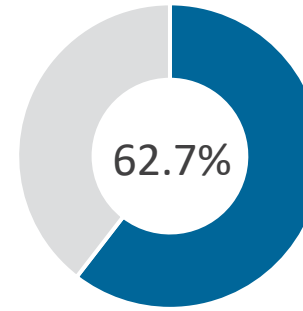


### 576 Parcels

567 settlements achieved  
0 ongoing negotiations  
9 in litigation

98.4% of parcels have been acquired

## UMA Footprint\*\*

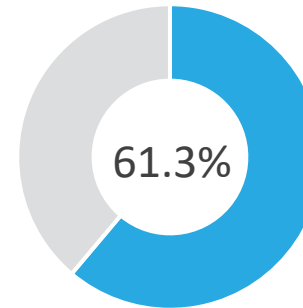


### 292 Owner Groups

223 in ND & 71 in MN<sup>+</sup>

183 settlements achieved  
49 ongoing negotiations  
69 in litigation

62.3% of owner groups have settled



### 651 Parcels

399 settlements achieved  
92 ongoing negotiations  
160 in litigation

61.1% of parcels have been acquired

\* Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

<sup>+</sup> Some owner groups have property in both states

\*\* Includes Christine and Wolverton parcels

# Key Activities



- **Continued negotiating settlement agreements for existing eminent domain actions**
- **In the last month, successfully closed 1 parcel / 1 owner in the UMA**
- **Continuing the process of disposing of Excess Lands**
  - 43 parcels / 739.92 acres have been approved as Excess Lands
    - 11 parcels / 344.20 acres are moving through the Policy
    - 32 parcels / 395.72 acres have been sold or pending closing
  - Continuing efforts to dispose of the abandoned Rail Corridor in Horace, ND
  - Auction of 6 Excess Land parcels on July 22
- **Completed Plats of Diversion Channel lands in Five (5) of the Seven (7) Townships, working to finalize plats for the remaining two (2) Townships**
- **Preparing for eminent domain trials, starting in August 2025**

# Land Agent Reports



## CCJWRD

- Providing relocation advisory and claim preparation services for people that are moving
- Providing final walk-through assistance as needed
- Processing RIMP reimbursement requests
- Assisting with mediations and settlement negotiations
- Conducting negotiations for Sheyenne River Benching Project, City of Christine flowage easements, and Horace Mobility Improvements
- Working on property acquisition for cemetery mitigation work

## MCCJPA

- Providing relocation advisory and claim preparation services to people that are moving
- Providing final walk-through assistance as needed
- Processing RIMP reimbursement requests
- Assisting with mediations and settlement negotiations
- Conducting negotiations for Wolverton flowage easements

## Budget Change Request

Document Control No. SWMLFC-CH2-FA-RFC-00011	Originator: D. Brown
Budget Change No. 021	Date: 7/14/2025
Title: P3 Developer SOP 2025 Payments	
Project: FM-Diversion	

The purpose of this form is for budget management by requesting approval to transfer program contingency budget to the current fiscal year; or make budget transfers within the fiscal year budget; or both.

### Request Description:

Obligate \$20 million of the P3 program contingency to the 2025 cash budget to support Section 22 of the Statement of Principles (SOP) executed 7/3/2025.  
The 2025 cash budget will increase from \$427,555,689 to \$447,555,689 as a result of this change and includes BCR-020 Minnkota Power substation relocation.

### Request Justification:

The Statement of Principles (SOP) executed on 7/3/2025 resolves various commercial issues and, as such payments to the Developer in 2025 are to be made according to Section 22 of the SOP.

<b>General Impacts:</b>			Additional Information:																										
<b>Authority Board Approval Required?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Contract Types</b> <input type="checkbox"/> LS <input type="checkbox"/> TM <input type="checkbox"/> MOU <input type="checkbox"/> Task Order <input type="checkbox"/> N/A	<b>Request Type</b> <input type="checkbox"/> Project Initialization <input checked="" type="checkbox"/> Project Change <input checked="" type="checkbox"/> Contingency Release																											
<b>Change Impacts To:</b> Scope/Technical <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Schedule <input type="checkbox"/> Budget <input checked="" type="checkbox"/> Subcontract <input type="checkbox"/>																													
<b>Budget Request Summary</b> <table> <tr> <td><b>Budget Increase:</b></td> <td>Added Scope: \$20,000,000.00</td> <td>Over Runs: \$0</td> </tr> <tr> <td><b>Budget Decrease:</b></td> <td>Deferred Scope \$0</td> <td>Deleted Scope \$0</td> </tr> <tr> <td><b>Internal Transfers:</b></td> <td> <b>From:</b> Cost Account SWCT-1345 Program Budget         </td> <td> <b>To:</b> Cost Account SWCT-1345 2025 Cash Budget         </td> </tr> </table>			<b>Budget Increase:</b>	Added Scope: \$20,000,000.00	Over Runs: \$0	<b>Budget Decrease:</b>	Deferred Scope \$0	Deleted Scope \$0	<b>Internal Transfers:</b>	<b>From:</b> Cost Account SWCT-1345 Program Budget	<b>To:</b> Cost Account SWCT-1345 2025 Cash Budget	<table border="1"> <tr> <th colspan="3">Budget Request and Status</th> </tr> <tr> <th></th> <th>Cost Account</th> <th>Amount</th> </tr> <tr> <td>Current Authorization (SOURCE)</td> <td>SWCT-1345</td> <td>344,850.00</td> </tr> <tr> <td>Current Request (Net Change)</td> <td>SWCT-1345</td> <td>20,000,000</td> </tr> <tr> <td>Budget after Change</td> <td>SWCT-1345</td> <td>20,344,850</td> </tr> </table>			Budget Request and Status				Cost Account	Amount	Current Authorization (SOURCE)	SWCT-1345	344,850.00	Current Request (Net Change)	SWCT-1345	20,000,000	Budget after Change	SWCT-1345	20,344,850
<b>Budget Increase:</b>	Added Scope: \$20,000,000.00	Over Runs: \$0																											
<b>Budget Decrease:</b>	Deferred Scope \$0	Deleted Scope \$0																											
<b>Internal Transfers:</b>	<b>From:</b> Cost Account SWCT-1345 Program Budget	<b>To:</b> Cost Account SWCT-1345 2025 Cash Budget																											
Budget Request and Status																													
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Current Request (Net Change)	SWCT-1345	20,000,000																											
Budget after Change	SWCT-1345	20,344,850																											

Authorization Level	Approval / Concurrence	NOTE: Approval will be documented via ACONEX Workflow; or during Finance and Authority Board meetings		
5	Diversion Authority Exec. Director			
4	Program Manager Paul Barthel			
3	Project Controls Andy Albertson			
2	DA Council John Shockley			
1	Originator Dan Brown			

City of Fargo  
Comparative Sales Tax Analysis of All Sales Tax Revenue - ACCRUAL BASIS  
PB: SS/KAC (prior to 2022)

6/20/2025					94% to MFDA	6% to County			at 2% Sales Tax		62.5% MFDA	37.5% COF	MFDA - ANNUAL	
											(1.25% tax)	(.75%) tax COF		
Pymt Date	month collected		Amount	County Collections	County Growth %			Amount	City Collections	City Growth %				
				6,486,006.21	-6.7%	6,096,846	389,160		19,790,134.83	-6.3%	12,368,834	7,421,301	18,465,680	
6/20/2025	Apr-25	Cass County	1,616,213.54					City of Fargo	4,805,564.00					
5/21/2025	Mar-25	Cass County	1,698,986.33					City of Fargo	5,424,656.49					
4/23/2025	Feb-25	Cass County	1,477,568.31					City of Fargo	4,523,059.23					
3/21/2025	Jan-25	Cass County	1,693,238.03					City of Fargo	5,036,855.11					
2/21/2025	Dec-24	Cass County	2,207,030.88	23,304,345.12	0.9%	21,906,084	1,398,261	City of Fargo	6,626,714.99	69,824,744.71	0.8%	43,640,465	26,184,279	65,546,550
1/21/2025	Nov-24	Cass County	2,281,112.22					City of Fargo	6,540,733.39					
12/20/2024	Oct-24	Cass County	1,764,529.62					City of Fargo	5,342,358.63					
11/22/2024	Sept-24	Cass County	2,257,740.11					City of Fargo	6,622,406.84					
10/21/2024	Aug-24	Cass County	2,088,361.27					City of Fargo	6,284,633.45					
9/21/2024	July-24	Cass County	1,746,626.42					City of Fargo	5,168,111.30					
8/21/2024	June-24	Cass County	2,659,707.17					City of Fargo	7,859,913.01					
7/22/2024	May-24	Cass County	1,348,902.41					City of Fargo	4,252,926.43					
6/24/2024	Apr-24	Cass County	1,759,660.73					City of Fargo	5,404,517.72					
5/21/2024	Mar-24	Cass County	2,276,388.27					City of Fargo	6,980,911.25					
4/22/2024	Feb-24	Cass County	1,023,591.77					City of Fargo	3,163,097.74					
3/21/2024	Jan-24	Cass County	1,890,694.25					City of Fargo	5,578,419.96					
2/22/2024	Dec-24	Cass County	2,781,114.42	23,106,462.71	8.2%	21,720,075	1,386,388	City of Fargo	8,158,464.07	69,250,461.96	4.0%	43,281,539	25,968,923	65,001,614
1/22/2024	Nov-24	Cass County	1,559,305.60					City of Fargo	4,709,032.00					
12/20/2023	Oct-24	Cass County	1,916,009.28					City of Fargo	5,684,255.33					
11/22/2023	Sep-24	Cass County	2,480,655.78					City of Fargo	7,615,211.78					
10/21/2023	Aug-24	Cass County	1,509,750.17					City of Fargo	4,530,239.98					
9/20/2023	Jul-24	Cass County	2,012,131.70					City of Fargo	6,030,106.74					
8/20/2023	Jun-24	Cass County	2,337,746.99					City of Fargo	6,739,403.04					
7/21/2023	May-24	Cass County	1,873,134.11					City of Fargo	5,735,919.99					
6/21/2023	Apr-24	Cass County	2,076,304.07					City of Fargo	6,368,293.95					
5/21/2023	Mar-24	Cass County	1,528,002.65					City of Fargo	4,619,852.76					
4/22/2023	Feb-24	Cass County	1,455,198.19					City of Fargo	4,544,116.43					
3/19/2023	Jan-24	Cass County	1,577,109.75					City of Fargo	4,515,565.89					
2/22/2023	Dec-22	Cass County	2,331,087.61	21,358,922.89	-2.6%	20,077,388	1,281,535	City of Fargo	7,015,548.33	66,571,120.26	4.3%	41,606,950	24,964,170	61,684,338
1/24/2023	Nov-22	Cass County	1,892,168.21					City of Fargo	5,746,351.94					
12/21/2022	Oct-22	Cass County	1,904,586.17					City of Fargo	5,637,286.90					
11/22/2022	Sep-22	Cass County	1,828,464.08					City of Fargo	5,282,124.95					
10/21/2022	Aug-22	Cass County	1,905,477.39					City of Fargo	5,697,578.75					
9/20/2022	Jul-22	Cass County	2,321,971.24					City of Fargo	7,149,286.78					
8/20/2022	Jun-22	Cass County	1,816,911.33					City of Fargo	5,066,525.72					
7/21/2022	May-22	Cass County	1,811,968.57					City of Fargo	5,388,350.10					
6/21/2022	Apr-22	Cass County	1,971,576.35					City of Fargo	6,059,165.61					
5/21/2022	Mar-22	Cass County	1,526,674.55					City of Fargo	4,461,738.30					
4/22/2022	Feb-22	Cass County	613,842.16					City of Fargo	4,850,989.43					
3/19/2022	Jan-22	Cass County	1,434,195.23					City of Fargo	4,216,173.45					
2/22/2022	Dec-21	Cass County	2,471,070.77	21,920,710.74	31.1%	20,605,468	1,315,243	City of Fargo	7,455,248.61	63,840,810.53	29.9%	39,900,507	23,940,304	60,505,975
1/25/2022	Nov-21	Cass County	1,587,312.19					City of Fargo	4,653,877.92					
12/21/2021	Oct-21	Cass County	2,245,078.73					City of Fargo	6,847,607.38					
11/22/2021	Sep-21	Cass County	1,578,911.41					City of Fargo	4,305,274.70					
10/21/2021	Aug-21	Cass County	1,846,222.17					City of Fargo	4,948,174.14					
9/20/2021	Jul-21	Cass County	1,941,367.18					City of Fargo	5,563,279.08					
8/20/2021	Jun-21	Cass County	1,928,026.98					City of Fargo	5,794,768.26					
7/21/2021	May-21	Cass County	2,134,078.28					City of Fargo	6,292,906.78					
6/21/2021	Apr-21	Cass County	1,247,864.18					City of Fargo	3,423,096.66					
5/21/2021	Mar-21	Cass County	1,924,292.66					City of Fargo	5,462,536.61					
4/22/2021	Feb-21	Cass County	1,588,269.26					City of Fargo	4,766,421.14					
3/19/2021	Jan-21	Cass County	1,428,216.93					City of Fargo	4,327,619.25					
2/22/2021	Dec-20	Cass County	1,445,794.87	16,719,327.13	0.3%	15,716,168	1,003,160	City of Fargo	4,232,187.56	49,146,842.57	-5.0%	30,716,777	18,430,066	46,432,944
1/25/2021	Nov-20	Cass County	1,587,940.99					City of Fargo	4,492,863.04					
12/21/2020	Oct-20	Cass County	1,630,976.65					City of Fargo	4,999,947.66					
11/23/2020	Sep-20	Cass County	1,396,321.95					City of Fargo	3,952,605.63					
10/21/2020	Aug-20	Cass County	1,694,006.82					City of Fargo	4,276,558.28					
9/22/2020	Jul-20	Cass County	1,467,915.93					City of Fargo	4,382,459.17					
8/21/2020	Jun-20	Cass County	1,605,095.72					City of Fargo	4,774,814.61					
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