

Board Agenda

Diversion Board of Authority

May 28, 2026 @ 3:30 p.m. CST

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

1. Call to Order
 - a. Roll Call of Members
2. Approve minutes from the MFDA Board Meeting on April 23, 2026 [Attachment 01.00] (Pg. 3)
3. Approve Order of Agenda
4. **CONSENT AGENDA – APPROVE THE FOLLOWING:**
 - a. Finance Report [Attachment 02.00] (Pg. 10)
 - b. Voucher Approval [Attachment 03.00] (Pg. 35)
 - c. DA Board Approval Contracting Actions [Attachment 04.00] (Pg. 54)
 - i. C Three Media New Services Agreement [Attachment 04.01] (Pg. 56)
 - ii. WP 41B – Sheyenne River Benching Project Award to Minnesota Native Landscaping [Attachment 04.02] (Pg. 59)
 - iii. WP 52K – 52nd Avenue South Mobility Project Award to Border States Paving Inc. [Attachment 04.03] (Pg. 62)
 - iv. WP 52L – Warnecke Avenue Construction Project Award to R.J. Zavoral [Attachment 04.04] (Pg. 65)
 - d. MOUs and Agreements [Attachment 05.00] (Pg. 68)
 - i. Harwood Township & MFDA Letter Agreement for Lost Tax Revenue Payments [Attachment 05.01] (Pg. 70)
 - e. Excess Land Recommendations
 - i. OIN 1890 Excess Land Recommendation [Attachment 06.01] (Pg. 76)
 - ii. OIN 831 Sale of Excess Land Recommendation [Attachment 06.02] (Pg. 83)

REGULAR AGENDA:

5. Executive Director Update
 - a. Minnesota Legislative Update
6. General Counsel Update

- a. Resolution Confirming the Appointment of Members to the Debris Removal and Restoration Sub-Committee [Attachment 07.00] (Pg. 90)
 - b. Memorandum of Agreement between USACE, ND SHPO and the MFDA regarding the Upstream Mitigation Area [Attachment 08.00] (Pg. 93)
 - c. WIFIA Loan Update
 - d. Subordinated Sales Tax Bond Update
7. Project Updates
 - a. USACE Project Update [Attachment 09.00] (Pg. 108)
 - b. SWDCAI Project Update [Attachment 10.00] (Pg. 109)
 - c. Project Safety Update [Attachment 11.00] (Pg. 110)
 - d. P3 Monthly Update [Attachment 12.00] (Pg. 111)
 - e. Monthly Drone Footage Video
 8. Communications Team Update
 9. Land Management Update
 - a. Property Acquisition Status Report [Attachment 13.00] (Pg. 152)
 10. Finance Update
 - a. Sales Tax Update [Attachment 14.00] (Pg. 159)
 11. Other Business
 - a. Presentation of Award to Commissioner Campbell
 12. Public Comment – 15 minutes maximum. Each speaker is limited to three minutes.
 13. Closed executive session pursuant to N.D.C.C. § 44-04-19.1 and N.D.C.C. § 44-04-19.2 for the purposes of receiving consultation and advice from General Counsel regarding the crop loss claims of Mr. Askegaard and Mr. Ness, which are reasonably predicted to involve civil litigation in which the MFDA will likely be involved.
 14. Next Meetings: June 25, 2026
 15. Adjournment
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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
- View the Meeting on the City of Fargo's Facebook or YouTube

Metro Flood Diversion Authority Board of Authority Meeting Minutes

3:30 PM – April 23, 2026

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on April 23, 2026. The following members were present: Bernie Dardis, Mayor, City of West Fargo; Dr. Tim Mahoney, Mayor, City of Fargo; David Ebinger, Clay County Commissioner; Rick Steen, Cass County Joint Water Resource District; Dave Piepkorn, Fargo City Commissioner; Jim Kapitan, Cass County Commissioner; Duane Breitling, Cass County Commissioner; Shelly Carlson, Mayor, City of Moorhead; Tony Grindberg, Cass County Commissioner; Chuck Hendrickson, Moorhead City Council; Lisa Borgen, Moorhead City Council; Denise Kolpack, Fargo City Commissioner and Kevin Campbell, Clay County Commissioner.

Member(s) absent: no members were absent.

1. CALL TO ORDER

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

2. APPROVE THE MINUTES FROM THE MARCH 2026 BOARD OF AUTHORITY MEETING

MOTION PASSED

Mayor Carlson moved to approve the minutes from the March 2026, meeting and Ms. Kolpack seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

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

4. APPROVE THE CONSENT AGENDA

MOTION PASSED

Mayor Carlson moved to approve the consent agenda as presented and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

5. EXECUTIVE DIRECTOR UPDATE

a. Minnesota Legislative Update

Mr. Benson reported that he testified in St. Paul to the Senate Committee along with Lisa Bode, Paul Krabbenhoft and Jenny Mongeau. He visited with House and Senate members regarding the Resolution for the 50/50 match. The bonding bill is still in the discussion phase and there are only four more weeks of the session remaining.

b. Turnover of the DIS and WRRS

Mr. Benson reported the Diversion Inlet Structure, and the Wild Rice River Structure will be completed in the next few weeks and turned over to the MFDA.

c. PPA Amendment No. 2 Signing Ceremony

Mr. Benson reported that Interim Assistant Secretary of the Army, Adam Telle, is tentatively planning to attend the PPA Amendment signing. Senator Hoeven has confirmed his attendance, and Senator Amy Klobuchar is tentative at this time.

d. Crop Damage Update

Several met at the Ben Askegaard farm to view the damage to his cropland that has allegedly been caused by the USACE's contractor. Those in attendance were Colonel Chase and Ms. Terry Williams, USACE, Mr. John Shockley, Mr. Tom Fuchs, Mr. Jason Benson and Angela Cooner, contractor's legal representative. AISI has submitted an offer to Mr. Askegaard, and he will likely come back with a counteroffer.

Mr. Matt Ness is also working with the USACE regarding drainage issues to his property. His claim is roughly one-half of Mr. Askegaard's claim.

6. GENERAL COUNSEL UPDATE

a. Project Partnership Agreement, Amendment No. 2

Mr. Shockley provided an overview and summary of the above-referenced agreement.

The City of Moorhead, the City of Fargo and the Metro Flood Diversion Authority are the Non-Federal Sponsors of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (the "Diversion Project"). In June of 2016, the City of Moorhead, along with the City of Fargo, Cass County, Clay County, and the Cass County Water Resource District entered into a Joint Powers Agreement (the "JPA") creating the Metro Flood Diversion Authority (the "Authority") to manage the design, construction, financing, and operation of the Diversion Project. The JPA clarifies and allocates the responsibility and obligations arising out of the construction, operation, and maintenance of the Diversion Project.

The City of Moorhead and the City of Fargo were the original Non-Federal Sponsors of the Diversion Project. Under USACE requirements the City of Moorhead and the City of Fargo remain Non-Federal Sponsors for purposes of the Project Partnership Agreement even though they have agreed pursuant to the JPA that the Authority will manage the design, construction, financing, operation, and maintenance of the Diversion Project.

The PPA was originally signed on July 11, 2016, and amended on March 19, 2019. The PPA provides that the Federal Participation Amount in the Diversion Project was limited to \$750,000,000 in 2015 Dollars. Pursuant to the PPA, Federal Participation Amount is be used for the construction of the Federal portion of the Project which included the southern earthen embankment, the Diversion Inlet Structure, the Wild Rice Control Structure, and Red River Control Structure. The Non-Federal Sponsors are responsible for all land acquisition, construction of the in-town works, mitigation projects and the Storm Water Diversion Channel. The total cost of the Diversion Project is approximately 3.2 billion dollars.

The PPA is unique in the nation in that it provides a legal mechanism by which the Metro Flood Diversion Authority would receive at the completion of the Diversion Project any of the remaining Federal Participation Amount not expended for the construction of the Federal Portion. Amendment No. 2 to the PPA authorizes USACE to release a significant portion of the unexpended Federal Participation Amount to the Authority prior to final completion of the Diversion Project. These funds will be used for construction of the non-federal works.

MOTION PASSED

Mr. Grindberg moved to approve Amendment No 2. to the Project Partnership Agreement between USACE, the City of Fargo, the City of Moorhead and the Metro Flood Diversion Authority and Mr. Breitling seconded the motion. On a roll call vote, the motion carried.

b. Resolution Regarding Executive Session Recordkeeping

Mr. Shockley provided an overview and summary of the above-referenced Resolution and indicated that it is a housekeeping item to determine how long to retain executive session recordings. In compliance with North Dakota Century Code, the recordings must be retained for a minimum of six months following the date of the recorded executive session.

MOTION PASSED

Mr. Breitling moved to approve the Resolution as presented and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

c. WIFIA Loan Update

Mr. Shockley reported that the first WIFIA draw in the amount of \$47,500,000, has been received. The total amount of the WIFIA loan is \$569,000,000, and the current interest rate is 2.08%.

d. Subordinated Sales Tax Bond Update

Mr. Shockley reported that a temporary bond issue will be issued to help cover cash flow. The issuance will wait until interest rates have dropped and stabilized.

e. Resolution Authorizing the MFDA to Match 50/50 Funds Received from The State of Minnesota

Mr. Benson provided an overview and summary of the above-referenced Resolution. The Authority will match 50/50 any funds received from the State of Minnesota for the remaining projects on the Minnesota side of the Red River using the federal funds that will be received following Amendment No. 2 to the Project Partnership Agreement (PPA) between the Department of the Army and the City of Fargo, North Dakota, the City of Moorhead, Minnesota, and the Metro Flood Diversion Authority. The Resolution also authorizes Mr. Benson to be the liaison to work with the Minnesota Legislature.

MOTION PASSED

Ms. Kolpack moved to approve the Resolution as presented and Mr. Breitling seconded the motion. On a roll call vote, the motion carried.

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 99.5% complete. Completion date is 28 Oct 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated 5 May 2026.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 99% complete. Completion date is 28 November 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated 5 May 2026.

3 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 95% complete. Construction completion date is 30 April 2026. Structural crews working on misc. metal and electrical install and concrete finishing. Turnover to Sponsors for OMRRR anticipated in late August 2026

4 Southern Embankment – Reach SE-2A - Construction

Construction is 76% complete and the remaining work is being performed by the SE-3 contractor during the 2026 construction season.

5 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract for wetland establishment. Completion date is 2 December 2027. Contractor replanted areas disturbed by adjacent producers.

6 FY2024 Contract Awards – Construction

OHB Ring Levee: 98% complete. Construction acceptance occurred on 4 December 2025. Turnover to Sponsors for O&M occurred on 29 December 2025. Reach SE-1B: 79% complete. Contract completion date will be extended into July 2026. Reach SE-2B: 90% complete. TRM and turf establishment remain. Contract completion date is 23 October 2026. Forest Mitigation #1: Planting/maintenance ongoing. Contract completion date is 31 Dec 2028. Reach SE-4: 34% complete. Contract completion date is 15 October 2026.

7 FY2025 Contract Awards – Construction

SE-3: 40% complete. Contract completion date is 11 September 2026.

SE-5: 37% complete. 180th Ave S. is closed at the creek location through winter. Contract completion date is 8 September 2026.

Forest Mitigation #2: Planting/maintenance ongoing. Contract completion date is 31 Dec 2029.

8 FY2026 Contract Awards

Forest Mitigation #3: Service contract awarded 27 February 2026. Completion date will be December 2028.

9 I-29 Raise – Operations and Maintenance (OMRRR)

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

10 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 the current work in progress, and the 30 and 60 day projected progress:

Progress Map Updates

- Reaches 4 & 5
- Lower Rush River Inlet

30 to 60-Day Outlook

- SWDCAI Crossings
- SEAI Reaches
- Red River Structure

c. Project Safety Update

Mr. Bakkegard provided the safety update for the period March 1 to March 30, 2026. He reported that it was a good month with only two minor recordable events that required first aid. He also reported that there has been a slight increase in the near miss category, and this will continue to be monitored.

d. P3 Monthly Update

Mr. Bakkegard highlighted the environmental section in the April P3 monthly update.

Environmental Compliance

2024 Section 404 Permit Special Condition M, P and S:

- Rush River: has been accepted by USACE
- Maple River: has been accepted by USACE
- Sheyenne River: has been accepted by USACE

Permanent Native Vegetation

There was no permanent planting/seeding this month. Permanent seeding and tree planting has ceased until Spring 2026 due to the weather.

Permanent Seeding/Planting Annual Summary

Total to Date Trees

6,084 trees 2,147 acres

Audits

No environmental audits occurred this month.

Permits

Open/Applied For: 96

Closed: 620

Total: 714

2024 404 Permit – Violation: On July 25, 2025, RRVA notified the Authority of a violation of the USACE Section 404 Permit Condition OO due to the disappearance of a brown-headed cowbird nest. On August 29, 2025, USACE issued a Notification of Non-Compliance stating that another event would trigger a civil penalty and requested the Developer’s investigation results, which were received, reviewed internally, and an update requested from the Developer. The Authority received the updated Developer response which was under review at month’s end.

2026 404 Permit – Violation: On 27-February-26 USACE issued a Notification of Non-Compliance (Section 404 General Condition 5, Special Condition AA, and Special Condition FF) stating the next violation would likely result in civil penalties.

NPDES/SWPPP NDR11-1957 – Violation: On 27-February-26 ND DEQ issued an Inspection Report of the Maple River Engineered Channel including a list of Corrective Actions.

Sheyenne River Sovereign Lands Permit: Sheyenne River Aqueduct Revision No. 2 was submitted on 2-March-26. However, this application was formally withdrawn on 19-March-26 with the intent to update and resubmit on or after 1-April-26. A sovereign lands permit application was submitted on 13-March-26 for the Sheyenne River Drain 50 Temporary Connection and was then formally withdrawn on 19-March-26 with the intent to update and resubmit on or after 1-April-26.

The report can be viewed in its entirety on the website at www.fmdiversion.gov. Please reach out to Mr. Barthel should you have any questions.

e. Monthly Drone Video

A video highlighting the progress that has been achieved in April 2026 was viewed.

8. COMMUNICATIONS TEAM UPDATE

Ms. Wieser Willson provided the following communications update:

PR/Media Relations:

- March construction update
- BNSF KO opening
- I-29/I-94 lane closures

Newsletter:

- Material excavation focus
- 57.2% open rate
- 14.1% click rate
- Next issue: In-town work

Outreach/Legislative:

Horace Seniors

9. LAND MANAGEMENT UPDATE

a. Property Acquisition Status Report

Mr. Fisher provided the following property acquisition status report:

Key Activities:

- **In the last month, successfully closed 6 parcels/2 owners in the UMA**
- **Continued negotiating settlement agreements for existing eminent domain actions**
 - No new trials in the last month
 - To date, Completed three (3) eminent domain trials in Cass County
 - Completed site inspections of Minnesota properties
 - Completed initial discovery hearing for the actions in Minnesota
 - Negotiated many settlements since completing the first trial
 - 10 pending settlement offers with property owners
- **Closings are pending for:**
 - MN: 2 parcels/1 owner
 - ND: 20 parcels/11 owners
- **21,456 acres of flowage easements have been acquired, and 5,634 acres are outstanding**
- **Continued development of the MFDA's post operation debris clean-up and restoration program**
- **Continued development of the MFDA's crops loss program**

Property Acquisition Progress:

- 98.4% completion in the Construction Footprint
- 66.8% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 66.8% of the parcels in the Upstream Mitigation Area have been acquired
- 79.3% of the Environmental Easements have been signed
- 100% completed: Stormwater Diversion Channel; Oxbow-Hickson-Bakke levee; in-town levees and the Drayton Dam mitigation

10. FINANCE UPDATE

a. Finance Meeting Update

Mayor Dardis reported that contracting actions 7.a., b., c., d., and e., were approved as well as general counsel items 8. a., and b.

Mayor Dardis also reported that the bills payable through April 14, 2026, in the amount of \$3,181,534, were approved and the current net cash position is \$257,465,863. Mayor Dardis noted that expenditures will increase in coming months with the anticipated milestone payments.

MOTION PASSED

Mayor Dardis moved to approve the finance report as presented and Ms. Kolpack seconded the motion. On a voice vote, the motion carried.

11. OTHER BUSINESS

There was no other business.

12. PUBLIC COMMENT

Mr. Ben Askegaard attended the meeting and provided an update on the status of the pending claim for the damage to his cropland. He also relayed his frustration with the lack of communication regarding past and upcoming road closures.

13. NEXT MEETING

The next meeting will be on May 28, 2026.

14. ADJOURNMENT

Mr. Ebinger moved to adjourn, and Mr. Campbell seconded the motion. The meeting adjourned at 4:28 PM.

**FM Metropolitan Area Flood Risk Management Project
Statement of Net Position
April 30, 2026**

	FM Diversion Project Fund	Budget Fund	Risk Sharing Fund	Grand Total
Assets				
Cash	\$ 202,129,108	\$ 790,069	\$ 10,000,000	\$ 212,919,177
Cash Horace 3.01 MIT	4,640,658	-		4,640,658
Cash BRRWD	9,431,635	-		9,431,635
Cash Held In Trust at BND				
Excess Revenue Fund	734,013	-	-	734,013
Temp Debt Obligation Fund	3,625,972	-	-	3,625,972
Authority Loan Fund	130,364	-		130,364
P3 Reserve Fund	16,692,486	-	-	16,692,486
SRF Loan Reserve Fund	2,364,023			2,364,023
WIFIA Loan Reserve Fund	1,070,077			1,070,077
Revenue Fund	3,911			3,911
Prepaid Expense	2,270,319	-	-	2,270,319
Refundable Deposit	50,000			50,000
Total assets	243,142,566	790,069	10,000,000	253,932,635
Liabilities				
Vouchers payable	-	-	-	-
Retainage payable	170,774	-	-	170,774
Rent Deposit	13,250	-	-	13,250
Total liabilities	184,024	-	-	184,024
NET POSITION	\$ 242,958,542	\$ 790,069	\$ 10,000,000	\$ 253,748,611

Month Reported	Cash
Jan-26	\$ 224,584,549
Feb-26	\$ 184,456,940
Mar-26	\$ 180,733,254
Apr-26	\$ 217,050,880
May-26	\$ 212,919,177
Jun-26	
Jul-26	
Aug-26	
Sep-26	
Oct-26	
Nov-26	
Dec-26	

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.11-00	4/30/2026	353086	Cass County Government	\$85,785.67	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Full Time Staff / Salaries				\$85,785.67			
770-7910-429.20-01	4/30/2026	353086	Cass County Government	\$12,467.96	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Health Insurance				\$12,467.96			
770-7910-429.20-03	4/30/2026	353086	Cass County Government	\$200.00	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Dental Insurance				\$200.00			
770-7910-429.20-06	4/30/2026	353086	Cass County Government	\$43.80	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Vision Insurance				\$43.80			
770-7910-429.21-01	4/30/2026	353086	Cass County Government	\$5,093.74	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Social Security				\$5,093.74			
770-7910-429.21-02	4/30/2026	353086	Cass County Government	\$1,191.26	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Medicare				\$1,191.26			
770-7910-429.22-07	4/30/2026	353086	Cass County Government	\$11,204.98	DIV. MARCH 2026 PAYROLL	V00106	EXECUTIVE DIRECTOR
Pension Benefits / Retirement				\$11,204.98			
770-7910-429.34-15	4/9/2026	352654	Network Center Inc.	\$943.00	SERVICE AGRMT	V13801	IT SERVICE AGREEMENT
	4/16/2026	352835	Network Center Inc.	\$1,657.13	SERVICE AGRMT	V13801	IT SERVICE AGREEMENT
	4/30/2026	353092	CONSOLIDATED COMMUNI	\$500.18	DIVERSION IT SRV APR-MAY26	V00106	EXECUTIVE DIRECTOR
Technical Services / Computer Services				\$3,100.31			
770-7910-429.53-20	4/30/2026	353086	Cass County Government	\$367.52	DIVERSION MARCH'26 EXPENS	V00106	EXECUTIVE DIRECTOR
Communications / Cellular Phone Service				\$367.52			
770-7910-429.56-60	4/30/2026	353086	Cass County Government	\$499.53	DIVERSION MARCH'26 EXPENS	V00106	EXECUTIVE DIRECTOR
In State Travel / In State Travel Expenses				\$499.53			
770-7910-429.61-10	4/30/2026	353086	Cass County Government	\$54.00	DIVERSION MARCH'26 EXPENS	V00106	EXECUTIVE DIRECTOR
General Supplies / Office Supplies				\$54.00			
770-7910-429.68-30	4/30/2026	353086	Cass County Government	\$80.00	DIVERSION MARCH'26 EXPENS	V00106	EXECUTIVE DIRECTOR
Miscellaneous / Meeting Incidentals				\$80.00			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770 Subtotal				\$120,088.77			
790-0000-206.10-00	4/30/2026	353185	Schmidt and Sons Inc.	\$3,716.63	PAY RETAINAGE	V03828	TO54-WP38C-OIN 1315
Retainage				\$3,716.63			
790-7910-429.33-25	4/2/2026	352502	OHNSTAD TWICHELL PC	\$75,777.60	PROFESSIONAL SERVICES	V00102	General & Admin. WIK
	4/30/2026	353171	OHNSTAD TWICHELL PC	\$68,243.86	PROFESSIONAL SERVICES	V00102	General & Admin. WIK
Other Services / Legal Services				\$144,021.46			
790-7910-429.34-20	4/16/2026	352724	C THREE MEDIA, LLC	\$13,715.96	SERVICE AGRMT	V08601	VIDEOGRAPHY
	4/16/2026	352834	Neon Loon Communications, LL	\$11,373.40	COMMUNICATION SUPPORT	V09601	COMMUNICATIONS SUPPORT
Technical Services / Marketing / Public Relat.				\$25,089.36			
790-7910-429.34-40	4/24/2026	352953	Flint Group	\$800.00	WEBISTE DESIGN SRV AGRMNT	V10201	WEBSITE DESIGN
	4/24/2026	352953	Flint Group	\$605.00	WEBSITE DESIGN SRV AGRMNT	V10201	WEBSITE DESIGN
Technical Services / Web Site Develop/Maintain				\$1,405.00			
790-7910-429.34-56	4/24/2026	EK04260	City of Fargo	\$18,547.00	FISCAL AGENT FEE - 04/26	V05902	MONTHLY FISCAL AGENT FEE
Technical Services / FMDA Fiscal Agent Fees				\$18,547.00			
790-7910-429.42-05	4/16/2026	352707	Ambassador, Inc.	\$925.00	CLEANING	V10501	JANITORIAL SERVICES
Cleaning Services / Custodial Services				\$925.00			
790-7910-429.57-60	4/30/2026	353086	Cass County Government	\$4,496.57	DIVERSION MARCH'26 EXPENS	V00106	EXECUTIVE DIRECTOR
Out of State Travel / Out of State Travel Exp				\$4,496.57			
790-7915-429.33-05	4/2/2026	352479	HOUSTON-MOORE GROUP L	\$269,926.78	PROFESSIONAL SRVS	V01634	H&H MITIG. & PERMIT SUPPO
	4/9/2026	352585	MOORE ENGINEERING INC	\$5,120.75	MFD PRJCT PYMT 3.12.26	V01201	Cass Joint Water OHB
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$286,065.63	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$266,447.50	WETLAND & FOREST MIT	V01634	H&H MITIG. & PERMIT SUPPO
Other Services / Engineering Services				\$827,560.66			
790-7915-429.38-99	4/30/2026	353203	UNITED STATES GEOLOGIC	\$70,145.00	USGS AGRMNT WATER QLTY	V02203	WATER QUALITY MONITORING
Other Services / Other Services				\$70,145.00			

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 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7920-429.33-05	4/2/2026	352479	HOUSTON-MOORE GROUP L	\$53,264.50	PROFESSIONAL SRVS	V01634	H&H MITIG. & PERMIT SUPPO
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$349,418.24	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$56,684.50	WETLAND & FOREST MIT	V01634	H&H MITIG. & PERMIT SUPPO
Other Services / Engineering Services				\$459,367.24			
790-7920-429.33-79	4/16/2026	352733	CH2M Hill Engineers Inc	\$552,281.64	SERVICES	V00211	CH2M HILL-6/2019-12/2021
	4/16/2026	352733	CH2M Hill Engineers Inc	\$631,618.56	SERVICES	V00212	P3 PROCUREMENT SUPPORT
Other Services / Construction Management				\$1,183,900.20			
790-7930-429.33-05	4/2/2026	352479	HOUSTON-MOORE GROUP L	\$5,697.00	PROFESSIONAL SRVS	V01634	H&H MITIG. & PERMIT SUPPO
	4/9/2026	352585	HDR Engineering, Inc.	\$3,482.86	MFD PRJT 03.12.2026	V01201	Cass Joint Water OHB
	4/9/2026	352585	ULTEIG ENGINEERS INC	\$405.00	MFD PRJCT 03.12.2026	V01201	Cass Joint Water OHB
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$74,893.81	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$2,532.00	WETLAND & FOREST MIT	V01634	H&H MITIG. & PERMIT SUPPO
	4/24/2026	352911	ADVANCED ENGINEERING I	\$90,050.45	AE2S TO #1 FY2022 - FY26	V00302	PROGRAM MGMT SERVICES
	4/24/2026	352931	MOORE ENGINEERING INC	\$255,261.03	MEI #3 FLOOD CONTROL PRJT	V10601	CITY OF CHRISTINE MOU
Other Services / Engineering Services				\$432,322.15			
790-7930-429.33-25	4/9/2026	352585	Larkin Hoffman Attorneys	\$9,956.50	MFD PRJCT PYMT 3.12.26	V01201	Cass Joint Water OHB
	4/9/2026	352585	OHNSTAD TWICHELL PC	\$93,978.23	MFD PRJCT PYMT 3.12.26	V01201	Cass Joint Water OHB
	4/24/2026	352931	Swanson & Warcup	\$357.50	SWANSON & WRCUP 4071/4011	V10601	CITY OF CHRISTINE MOU
	4/30/2026	353148	Larkin Hoffman Attorneys	\$1,210.00	PROFESSIONAL SRVS	V14801	LEGAL SERVICES
Other Services / Legal Services				\$105,502.23			
790-7930-429.33-47	4/24/2026	353037	Jodi Smith	\$4,636.30	JODI SMITH CONSULTING	V13701	LAND ACQUISITION CONSULTIN
Other Services / Consulting Services				\$4,636.30			
790-7930-429.33-79	4/16/2026	352733	CH2M Hill Engineers Inc	\$85,963.97	SERVICES	V00212	P3 PROCUREMENT SUPPORT
Other Services / Construction Management				\$85,963.97			
790-7930-429.42-20	4/24/2026	352973	JT LAWN SERVICE LLC	\$1,110.00	SNOW REMOVAL SERVICES	V01701	ND LAND PURCH-OUT OF TOWN
Cleaning Services / Snow Clearing				\$1,110.00			
790-7930-429.52-70	4/16/2026	352883	Watts and Associates, Inc.	\$20,911.27	CROP INSURANCE	V06901	CROP INSURANCE DEVELOPMN
Insurance / Crop Insurance				\$20,911.27			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.62-51	4/9/2026	352585	Cass County Electric Cooperativ	\$2,449.30	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/24/2026	352926	Cass County Electric Cooperativ	\$113.00	HORACE ELVTR STMT MAR 26	V01701	ND LAND PURCH-OUT OF TOWN
Energy / Electricity				\$2,562.30			
790-7930-429.62-52	4/9/2026	352585	Dakota Plains AG	\$50.00	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
Energy / Propane				\$50.00			
790-7930-429.67-11	4/9/2026	352585	1914 - RICHARD 5	\$13,422.50	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	1959 - IHLE	\$37,923.94	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	2039 - JOHNSON 10	\$12,510.25	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	2041 - JOHNSON 10	\$12,510.25	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	8920 - HANSON	\$28,014.29	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
Relocation / Residential Buildings				\$104,381.23			
790-7930-429.67-12	4/9/2026	352585	9993 - BJMLANDINC	(\$4,578.84)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	9994 - MITCHELL	(\$4,578.83)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
Relocation / Commercial Buildings				(\$9,157.67)			
790-7930-429.68-22	4/16/2026	352783	HARWOOD TOWNSHIP	\$11,820.00	LOST TAX REV PAYMT	V09001	LOST TAX REVENUE
Miscellaneous / Lost Tax Revenue				\$11,820.00			
790-7930-429.71-30	4/9/2026	352585	0831 - LOFFELMACHER	(\$524.14)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	7004 - BRIAN & EMILY POTT	(\$39,750.00)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	9347 - ULSTAD	(\$14,741.53)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/24/2026	EK04260	9182Y - CASS COUNTY JOINT	\$2,750.00	RECLASS DIVERSION LAND	V01701	ND LAND PURCH-OUT OF TOWN
Land / Land Purchases				(\$52,265.67)			
790-7930-429.71-31	4/9/2026	352585	1997 - MKRM	\$778,222.00	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
	4/9/2026	352585	8466 - SCHULZ, TIMOTHY M	(\$3.75)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
Land / Easements				\$778,218.25			
790-7930-429.73-20	4/16/2026	352859	Schmidt and Sons Inc.	\$62,750.00	PROP MITITGATION	V03822	TO20 - OIN 2014
	4/30/2026	353185	Schmidt and Sons Inc.	\$43,662.50	WP-38C PRPTY MTGTN #60	V03832	TO60-WP38C-OIN 872 873
	4/30/2026	353185	Schmidt and Sons Inc.	\$51,000.00	WP-38C PRPTY MTGTN #62	V03833	TO62-WP38C-OIN 2039 2041
Infrastructure / Site Improvements				\$157,412.50			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7930-429.80-17	4/9/2026	352585	CASS COUNTY TREASURER	(\$453.79)	MFD PRJCT PYMT 3.12.26	V01701	ND LAND PURCH-OUT OF TOWN
Debt Service / Property Tax - FMDA				(\$453.79)			
790-7931-429.33-25	4/9/2026	352591	Larkin Hoffman Attorneys	\$5,962.50	03.12.2026 MFD PROJ PYMT	V06201	MCCJPA - MN ROE
	4/9/2026	352591	OHNSTAD TWICHELL PC	\$33,122.94	03.12.2026 MFD PROJ PYMT	V06201	MCCJPA - MN ROE
Other Services / Legal Services				\$39,085.44			
790-7931-429.33-32	4/9/2026	352591	CROWN APPRAISALS	\$18,500.00	03.12.26 MFD PRJ PYMT	V06201	MCCJPA - MN ROE
Other Services / Appraisal Services				\$18,500.00			
790-7931-429.38-99	4/9/2026	352591	Dan Wogsland	\$1,077.16	03.12.2026 MFD PROJ PYMT	V06201	MCCJPA - MN ROE
	4/9/2026	352591	Leslie P. Roos	\$2,761.01	03.12.2026 MFD PROJ PYMT	V06201	MCCJPA - MN ROE
Other Services / Other Services				\$3,838.17			
790-7931-429.54-10	4/9/2026	352591	Clay County Union	\$30.00	03.12.2026 MFD PROJ PYMT	V06201	MCCJPA - MN ROE
Advertising / Legal Publications				\$30.00			
790-7931-429.62-51	4/9/2026	352591	LAKE REGION ELECTRIC CO	\$49.71	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	RED RIVER VALLEY COOPE	\$62.28	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
Energy / Electricity				\$111.99			
790-7931-429.71-30	4/9/2026	352591	1879N - MOORHEAD CLAY C	(\$500.00)	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	Pifer's Land Management	(\$41,591.40)	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
Land / Land Purchases				(\$42,091.40)			
790-7931-429.71-31	4/9/2026	352591	5182 - MILLER/MARK	\$29,282.91	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	5183 - MILLER/MARK	\$29,282.91	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	5185 - MILLER/MARK	\$29,282.91	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	7107 - MARK & LISA MILLER	\$29,282.91	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
	4/9/2026	352591	7108 - MARK & LISA MILLER	\$29,282.91	03.12.2026 MFD PROJ PYMT	V02301	MN LAND PURCHASES
Land / Easements				\$146,414.55			
790-7931-429.73-20	4/30/2026	353185	Schmidt and Sons Inc.	\$12,911.50	WP-38C PROP MIT TO #54	V03828	TO54-WP38C-OIN 1315
Infrastructure / Site Improvements				\$12,911.50			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7940-429.33-06	4/16/2026	352722	BRAUN INTERTEC CORP	\$153.00	TESTING SERVICES	V00407	TASK ORDER #5
Other Services / Quality Testing				\$153.00			
790-7940-429.34-50	5/6/2026	JH042600	City of Horace	\$29.51	APR 26 DIVIDEND/ADMIN FEE	V11602	HORACE-ESCROW PFM FEES
Technical Services / Investment Management Svc				\$29.51			
790-7941-429.33-05	4/9/2026	352589	MOORE ENGINEERING INC	\$25,207.00	PROF SERVICES COM LAG PRO	V10102	LAGOON
	4/30/2026	353091	MOORE ENGINEERING INC	\$17,184.75	COMSTOCK LAGOON PROJECT	V10102	LAGOON
Other Services / Engineering Services				\$42,391.75			
790-7941-429.33-25	4/30/2026	353091	Pemberton Law PLLP	\$3,514.50	JAN,FEB,MAR 2026 INVS	V10102	LAGOON
Other Services / Legal Services				\$3,514.50			
790-7941-429.34-50	5/6/2026	JH042600	BUFFALO-RED RIVER WATE	\$42.76	APR 26 INT/ADMIN FEES	V08304	BRRWD-ESCROW PFM FEES
Technical Services / Investment Management Svc				\$42.76			
790-7950-429.33-05	4/9/2026	352644	MOORE ENGINEERING INC	\$2,027.00	DIVERSION	V08901	MAPLE RIVER-DRAIN EXPENSE
	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$6,514.50	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
	4/24/2026	353028	MOORE ENGINEERING INC	\$2,210.90	OT INV 213632,213630,8063	V08801	RUSH RIVER-DRAIN EXPENSE
	4/30/2026	353158	MOORE ENGINEERING INC	\$4,998.25	INV 214755,SIN008349	V08901	MAPLE RIVER-DRAIN EXPENSE
	4/30/2026	353192	MOORE ENGINEERING INC	\$5,974.00	INV 213649,SIN007560,7969	V12201	SE CASS WRD MOU
Other Services / Engineering Services				\$21,724.65			
790-7950-429.33-06	4/30/2026	353081	BRAUN INTERTEC CORP	\$54,243.25	P3 OBSERVATION/TEST SRVS	V00406	TASK ORDER #4
Other Services / Quality Testing				\$54,243.25			
790-7950-429.33-25	4/9/2026	352644	OHNSTAD TWICHELL PC	\$1,275.00	DIVERSION	V08901	MAPLE RIVER-DRAIN EXPENSE
	4/24/2026	353028	OHNSTAD TWICHELL PC	\$1,606.50	OT INV 213632,213630,8063	V08801	RUSH RIVER-DRAIN EXPENSE
	4/30/2026	353158	OHNSTAD TWICHELL PC	\$1,337.00	INV 214755,SIN008349	V08901	MAPLE RIVER-DRAIN EXPENSE
	4/30/2026	353192	OHNSTAD TWICHELL PC	\$263.50	INV 213649,SIN007560,7969	V12201	SE CASS WRD MOU
Other Services / Legal Services				\$4,482.00			
790-7950-429.41-05	4/16/2026	352730	Cass Rural Water	\$33.28	FEB BILLING	V05006	DIVERSION INLET UTILITY
Utility Services / Water and Sewer				\$33.28			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7950-429.73-52	4/24/2026	EK04260	Red River Valley Alliance LLC	\$1,468,966.60	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
Infrastructure / Flood Control				\$1,468,966.60			
790-7950-429.73-70	4/9/2026	352648	Minnkota Power Cooperative	\$3,381,514.00	OXBOW SUBSTATION IMPROVEM	V08208	TO8-CONST OXBOW SUBSTATI
	4/16/2026	352729	Cass County Electric Cooperativ	\$287,000.00	OXBOW SUBSTATION	V04734	TO30-OXBOW SUBSTATION
	4/16/2026	352729	Cass County Electric Cooperativ	\$9,420.00	LINE RETIREMENT	V04732	TO32-NIPSTAD FARMSTEAD
	4/16/2026	352729	Cass County Electric Cooperativ	\$81,500.00	LINE RETIREMENT	V04733	TO31-OHD & UHD LN RETIRE
	4/16/2026	352866	Steffl Drilling & Pump Inc.	\$153,100.00	WATER RESEVOIR A WELLFIEL	V15301	WP47G-CRW RESERVIOR A
	4/16/2026	352866	Steffl Drilling & Pump Inc.	\$86,000.00	RESEVOIR & WELLFIELD	V15301	WP47G-CRW RESERVIOR A
	4/24/2026	352927	Cass County Electric Cooperativ	\$95,000.00	#21 ROW ACQUISITION OXBOW	V04723	TO21-ROW ACQ OXBOW SUBST
	4/24/2026	352996	Minnkota Power Cooperative	\$480,290.79	#7 OXBOW SUBSTN DIESEL GE	V08207	TO7-RELOCATE OXBOW GENER
Infrastructure / Utilities				\$4,573,824.79			
790-7952-429.33-05	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$2,950.20	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$2,950.20			
790-7955-429.33-05	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$1,540.50	SHEYENNE MITIGATION PRJ	V02827	IN TOWN LEVY MAINTENANCE
Other Services / Engineering Services				\$1,540.50			
790-7990-429.33-05	4/16/2026	352790	HOUSTON-MOORE GROUP L	\$25,151.75	SHEYENNE MITIGATION PRJ	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$25,151.75			
790-7990-429.33-25	4/2/2026	352502	OHNSTAD TWICHELL PC	\$73,904.00	PROFESSIONAL SERVICES	V00102	General & Admin. WIK
	4/24/2026	353041	Swanson & Warcup	\$360.00	PROFESSIONAL SERVICES	V14501	LEGAL SERVICES
	4/30/2026	353171	OHNSTAD TWICHELL PC	\$45,425.00	PROFESSIONAL SERVICES	V00102	General & Admin. WIK
Other Services / Legal Services				\$119,689.00			
790-7990-429.33-47	4/16/2026	352850	Program Advisor Services, LLC	\$33,072.00	PROGRAM CONSULTING SERV	V05801	CONSULTING SERVICES
Other Services / Consulting Services				\$33,072.00			
790-7990-429.34-55	4/16/2026	352731	CDM Smith Inc.	\$850.00	TECHNICAL SERVICES	V12701	FIN DISPUTE REVIEW BOARD
Technical Services / Financial Advisor				\$850.00			
790-7990-429.34-57	4/28/2026	10637	BANK OF NORTH DAKOTA	\$18,547.00	BND TRUSTEE FEE	V08502	MONTHLY TRUSTEE FEE
Technical Services / FMDA Trustee Fees BND				\$18,547.00			

**Summary Of Expenses
 EXP-2026-04**

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7990-520.80-20	4/10/2026	EK04260	BANK OF NORTH DAKOTA	\$248,864.50	REC SRF ADMIN FEE AND	VBILL	FM Div. Cost Recovery
Debt Service / Interest On Bonds				\$248,864.50			
790-7990-520.80-55	4/10/2026	EK04260	BANK OF NORTH DAKOTA	\$82,954.83	REC SRF ADMIN FEE AND	VBILL	FM Div. Cost Recovery
Debt Service / SRF Admin Fees				\$82,954.83			
790-7998-555.90-81	4/24/2026	EK04260	Diversion Admin Budget Transfe	\$0.00	ANNUAL ADMIN BDGT TRF-APR	VADMIN	Diversion Administration
FMDA Admin. Budget Fund				\$0.00			
790 Subtotal				\$11,264,013.31			

Total Amount Invoiced this period:	\$11,384,102.08	
	\$3,716.63	Less Paid Retainage
	\$11,380,385.45	Total Less Paid Retainage

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
LAND PURCHASE	\$444,719,232.13	\$444,719,232.13	\$0.00	Land Purchase
RED RIVER VALLEY ALLIANCE LLC	\$196,496,458.86	\$196,496,458.86	\$0.00	P3 Developer payments
CH2M HILL ENGINEERS INC	\$170,151,045.01	\$149,132,763.46	\$21,018,281.55	Project & Construction Management
HOUSTON-MOORE GROUP LLC	\$100,116,613.06	\$89,173,530.74	\$10,943,082.32	Engineering Services
INDUSTRIAL BUILDERS INC	\$68,263,731.96	\$67,619,887.76	\$643,844.20	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	\$50,375,780.00	\$50,375,780.00	\$0.00	Debt Service
KEY CONTRACTING INC	\$40,488,684.07	\$40,488,684.07	\$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	\$30,236,980.52	\$30,236,980.52	\$0.00	Legal Services
MEYER CONTRACTING	\$19,244,280.80	\$19,244,280.80	\$0.00	WP-43CD and Gatewell - PVD & Surcharge Installation
ADVANCED ENGINEERING INC	\$18,766,497.25	\$15,800,918.59	\$2,965,578.66	Lands Management and Public Outreach
INDUSTRIAL CONTRACT SERVICES INC	\$18,419,743.64	\$18,419,743.64	\$0.00	4th St Pump Station and 2nd Street Floodwall
DORSEY & WHITNEY LLP	\$14,025,894.82	\$14,025,894.82	\$0.00	Legal Services
CASS COUNTY JOINT WATER RESOURCE DI	\$12,021,537.96	\$12,021,537.96	\$0.00	O/H/B Ring Levee, DPAC, Postage, Miscellaneous
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
MOORE ENGINEERING INC	\$10,352,724.19	\$8,490,126.96	\$1,862,597.23	Engineering Services
OKEEFE, OBRIAN, LYSON & FOSS LTD	\$9,962,512.68	\$9,962,512.68	\$0.00	FLDBUY - COF Flood Home Buyouts
CITY OF FARGO	\$9,148,369.96	\$9,142,731.21	\$5,638.75	Utility Relocation, Accounting Svcs, Interest on Deficit Funds
HOUSTON ENGINEERING INC	\$7,987,178.82	\$7,987,178.82	\$0.00	Engineering Services
CASS RURAL WATER	\$7,519,214.54	\$7,440,586.08	\$78,628.46	Utilities and Utility Relocation
SCHMIDT AND SONS INC.	\$7,367,973.98	\$6,428,250.23	\$939,723.75	Residential Demolition in Oxbow
CASS COUNTY GOVERNMENT	\$7,153,020.10	\$7,153,020.10	\$0.00	Gravel on County Rd 17 Bypass
CASS COUNTY ELECTRIC COOPERATIVE	\$6,743,229.28	\$5,298,310.21	\$1,444,919.07	Electrical Services
ASHURST LLP	\$6,352,853.01	\$6,352,853.01	\$0.00	PPP Legal Counsel

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
SRF CONSULTING GROUP	\$6,341,707.43	\$4,117,461.99	\$2,224,245.44	Engineering Services
MINNKOTA POWER COOPERATIVE	\$6,071,014.93	\$5,560,270.46	\$510,744.47	Utility Relocation
NUSTAR PIPELINE OPERATING PARTNERSHIP	\$5,867,251.62	\$5,867,251.62	\$0.00	Utility Relocation
BRAUN INTERTEC CORP	\$5,813,556.41	\$4,550,191.01	\$1,263,365.40	Materials Testing
ERNST & YOUNG	\$5,377,000.00	\$5,087,828.40	\$289,171.60	P3 Financial Advisory Services
SELLIN BROS INC	\$4,487,126.94	\$4,487,126.94	\$0.00	Riverwood Flood Risk Project - Construction
XCEL ENERGY-FARGO	\$4,046,910.11	\$3,728,058.17	\$318,851.94	Utility Relocation
PROSOURCE TECHNOLOGIES, INC	\$3,873,908.66	\$3,620,375.51	\$253,533.15	Land Acquisition Services
CENTURYLINK COMMUNICATIONS	\$3,743,515.79	\$3,710,251.68	\$33,264.11	Utility Relocation
RILEY BROS	\$3,656,841.67	\$3,656,841.67	\$0.00	Construction - OHB Ring Levee & WP-28A
BNSF RAILWAY CO	\$3,606,213.80	\$3,606,213.80	\$0.00	Permits for In-Town Levee Projects
RED RIVER VALLEY & WESTERN RAILROAD C	\$3,589,388.46	\$3,589,388.46	\$0.00	Railroad Facilities and the Rail Property
CLAY COUNTY AUDITOR	\$3,540,820.37	\$3,540,820.37	\$0.00	Property Taxes - MN
AON RISK SERVICES CENTRAL INC	\$3,508,446.49	\$3,429,509.99	\$78,936.50	Risk Advisory Services P3 Pre-Award
PROGRAM ADVISOR SERVICES, LLC	\$3,409,228.39	\$3,034,412.62	\$374,815.77	Program Consulting Services
CROWN APPRAISALS	\$3,212,730.00	\$2,928,225.40	\$284,504.60	Flowage Easements Valuation and Appraisal Services
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
MAGELLAN PIPELINE	\$2,852,375.85	\$2,852,375.85	\$0.00	Utility Relocation
HOUGH INC	\$2,760,696.93	\$2,501,349.43	\$259,347.50	Construction WP-42F.2 and Oxbow River Intake & Pumping Syst
HDR ENGINEERING, INC.	\$2,695,082.37	\$2,270,131.51	\$424,950.86	Engineering Services
MINNESOTA DNR	\$2,636,755.60	\$2,617,681.40	\$19,074.20	EIS Scoping and Permit Application
MASTER CONSTRUCTION CO INC	\$2,490,751.67	\$2,490,751.67	\$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	\$2,366,855.72	\$2,366,855.72	\$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
ACONEX (NORTH AMERICA) INC	\$2,194,655.43	\$2,039,939.46	\$154,715.97	Electronic Data Mgmt and Record Storage System

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
BANK OF NORTH DAKOTA	\$2,107,331.32	\$2,107,331.32	\$0.00	Legal review fees
URS CORPORATION	\$1,805,670.90	\$1,805,670.90	\$0.00	Cultural Resources Investigations
AECOM	\$1,692,603.43	\$1,557,504.91	\$135,098.52	Cultural Resources Investigations
CASS COUNTY TREASURER	\$1,649,544.06	\$1,649,544.06	\$0.00	Property Taxes
REINER CONTRACTING INC	\$1,599,646.21	\$1,599,646.21	\$0.00	El Zagal Flood Risk Management
LARKIN HOFFMAN ATTORNEYS	\$1,555,063.32	\$1,555,063.32	\$0.00	Legal Services
ULTEIG ENGINEERS INC	\$1,540,037.09	\$1,494,208.59	\$45,828.50	Land Acquisition Services
DIRT DYNAMICS	\$1,491,646.37	\$667,087.37	\$824,559.00	HD18A1 - Oakcreek, Copperfield & Univerisy - Demo
WAGNER CONSTRUCTION INC.	\$1,417,840.62	\$1,417,840.62	\$0.00	Utility Relocation
UNITED STATES GEOLOGICAL SURVEY	\$1,343,840.00	\$1,056,307.73	\$287,532.27	Water Level Discharge Collection & Stage Gage Installation
US BANK	\$1,205,546.13	\$1,205,546.13	\$0.00	Loan Advance Debt Service Payments
ANKURA CONSULTING GROUP LLC	\$1,157,597.56	\$1,157,597.56	\$0.00	Scheduling Services
CONSOLIDATED COMMUNICATIONS	\$1,093,603.43	\$1,093,603.43	\$0.00	Utility Relocation
LINSCO, INC.	\$1,088,655.77	\$912,828.11	\$175,827.66	House Demo and Removal
CITY OF HORACE	\$1,080,247.55	\$1,080,247.55	\$0.00	Infrastructure Fund
JT LAWN SERVICE LLC	\$1,042,383.60	\$676,560.00	\$365,823.60	Mowing and weed control
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
CC STEEL, LLC	\$932,713.69	\$932,713.69	\$0.00	Lift Station Improvements
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
UNITED STATES ENVIRONMENTAL PROTECTI	\$831,686.35	\$831,686.35	\$0.00	WIFIA LOAN APPLCATION FEE
SPRINT COMMUNICATIONS COMPANY L.P.	\$812,034.58	\$812,034.58	\$0.00	Fiber Optic Relocation
NEON LOON COMMUNICATIONS, LLC	\$805,681.47	\$639,780.62	\$165,900.85	Communications Support
BORDER STATES PAVING, INC	\$762,980.64	\$762,980.64	\$0.00	Street repairs
APEX ENGINEERING GROUP INC	\$762,004.12	\$762,004.12	\$0.00	Engineering
RED RIVER VALLEY COOPERATIVE ASSOC	\$759,338.01	\$691,798.01	\$67,540.00	Electricity - Home Buyouts

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
DAKOTA CARRIER NETWORK	\$727,348.58	\$727,348.58	\$0.00	Utility Relocation
WATTS AND ASSOCIATES, INC.	\$722,307.44	\$503,978.81	\$218,328.63	Crop insurance product development services
ERIK R JOHNSON & ASSOCIATES	\$686,572.23	\$686,572.23	\$0.00	Legal Services
C THREE MEDIA, LLC	\$685,639.35	\$648,201.19	\$37,438.16	Videography Services
NORTHERN IMPROVEMENT COMPANY	\$682,385.59	\$682,385.59	\$0.00	CR-17 asphalt paving
PATCHIN MESSNER VALUATION COUNSELORS	\$675,462.50	\$534,383.75	\$141,078.75	Property Appraisal Services
COMPASS LAND CONSULTANTS, INC	\$643,189.43	\$643,189.43	\$0.00	Property Appraisal Services
METROPOLITAN COUNCIL OF GOVERNMENTS	\$637,390.01	\$637,390.01	\$0.00	Digital Aerial Photography
PCIROADS LLC	\$606,443.85	\$0.00	\$606,443.85	I-29 Crack Repairs
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	\$574,957.29	\$574,957.29	\$0.00	Utility Relocation
RJ ZAVORAL & SONS INC.	\$572,204.08	\$572,204.08	\$0.00	Raymond Township Mobility Improvements
BEAVER CREEK ARCHAEOLOGY	\$520,970.25	\$396,970.25	\$124,000.00	Engineering Services
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	\$487,280.33	\$487,280.33	\$0.00	Retention Projects - Engineering 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
DAWSON INSURANCE AGENCY	\$422,762.41	\$422,762.41	\$0.00	Property Insurance - Home Buyouts
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
COMSTOCK CONSTRUCTION	\$362,057.70	\$92,751.10	\$269,306.60	Maple River Benching Project
MVM CONTRACTING	\$339,448.03	\$339,448.03	\$0.00	Fiber Relocation

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
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
FEDERAL STEEL SUPPLY, INC.	\$307,378.00	\$307,378.00	\$0.00	OHB - 42 inch steel pipe
STEFFL DRILLING & PUMP INC.	\$299,550.00	\$299,550.00	\$0.00	Cass Rural Water Users District Reservoir A Wellfield
FUSION AUTOMATION INC.	\$290,209.31	\$290,209.31	\$0.00	Electrical
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
PLEASANT TOWNSHIP	\$276,716.74	\$276,716.74	\$0.00	Building Permit Application
702 COMMUNICATIONS	\$266,892.07	\$266,892.07	\$0.00	Utility Relocation
LYLE WILKENS INC.	\$263,600.00	\$0.00	\$263,600.00	Property Structure Mitigation
MLGC	\$255,160.03	\$255,160.03	\$0.00	Utility Relocation
CDM SMITH INC.	\$255,000.00	\$11,088.38	\$243,911.62	Financial Dispute Resolution Board
FORUM COMMUNICATIONS	\$250,010.54	\$250,010.54	\$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
SERKLAND LAW FIRM	\$233,387.21	\$233,387.21	\$0.00	Legal 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. SCEPANIAC, INC.	\$226,235.21	\$226,235.21	\$0.00	ROADWAY RESHAPING & AGGREGATE SURFACING
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

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
EIDE BAILLY LLP	\$180,569.82	\$152,219.82	\$28,350.00	Audit Services
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
SUN ELECTRIC INC.	\$166,000.00	\$166,000.00	\$0.00	Lift Station Electrical Services
LANDVEST, INC.	\$160,000.00	\$0.00	\$160,000.00	Appraisal 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
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
MARCO TECHNOLOGIES	\$135,554.72	\$127,714.41	\$7,840.31	IT Services
FUGRO USA LAND, INC.	\$130,396.52	\$130,396.52	\$0.00	Digital Aerial Photography
CITY OF COMSTOCK	\$123,300.59	\$123,300.59	\$0.00	Wetland Credits and ROW Easement
BALLARD SPAHR	\$121,500.00	\$121,500.00	\$0.00	Fiscal Agent
COGENT COMMUNICATIONS	\$121,475.21	\$60,737.61	\$60,737.60	Fiber Optic Relocation
SENTRY SECURITY, INC.	\$121,212.85	\$121,212.85	\$0.00	Security Services
AFFINITEXT INC	\$118,630.00	\$87,752.15	\$30,877.85	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
MAPLETON TOWNSHIP	\$112,288.70	\$112,288.70	\$0.00	Lost tax revenue and attorney fees
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
DAVID CLARDY	\$105,215.05	\$105,215.05	\$0.00	Home buyouts - easement
FLINT GROUP	\$105,020.00	\$93,440.00	\$11,580.00	Website Services

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
WARREN TOWNSHIP	\$101,604.72	\$101,604.72	\$0.00	SEEDING, ROAD REPAIR, DUST CONTROL
163 Vendors	Report Totals:	\$1,535,584,169.98	\$1,484,587,202.84	\$50,996,967.14

Data Through Date: Friday, April 24, 2026

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
BIOGEO	431	267	131	92%	33	\$1,673,857
BIOGEO	300	266	1	89%	33	\$900,422
HC	131	1	130	100%	0	\$773,435
CHANNEL	721	500	218	100%	3	\$99,125,604
DA_MOB_HORACE	4	2	0	50%	2	\$0
ENV	1	0	0	0%	1	\$0
HC	273	55	218	100%	0	\$3,570,916
LAP01	108	108	0	100%	0	\$7,872,311
LAP02	97	97	0	100%	0	\$13,519,297
LAP03	81	81	0	100%	0	\$23,021,827
LEGACY	157	157	0	100%	0	\$51,141,254
DOWNSTREAM	7	0	7	100%	0	\$0
HC	7	0	7	100%	0	\$0
Habitat Improve	23	15	8	100%	0	\$329,344
ENV	5	5	0	100%	0	\$0
Habitat_Shey	10	10	0	100%	0	\$329,344
HC	8	0	8	100%	0	\$0
MOBILITY	123	0	1	1%	122	\$0
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

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
SEAILAND	537	475	52	98%	10	\$102,429,803
DRAIN 27	43	43	0	100%	0	\$23,965,462
HC	60	8	52	100%	0	\$458,806
LEGACY	138	138	0	100%	0	\$24,523,991
SE_I29	6	6	0	100%	0	\$2,990,158
SE-1	20	20	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	71	64	0	90%	7	\$10,733,166
SE-5	24	21	0	88%	3	\$973,121
SE-INLET	8	8	0	100%	0	\$2,952,107
SE-RRCS	37	37	0	100%	0	\$7,707,431
SE-WRCS	10	10	0	100%	0	\$445,069
WP43B	5	5	0	100%	0	\$3,082,500
Sheyenne Mitigatio	10	1	0	10%	9	\$3,000
SheyMit	10	1	0	10%	9	\$3,000
WP36	2	2	0	100%	0	\$2,750
WRDAM	2	2	0	100%	0	\$2,750
WP38	1,054	485	376	82%	193	\$145,489,278
HC	380	4	376	100%	0	\$1,283,123
LEGACY	6	6	0	100%	0	\$759,198
UMA	582	468	0	80%	114	\$143,212,554
UMA-C	59	4	0	7%	55	\$38,567
UMA-W	14	3	0	21%	11	\$195,835
UMA-W2	13	0	0	0%	13	\$0
WP40	18	8	10	100%	0	\$48,923
DRAYTON	7	7	0	100%	0	\$48,923
HC	10	0	10	100%	0	\$0
LEGACY	1	1	0	100%	0	\$0
WP42	66	49	4	80%	13	\$37,850,061
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

Parcel (OIN) Physical Location Summary

Project / Physical Location	Parcels	Acquired / Sold	Cancelled OIN's (HC)	PCT Acquired / Cancelled	Remaining OIN's	Cost To Date
WP43	267	121	146	100%	0	\$80,365,160
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	\$45,137,160
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
Totals	3,259	1,923	953	88%	383	\$467,317,779

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2026

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Commercial Relocations - Fargo		16,099,989.70	-	16,300,462.10	(1,100.00)	32,399,351.80
Home Buyouts - Fargo		3,044,054.89	-	521,417.80	-	3,565,472.69
Home Buyouts - Moorhead		495,809.91	-	84,060.80	(8,440.00)	571,430.71
Home Buyouts - Oxbow		29,678,181.97	-	17,142,531.46	(368,167.87)	46,452,545.56
Home Buyouts - Hickson		1,031,674.37	-	120,422.18	-	1,152,096.55
Home Buyouts - Horace		7,604,598.67	-	595,320.88	-	8,199,919.55
Home Buyouts - Argusville		215,030.91	-	6,912.57	-	221,943.48
Easements - Fargo		504,716.00	-	-	-	504,716.00
Easements - Hickson		500.00	-	-	-	500.00
Easements - Oxbow		55,500.00	-	-	-	55,500.00
Easements - Diversion Inlet Control Structure		4,302,787.22	-	-	(67,650.00)	4,235,137.22
Easements - Piezometer		259,765.00	-	-	-	259,765.00
Easements - Minesota		1,542,370.79	-	-	-	1,542,370.79
Farmland Purchases		326,593,272.25	-	5,109,571.44	(21,463,776.36)	183,504,127.21

**FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of April 30, 2026**

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Land Purchases		191,333,954.66	-	2,563,701.41	(10,420,528.86)	183,504,127.21
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 Township138 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 th 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				
Lots 5, 7, and 8, Block 2 of River Shore Subdivision a part of Government Lots 5, 6, and 7 of Section 7, Township 137 North, Range 48 West, Cass County, North Dakota	9/4/2025	1,206,677.74				
That part of Auditor's Lot No. 1 of the Southwest Quarter of Section 36, Township 138 North, Range 50 West of the Fifth Principal Meridian, Cass County, North Dakota	10/30/2025	24,800.00			(24,800.00)	
S1/2 N1/2 OF NE1/4, Sec 16, 137N, 49W, Cass County, ND	10/30/2025	99,500.00				
That part of Government Lot 3 and the Southeast Quarter of the Northwest Quarter of Section 3, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota; and That part of Government Lot 3, Section 3, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	1/29/2026	97,061.72				
		391,428,251.68	-	39,880,699.23	(21,909,134.23)	409,399,816.68
				Property Management Expense		12,948,633.36
				Grand Total	\$	<u>422,348,450.04</u>

**FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of April 30, 2026**

Vcode #	Vendor Name	Descriptions	Contract Amount	Amount Paid
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	\$ 497,540.38	\$ 497,540.38
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	\$ 42,874,195.00	\$ 42,874,195.00
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>\$ 194,052,966.56</u>	<u>\$ 192,835,527.05</u>

State Revolving Fund (SRF) Status Report
As of 04/30/2026

Total Authorized	\$	51,634,000.00
Funds Received to Date	\$	<u>34,743,612.16</u>
Available Balance Remaining	\$	16,890,387.84

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	\$ 1,600,122.00	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	\$ 2,561,871.66	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	\$ 2,273,331.00	25-Feb-25
14	1-Nov 2024 through 31-May 2025	\$ 3,883,134.33	16-Jul-25
15	1-JUN 2025 through 30-JUN 2025	\$ 1,361,370.25	05-Sep-25
16	1-Sept 2025 through 30-Sept 2025	\$ 98,376.78	27-Oct-25
17	1-Oct 2025 through 31-Oct 2025	\$ 1,379,821.00	17-Nov-25
18	1-Oct 2025 through 28-Feb 2026	\$ 2,685,727.45	17-Apr-26
		<u>\$ 37,429,339.39</u>	

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	\$ 2,539,299.19	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	\$ 2,561,871.66	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	1-Nov 2024 through 31-Dec 2024	\$ 2,273,331.00	02-Jul-25
14	1-Nov 2024 through 31-May 2025	\$ 3,883,134.00	11-Aug-25
15	1-Jun-2025 through 30-Jun 2025	\$ 1,361,370.25	18-Sep-25
16	1-Sept 2025 through 30-Sept 2025	\$ 98,377.00	23-Jan-26
17	1-Oct 2025 through 31-Oct 2025	\$ 1,379,821.00	16-Apr-26
Total		<u>\$ 34,743,612.16</u>	

Water Infrastructure Finance and Innovation Act (WIFIA)
 WIFIA - N19123ND SWDCAI Project
 As of 04/30/2026

Total Authorized	\$	569,000,000.00
Funds Received to Date	\$	47,551,060.00
Available Balance Remaining	\$	521,448,940.00

Funds Requested

Draw Request Number	Period Covered	Amount	Date Submitted
1	12/16/2025 through 1/26/2026	\$ 47,551,060.00	01-Mar-26
2			
3			
4			
5			
6			
7			
8			
9			
10			
		Total	\$ 47,551,060.00

Funds Received

Draw Request Number	Period Covered	Amount	Date Received
1	12/16/2025 through 1/26/2026	\$ 47,551,060.00	19-Mar-26
2			
3			
4			
5			
6			
7			
8			
9			
10			
16			
		Total	\$ 47,551,060.00

Finance Committee Bills from May 2026

Vendor	Description		
City of Fargo	Reimburse complementary in-town flood projects	\$	1,792,373.75
Cass County Joint Water Resource District	Diversion bills – Request #141 CCJWRD	\$	306,423.42
Ohnstad Twichell, P.C.	Legal services rendered through April 21, 2026	\$	166,358.91
Clay County	Diversion bills – Request #65 MCCJPA	\$	72,430.21
City of Christine	Reimburse legal & engineering costs related to MOU	\$	54,935.55
City of Comstock	Reimburse legal & engineering costs related to MOU	\$	19,778.50
P3 Collaborative LLC, Christopher Kane	Technical Dispute Review Board (TDRB)	\$	3,685.00
Cass County	Reimburse misc expenses from Diversion Authority office	\$	3,115.77
Southeast Cass Water Resource District	Reimburse legal & engineering costs related to MOU	\$	2,395.75
Rush River Water Resource District	Reimburse legal & engineering costs related to MOU	\$	2,229.50
Jodi Smith	Consulting costs March 2026	\$	2,145.00
Jodi Smith	Consulting costs April 2026	\$	2,015.00
Southeast Cass Water Resource District	Reimburse engineering costs related to MOU	\$	1,094.50
Total Bills Received through May 19, 2026		\$	<u>2,428,980.86</u>



FINANCE OFFICE
225 4th Street North
Fargo, ND 58102
Phone: (701) 241-1333
E-Mail: Finance@FargoND.gov
www.FargoND.gov

May 12, 2026

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 #55 for reimbursement of invoices paid totaling \$1,792,373.75. These costs are for work on complementary in-town flood protection projects for costs paid in January 2026 through April 2026.

Project Narrative, this request:

Project Number	Project Description	Amount
FLDBUY	Flood Buyouts - Property Acquisition Expense	7,636.00
FLDSPC	Tax Payments on Flood Buyout Properties	14,733.52
FM15J	Belmont Flood Risk Management Project	737,757.88
NR24A	Storm Lift Rehab - #27	788,512.18
NR25D	Storm Lift Rehab - #41 & 42	243,734.17
Total Expense for Period		\$1,792,373.75

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
January 1, 2026 - April 30, 2026**

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
FLDBUY	FLOOD ACQUISITION	48035305103325	ACQUISITION MATTER DANIEL	375.00	351866	FEBRUARY 2026	03/05/2026	SERKLAND LAW FIRM	3	2026	2
FLDBUY	FLOOD ACQUISITION	48035305103325	ACQUISITION MATTER JOYCE	1,500.00	351866	FEBRUARY 2026-2	03/05/2026	SERKLAND LAW FIRM	3	2026	2
FLDBUY	FLOOD ACQUISITION	48035305103325	ACQUISITION-DANIEL & EDNA	4,065.00	352512		03.17.26	SERKLAND LAW FIRM	4	2026	5
FLDBUY	FLOOD ACQUISITION	48035305103325	ACQUISITION-JOYCE B COLE	834.00	352512		03.17.2026	SERKLAND LAW FIRM	4	2026	5
FLDBUY	FLOOD ACQUISITION	48035305103325	SERVICES FOR ACQUISITION	127.00	353187		242926	SERKLAND LAW FIRM	4	2026	10
FLDBUY	FLOOD ACQUISITION	48035305103325	SERVICES FOR ACQUISITION	735.00	353187		042926-1	SERKLAND LAW FIRM	4	2026	10
460-3530-510.33-25 - Total				7,636.00							
FLDBUY - Total				7,636.00							
FLDSPC	FLOOD SPECIALS PAYOFF	48035305208012	2025 TXS/2026 SPEC PAY	13,571.20	WP02260001	WP02260001	02/13/2026	City of Fargo	2	2026	11
460-3530-520.80-12 - Total				13,571.20							
FLDSPC	FLOOD SPECIALS PAYOFF	48035305208016	2025 TXS/2026 SPEC PAY	1,162.32	WP02260001	WP02260001	02/13/2026	City of Fargo	2	2026	11
460-3530-520.80-16 - Total				1,162.32							
FLDSPC - Total				14,733.52							
FM15J3	FLOOD MIT-Belmont Park	48035305103899	SERVICES	3,152.48	351947	472	03/12/2026	CAMRUD MADDOCK OLSON & LARSON LTD	3	2026	3
460-3530-510.38-99 - Total				3,152.48							
FM15J3	FLOOD MIT-Belmont Park	48035305107110	LAND PURCHASE - 2.2.26 #5	734,605.40	WP03260001	WP03260001	03/03/2026	City of Fargo	3	2026	12
460-3530-510.71-10 - Total				734,605.40							
FM15J3 - Total				737,757.88							
NR24A1	STRM LFT RHAB-#27	46000002062000	Retainage and Retainage R	-41,490.00	352167	NR24A1 #11 006	03/19/2026	KEY CONTRACTING INC	3	2026	4
460-0000-206.20-00 - Total				-41,490.00							
NR24A1	STRM LFT RHAB-#27	48035305103899	PADLOCKS	202.18	352744	2-89045	04/16/2026	CURTS LOCK & KEY SERVICE INC	4	2026	8
460-3530-510.38-99 - Total				202.18							
NR24A1	STRM LFT RHAB-#27	48035305107358	Storm Sewer	730,100.00	352167	NR24A1 #11 002	03/19/2026	KEY CONTRACTING INC	3	2026	4
NR24A1	STRM LFT RHAB-#27	48035305107358	Electrical	90,000.00	352167	NR24A1 #11 004	03/19/2026	KEY CONTRACTING INC	3	2026	4
460-3530-510.73-58 - Total				820,100.00							
NR24A1	STRM LFT RHAB-#27	48035305107366	Storm Sewer	8,500.00	352167	NR24A1 #11 003	03/19/2026	KEY CONTRACTING INC	3	2026	4
460-3530-510.73-66 - Total				8,500.00							
NR24A1	STRM LFT RHAB-#27	48035305107368	Paving	800.00	352167	NR24A1 #11 001	03/19/2026	KEY CONTRACTING INC	3	2026	4
460-3530-510.73-68 - Total				800.00							
NR24A1	STRM LFT RHAB-#27	48035305107369	Miscellaneous	400.00	352167	NR24A1 #11 005	03/19/2026	KEY CONTRACTING INC	3	2026	4
460-3530-510.73-69 - Total				400.00							
NR24A1 - Total				788,512.18							
NR25D0	STRM LFT RHAB-#41 & 42	48035305103305	Construction Administrati	27,268.16	353130	NR25D0 #9 001	04/30/2026	HOUSTON ENGINEERING INC	4	2026	9
460-3530-510.33-05 - Total				27,268.16							
NR25D0 - Total				27,268.16							
NR25D2	STRM LFT RHAB-#41 & 42	46000002062000	Retainage and Retainage R	-10,914.08	352587	NR25D2 #3 007	04/09/2026	CC STEEL, LLC	4	2026	6
460-0000-206.20-00 - Total				-10,914.08							
NR25D2	STRM LFT RHAB-#41 & 42	48035305107358	Lift Station #41 (10th St	84,191.68	352587	NR25D2 #3 002	04/09/2026	CC STEEL, LLC	4	2026	6
NR25D2	STRM LFT RHAB-#41 & 42	48035305107358	Lift Station #58 (Univ Dr	27,600.00	352587	NR25D2 #3 003	04/09/2026	CC STEEL, LLC	4	2026	6
NR25D2	STRM LFT RHAB-#41 & 42	48035305107358	Lift Station #42 (5th Str	106,490.00	352587	NR25D2 #3 004	04/09/2026	CC STEEL, LLC	4	2026	6
460-3530-510.73-58 - Total				218,281.68							
NR25D2 - Total				207,367.60							
NR25D3	STRM LFT RHAB-#41 & 42	46000002062000	Retainage and Retainage R	-52.10	351674	NR25D3 #3 005	02/26/2026	JDP ELECTRIC INC	2	2026	1
NR25D3	STRM LFT RHAB-#41 & 42	46000002062000	Retainage and Retainage R	-426.77	352627	NR25D3 #4 008	04/09/2026	JDP ELECTRIC INC	4	2026	7
460-0000-206.20-00 - Total				-478.87							
NR25D3	STRM LFT RHAB-#41 & 42	48035305107358	Change Order 1	1,042.00	351674	NR25D3 #3 001	02/26/2026	JDP ELECTRIC INC	2	2026	1
NR25D3	STRM LFT RHAB-#41 & 42	48035305107358	Lift Station #42 Electric	8,535.28	352627	NR25D3 #4 005	04/09/2026	JDP ELECTRIC INC	4	2026	7
460-3530-510.73-58 - Total				9,577.28							
NR25D3 - Total				9,098.41							
Overall - Total				1,792,373.75							



SENT VIA EMAIL

**Cass County
Joint Water
Resource
District**

May 5, 2026

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 \$306,423.42 regarding the above-mentioned 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,

Amy Hepper
Treasurer

CASS COUNTY JOINT WATER RESOURCE DISTRICT

Melissa Hinkemeyer

**Melissa Hinkemeyer
Director**

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrđ@casscountynd.gov
casscountynd.gov

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES							5/5/2026
Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description	+
	12/13/2024	277684		(4,250.00)	The Title Company	Closing proceeds for the sale OIN 837 (Duval)	
4/10/2026	3/30/2026	213018	22095	862.50	Ohnstad Twichell, PC	MKRM Trust, ET AL (OIN 1997) Eminent Domain Action	
4/10/2026	3/30/2026	213021	22103	2,242.50	Ohnstad Twichell, PC	Brakke Family OIN 1938, 1977 & 1978	
4/10/2026	3/30/2026	213022	22104	172.50	Ohnstad Twichell, PC	Cossette Lawrence Wayne OIN 1946	
4/10/2026	3/30/2026	231023	22106	6,139.00	Ohnstad Twichell, PC	Askegaard Robert, R. (OIN 1950, 1963, 1966) Eminent Domian Action	
4/10/2026	3/30/2026	213024	22107	3,208.50	Ohnstad Twichell, PC	Brakke, Paul E. (OIN 1974 & 1976) Eminent Domain Action	
4/10/2026	3/30/2026	213025	22110	4,071.00	Ohnstad Twichell, PC	Hertsgaard Family LLLP OIN 2042	
4/10/2026	3/30/2026	213027	23122	448.50	Ohnstad Twichell, PC	Evert, Charles & Ruth OIN 1985, 1991	
4/10/2026	3/30/2026	213029	23140	1,909.00	Ohnstad Twichell, PC	Duchscherer, Brian & Kelly OIN 9416 & 1885) ED	
4/10/2026	3/30/2026	213030	23144	4,292.00	Ohnstad Twichell, PC	2023 Consolidated ED Actions	
4/10/2026	3/30/2026	213032	23148	345.00	Ohnstad Twichell, PC	Brakke, Steve & Colleen OIN 1920, 1933, 1934 & 1939 ED	
4/10/2026	3/30/2026	213033	23154	69.00	Ohnstad Twichell, PC	Rupp, Tyler & Kim (OINs 9231, 9232) Eminent Domain Action	
4/10/2026	3/30/2026	213034	24160	3,382.48	Ohnstad Twichell, PC	Aaland Law Open Records Reqeust	
4/10/2026	3/30/2026	213035	24163	18,423.00	Ohnstad Twichell, PC	Cose, Paul & Margaret (OIN 2044, 2045) Eminent Domain Action	
4/10/2026	3/30/2026	213036	24164	1,966.50	Ohnstad Twichell, PC	Carlson, Aaron & Katie J. ED OIN 2040, 2184	
4/10/2026	3/30/2026	213037	24165	138.00	Ohnstad Twichell, PC	Luecke, John & Kathleen OIN 2046, 2047 & 2183	
4/10/2026	3/30/2026	213039	25170	759.00	Ohnstad Twichell, PC	Carlson, Aaron & Katie J. ED OIN 2040, 2184	
4/10/2026	3/30/2026	213040	26003	675.00	Ohnstad Twichell, PC	Alm, Melvin (John) and Ricky Flowage Easement Acquisition	
4/10/2026	3/30/2026	213041	26006	144.00	Ohnstad Twichell, PC	Nelson, Jeff and Char ED action OIN 8476	
4/10/2026	3/30/2026	213042	26012	1,767.00	Ohnstad Twichell, PC	Saunders, Becca OIN 8786 ED	
5/1/2026	4/17/2026	215071	25170	2,587.50	Ohnstad Twichell, PC	2025 Consolidated Action	
5/1/2026	4/17/2026	215072	26003	1,952.50	Ohnstad Twichell, PC	Alm, Melvin (John) and Ricky OIN 8782 ED Action	
5/1/2026	4/17/2026	215073	26004	883.00	Ohnstad Twichell, PC	Israelson Land Partnership, LLLP OIN 9115, 9116 ED Action	
5/1/2026	4/17/2026	215074	26005	742.00	Ohnstad Twichell, PC	Kalinowski, Matthew and Stephanie OIN 9112 ED Action	
5/1/2026	4/17/2026	215075	26006	623.50	Ohnstad Twichell, PC	Nelson, Jeff & Char OIN 8476 ED Action	
5/1/2026	4/17/2026	215076	26007	172.50	Ohnstad Twichell, PC	Ness Family Farm LLP (OIN 1584, 1585) Ed Action	
5/1/2026	4/17/2026	215077	26012	1,773.00	Ohnstad Twichell, PC	Saunders, Becca OIN 8786 ED	
5/1/2026	4/17/2026	215078	22095	1,775.00	Ohnstad Twichell, PC	Market Trust ET AL OIN 1997	
5/1/2026	4/17/2026	215079	22103	2,240.50	Ohnstad Twichell, PC	Brakke Family OIN 1938, 1977 & 1978	
5/1/2026	4/17/2026	215080	22104	172.50	Ohnstad Twichell, PC	Cossette Lawrence Wayne OIN 1946	
5/1/2026	4/17/2026	215081	22106	4,512.50	Ohnstad Twichell, PC	Askegaard Robert, R. (OIN 1950, 1963, 1966) Eminent Domian Action	
5/1/2026	4/17/2026	215082	22107	4,450.50	Ohnstad Twichell, PC	Brakke, Paul E. (OIN 1974 & 1976) Eminent Domain Action	
5/1/2026	4/17/2026	215083	22110	621.00	Ohnstad Twichell, PC	Hertsgaard Family LLLP OIN 2042	
5/1/2026	4/17/2026	215085	23140	11,179.50	Ohnstad Twichell, PC	Duchscherer, Brian & Kelly OIN 9416 & 1885) ED	
5/1/2026	4/17/2026	215086	23144	5,066.00	Ohnstad Twichell, PC	2023 Consolidated ED Actions	
5/1/2026	4/17/2026	215087	23148	1,343.50	Ohnstad Twichell, PC	Brakke, Steve & Colleen OIN 1920, 1933, 1934 & 1939 ED	
5/1/2026	4/17/2026	215088	23150	793.50	Ohnstad Twichell, PC	Boyer, Stuart & Pat OIN 1967	
5/1/2026	4/17/2026	215089	23151	345.00	Ohnstad Twichell, PC	Richard, George & Sharon	
5/1/2026	4/17/2026	215090	23154	793.50	Ohnstad Twichell, PC	Rupp, Tyler & Kim (OINs 9231, 9232) Eminent Domain Action	
5/1/2026	4/17/2026	215091	24160	3,382.48	Ohnstad Twichell, PC	Aaland Law Open Records Reqeust	
5/1/2026	4/17/2026	215092	24163	2,530.00	Ohnstad Twichell, PC	Cose, Paul & Margaret (OIN 2044, 2045) Eminent Domain Action	
5/1/2026	4/17/2026	215093	24164	1,311.00	Ohnstad Twichell, PC	Carlson, Aaron & Katie J. ED OIN 2040, 2184	
5/1/2026	4/17/2026	215094	24165	517.50	Ohnstad Twichell, PC	Luecke, John & Kathleen OIN 2046, 2047 & 2183	
4/24/2026	4/9/2026	873689	38810.00004	4,600.00	Larkin Hoffman	Richland/Cass Cos./Application for Permit to Enter Land	
4/24/2026	4/9/2026	873683	38810.00028	1,920.00	Larkin Hoffman	Alm, Melvin (John) and Ricky Flowage Easement Acquisition	
4/24/2026	4/9/2026	873689	38810.00063	1,000.00	Larkin Hoffman	Hayes ED	
4/24/2026	4/9/2026	873682	38810.00029	440.00	Larkin Hoffman	Christianson, Charlie/Shirley/Douglas/Darlene Flowage Easement Acquisition	
4/24/2026	4/9/2026	873687	38810.00018	440.00	Larkin Hoffman	Kalinowski, Matthew and Stephanie Flowage Easement Acquisition	
4/24/2026	4/9/2026	873680	38810.00045	80.00	Larkin Hoffman	Becca Saunders	
4/24/2026	4/9/2026	873688	38810.00015	440.00	Larkin Hoffman	Israelson Land Partnership, LLLP Flowage Easement Acquisition	
4/24/2026	4/9/2026	873686	38810.00023	440.00	Larkin Hoffman	Nelson, Jeff and Char Flowage Easement Acquisition	
4/24/2026	4/9/2026	873681	38810.00044	120.00	Larkin Hoffman	Timothy & Sharon Schultz ED	
4/24/2026	4/9/2026	873684	38810.00025	3,240.00	Larkin Hoffman	Olson, Leif and Danelle Flowage Easement Acquisition	
4/24/2026	4/9/2026	873685	38810.00024	2,240.00	Larkin Hoffman	Nelson Trust (Curtis and Ellen, Trustees_ Flowagw Easement Acquisition	
4/24/2026	4/9/2026	873678	38810.00065	948.00	Larkin Hoffman	Colehour/The Quinland Farm (OIN's 2031-33; 2035; 0866-67 and 8063)	
4/27/2026	4/16/2026	SIN008708	19706	3,699.75	Moore Engineering	FM Diversion - Design Coordination	
4/24/2026	3/31/2026	5343		21,500.00	Crown Appraisals, Inc	FM Diversion Projects - Hayes OIN 5020, 5021, 5022 FE, Ness Family Farm ON 1584, 1585 FE Task Order 7 Amendment 1	
4/24/2026	12/22/2025	ARIV1078280		324.00	Ulteig Operations, LLC	Condemnation ROW 10/30/25-11/30/25	

OhnstadTwichell

attorneys

Offices in North Dakota
West Fargo, Hillsboro,
Casselton, Page, Maddock

Ohnstad Twichell, P.C.

444 Sheyenne Street, Ste. 102
West Fargo, ND 58078
Telephone: 701-282-3249
accounting@ohnstadlaw.com
www.ohnstadlaw.com
EIN: 45-0310621

FLOOD DIVERSION BOARD
PO BOX 2806
FARGO, ND 581082806

Issue Date : 5/7/2026
Consolidated Bill # : 00082

Consolidated Summary

Bill #	Matter	Fees	Expenses	New Charges	Prior Balance	Payments	Balance Due
215642	15-1395-001 - GENERAL TOPICS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-001	\$63,896.70	\$563.61	\$64,460.31	\$35,772.46	\$35,772.46	\$64,460.31
215644	15-1395-004 - PUBLIC FINANCE ISSUES - DIVERSION AUTH- LOCAL COUNSEL 15-1395-004	\$210.10	\$0.00	\$210.10	\$463.00	\$463.00	\$210.10
215645	15-1395-005 - CONSULTANT CONTRACT REVIEW/DEV - DIVERSION AUTH- LOCAL COUNSEL 15-1395-005	\$3,520.00	\$0.00	\$3,520.00	\$2,063.60	\$2,063.60	\$3,520.00
215646	15-1395-009 - ENVIR PERMITTING ISSUES/EPA - DIVERSION AUTH- LOCAL COUNSEL 15-1395-009	\$0.00	\$11,875.00	\$11,875.00	\$9,280.00	\$9,280.00	\$11,875.00
215647	15-1395-012 - USACE INTERFACE/QUESTIONS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-012	\$1,650.00	\$0.00	\$1,650.00	\$720.00	\$720.00	\$1,650.00
215648	15-1395-013 - THIRD PARTY UTILITY MOUS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-013	\$16,994.80	\$2.00	\$16,996.80	\$14,017.90	\$14,017.90	\$16,996.80
215651	15-1395-023 - PRAM - DIVERSION AUTH- LOCAL COUNSEL 15-1395-023	\$426.40	\$0.00	\$426.40	\$2,181.60	\$2,181.60	\$426.40

215652	15-1395-024 - P3 IMPLEMENTATION - DIVERSION AUTH- LOCAL COUNSEL 15- 1395-024	\$59,029.20	\$0.00	\$59,029.20	\$38,202.60	\$38,202.60	\$59,029.20
215653	15-1395-027 - UMA/UTILITY REVIEW - DIVERSION AUTH- LOCAL COUNSEL 15- 1395-027	\$840.00	\$0.00	\$840.00	\$336.00	\$336.00	\$840.00
215654	15-1395-029 - DEED RESTRICTIONS - DIVERSION AUTH- LOCAL COUNSEL 15- 1395-029	\$1,260.00	\$10.00	\$1,270.00	\$270.00	\$270.00	\$1,270.00
215655	15-1395-030 - DISPUTE REVIEW BOARD MATTERS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-030	\$1,562.40	\$0.00	\$1,562.40	\$5,882.70	\$5,882.70	\$1,562.40
215656	15-1395-032 - 2027 SUBORD SALES TAX BOND - DIVERSION AUTH- LOCAL COUNSEL 15-1395-032	\$4,518.70	\$0.00	\$4,518.70	\$779.00	\$779.00	\$4,518.70
		\$153,908.30	\$12,450.61	\$166,358.91	\$109,968.86	\$109,968.86	\$166,358.91



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

May 12, 2026
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. Also included is credit for MCCJPA rent received. All request were approved or authorized by the Diversion Authority. The current invoice/expense reimbursement request is as follows:

Metro Flood Diversion Expense	\$73,430.21
Rent Received credit	<u>\$ 1,000.00</u>
Total Reimbursement Request	\$72,430.21

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 12th Ave S
PO Box 280
Moorhead, MN 56560

FM Diversion MCCJPA invoices

FM Diversion MCCJPA invoices					Processed			
Vendor	Invoice Date	Invoice Description	Invoice Amount	Invoice #	Date Approved	Date Paid	Check #	Reimb Request
BCSS, LLC	4/10/26	land rent 3348 180th Ave S	-\$500.00	151936		4/10/26	151936	5/12/2026
BCSS, LLC	4/17/26	land rent 3348 180th Ave S	-\$500.00	151983		4/17/26	151983	5/12/2026
Clay County Union	3/23/26	joint powers meeting	\$30.00	3229	4/13/26	4/22/26	574041	5/12/2026
Ohnstad Twichell	4/9/26	Upstream mitigation	\$6,617.50	214456	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	Southern embankment	\$210.00	214457	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	Eminent domain Clay	\$420.00	214458	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	Eminent domain Wilkin	\$8,074.50	214459	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	aaland law data practices request	\$2,407.48	214460	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	livdahl oin 9307 & 9325	\$275.60	214461	4/20/26	4/29/26	574158	5/12/2026
Ohnstad Twichell	4/9/26	General	\$804.40	214462	4/20/26	4/29/26	574158	5/12/2026
John Allen, Allen Law Office	4/23/26	commissioner reimbursement	\$943.20		4/27/26	5/6/26	130521	5/12/2026
Larry & Judith Ness	4/23/26	relocation reimbursement oin 1826	\$20,613.81		4/27/26	5/6/26	130555	5/12/2026
SRF Consulting Group	3/31/26	prof svc thru 3/31/26	\$5,209.55	13820.02-1	4/27/26	5/6/26	574228	5/12/2026
Lake Region Electric Coop	4/7/26	svc 1007 100th ave	\$86.89		5/4/26	5/13/26	130718	5/12/2026
Ohnstad Twichell	5/7/26	enviro monitor	\$18.30	215617	5/8/26	5/13/26	574366	5/12/2026
Ohnstad Twichell	5/7/26	Upstream mitigation	\$8,409.50	215618	5/8/26	5/13/26	574366	5/12/2026
Ohnstad Twichell	5/7/26	aaland law data practices request	\$2,407.48	215621	5/8/26	5/13/26	574366	5/12/2026
Ohnstad Twichell	5/7/26	Eminent domain Wilkin	\$12,606.00	215623	5/8/26	5/13/26	574366	5/12/2026
Ohnstad Twichell	5/7/26	general	\$4,296.00	215624	5/8/26	5/13/26	574366	5/12/2026

\$72,430.21

City of Christine - SUMMARY OF INVOICING

Reimbursement Request #23

April 16, 2026

<u>Vendor</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Invoice Amount</u>
Moore Engineering, Inc.	4/13/2026	SIN008114	\$54,633.05
Total Moore Engineering, Inc.		SIN008660	\$54,633.05
Swanson & Warcup	3/31/2026	4011	\$305.24
Less Late Fee			-\$2.74
Total Swanson & Warcup			\$302.50
Total Invoiced This Reimbursement Request			\$54,935.55

City of Comstock, MN - SUMMARY OF INVOICING
Comstock Lagoon Project **Reimbursement Request #23, Revision #1**
May 11, 2026

<u>Item No.</u>	<u>Vendor</u>	<u>Invoice Date</u>	<u>Invoice #/ Document Name</u>	<u>Invoice Amount</u>
<u>1.</u>	<u>Engineering Fees</u>			
1.1	Moore Engineering, Inc.	4/30/2026	SIN009074	\$19,739.50
	Total Moore Engineering, Inc.			\$19,739.50
 <u>2.</u>	 <u>Attorney Fees</u>			
2.1	Pemberton Law, P.L.L.P.	3/31/2026	Statement No. 16	\$39.00
	Total Pemberton Law, P.L.L.P.			\$39.00
 Total Invoiced This Reimbursement Request				 \$19,778.50



INVOICE

Invoice # 131
 Date: 05/07/2026
 Due On: 06/06/2026

P3 Collaborative LLC, Christopher Kane

17-F Hulfish Street
 Princeton, New Jersey 08542

Metro Flood Diversion Authority
 4748 Amber Valley Pkwy S Ste 100
 Fargo, North Dakota 58104

00030-Metro Flood Diversion Authority

Technical DRB

Date	Person	Notes	Hours	Rate	Total
03/31/2026	CK	Review February monthly progress reports and exhibits and other contract documents and status.	2.20	\$550.00	\$1,210.00
04/20/2026	CK	Review correspondence and March Progress Report documents and exhibits.	1.50	\$550.00	\$825.00
04/27/2026	CK	Review March Progress Reports documents and exhibits.	0.50	\$550.00	\$275.00
04/30/2026	CK	Review monthly progress reports, prior meeting notes and approve minutes; Prepare for quarterly meeting; Attend Quarterly TDRB meeting.	2.50	\$550.00	\$1,375.00
			Quantity Subtotal		6.7
			Quantity Total		6.7
			Total		\$3,685.00

Please make all amounts payable to: P3 Collaborative LLC, Christopher Kane

Please pay within 30 days.



INVOICE: INV012842

Date 05/07/2026
 Invoice account 198

CITY OF FARGO
 PO BOX 2083
 FARGO, ND 58107-2083

Description	Quantity	Unit price	Amount
DIVERSION-MISCELLANEOUS APRIL 2026	1.00	3,115.77	3,115.77
DIVERSION-PAYROLL APRIL 2026	1.00	115,158.47	115,158.47

Sales subtotal amount	Total discount	Total charges	Net amount	Sales tax	Round-off	Currency	Total
118,274.24	0.00	0.00	118,274.24	0.00	0.00	USD	118,274.24

Due date

06/06/2026



Please detach and send this copy with remittance.

MAKE CHECK

PAYABLE TO:

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

Invoice: **INV012842**

Date: 05/07/2026

Total: 118,274.24

Name: CITY OF FARGO

Account #: 198

Due date 06/06/2026



Southeast Cass
Water Resource
District

SENT VIA EMAIL

Keith Weston
Chairman
Fargo, North Dakota

Dave Branson
Manager
Fargo, North Dakota

Rick Steen
Manager
Fargo, North Dakota

May 13, 2026

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

Greetings:

RE: Metro Flood Diversion Project

Enclosed please find a copy of invoices totaling \$2,395.75 regarding the above referenced project.

At this time, we respectfully request 100% reimbursement per the *Memorandum of Understanding* between the Metro Flood Diversion Authority and Southeast Cass Water Resource District dated February 25, 2021.

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

Sincerely,

SOUTHEAST CASS WATER RESOURCE DISTRICT

Melissa Hinkemeyer

Melissa Hinkemeyer
Director

Enclosure

Melissa Hinkemeyer
Director, Secretary

Amy Hepper
Treasurer

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrд@casscountynд.gov
casscountynд.gov



Rush River
Water Resource
District

SENT VIA EMAIL

William A. Hejl
Chairman
Amenia, North Dakota

April 29, 2026

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 \$2,229.50 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, Secretary

Melissa Hinkemeyer
Director

Amy Hepper
Treasurer

Enclosure

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrđ@casscountynđ.gov
www.casscountynđ.gov

INVOICE

DATE:
5/01/2026

TO:

Jodi Smith
2404 Langer Way
Bismarck, ND 58504
jodiasmith@me.com
970-302-0773

INVOICE #
15

JOB	PAYMENT TERMS	DUE DATE
Jodi Smith	MFDA Consulting	Due on receipt
		05/31/2026

DATE	DESCRIPTION	UNIT PRICE	LINE TOTAL
April	April MFDA Consulting 15.5 Hours	\$130/HR	\$2,015
SUBTOTAL			\$2,015
SALES TAX			0
TOTAL			\$2,015

MAKE ALL CHECKS PAYABLE TO JODI SMITH
Thank you for your business!



Southeast Cass
Water Resource
District

SENT VIA EMAIL

Keith Weston
Chairman
Fargo, North Dakota

Dave Branson
Manager
Fargo, North Dakota

Rick Steen
Manager
Fargo, North Dakota

April 17, 2026

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

Greetings:

RE: Metro Flood Diversion Project

Enclosed please find a copy of invoices totaling \$1,094.50 regarding the above referenced project.

At this time, we respectfully request 100% reimbursement per the *Memorandum of Understanding* between the Metro Flood Diversion Authority and Southeast Cass Water Resource District dated February 25, 2021.

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

Sincerely,

SOUTHEAST CASS WATER RESOURCE DISTRICT

Melissa Hinkemeyer

Melissa Hinkemeyer
Director

Enclosure

Melissa Hinkemeyer
Director, Secretary

Amy Hepper
Treasurer

1201 Main Avenue West
West Fargo, ND 58078-1301

701-298-2381
FAX 701-298-2397
wrд@casscountynд.gov
casscountynд.gov



METRO
FLOOD
DIVERSION
AUTHORITY

Diversion Board of Authority Meeting

May 28, 2026

Contracting Actions

DA Board Approval Contract Actions (ACTION)



Description	Company	Budget/Estimate (\$)
New Service Agreement – Amendment 0 – Videography Services – New service agreement for videography service through June 30, 2027.	C Three Media	\$123,400.00
Work Package 41B – Sheyenne River Benching Project – Recommendation of Award for Contract	Minnesota Native Landscaping	\$1,865,706.20
Work Package 52K – 52 nd Avenue South Mobility Improvements Project – Recommendation of Award for Contract	Border States Paving Inc.	\$918,831.05
Work Package 52L – Warnecke Avenue & 25 th Street SE Project in Harwood Township – Recommendation of Award for Contract	R.J. Zavoral	\$479,936.00

Executive Director Contracting Recommendation



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

C Three Media Services Agreement 2026 Amendment 0 Videography Services	\$123,400.00
<ul style="list-style-type: none"> New agreement and budget for 2026-2027. 	

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 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 prepare Task Orders and Task Order amendments for existing Master Services Agreements (MSA) and submit them to the Executive Directors and the Executive Director. Executive Directors will provide comments which will be consolidated in one form by the PMC and provided to the Director of Engineering. The Director of Engineering shall review the comments and provide recommendations to the Executive Director for review and approval.

3 Reason why it is required

C Three Media will provide the Diversion Authority video updates of the FM Area Diversion project via drone video. These videos will be used to inform board members and the public of construction updates of the various projects. The videos will be used for social media, website, marketing purposes, to name a few. C Three media will also video special events that are either hosted or attended by the Diversion Authority. C Three Media will conduct other videography services that are further outlined in the attachment of the Services Agreement. Aside from the monthly drone flights, this is an “on call” type of contract where C Three will be directed by the Authority to do the video work

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 5 of the Mater Professional Services Agreement by and between the Metro Flood Diversion Authority (the “Authority”) and C Three Media (“Consultant”) dated July 1, 2026 (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
SA2026-A0	0.00	123,400.00	7/1/2026	6/30/2027	Initial scope of work

Table 2 – Summary of Subtask Budgets

Subtask	Item	Current Budget (\$)	Change (\$)	Revised Budget (\$)
1	Photo Sentinel Timelapse Camera	1,800.00	0.00	1,800.00
2	Planning and Pre-Production	12,500.00	0.00	12,500.00
3	Production / Filming	60,000.00	0.00	60,000.00
4	Post-Production and Distribution	49,100.00	0.00	49,100.00
	Total	123,400.00	0.00	123,400.00

5 Financial considerations:

The Budget Cost Proposal is attached or in the Service Agreement document.

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

Table 3 - 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
2026	SW-1180	61,700.00	61,700.00	0.00	61,700.00	Actual paid through March 2026
2027	SW-1180	61,700.00	61,700.00	0.00	61,700.00	

6 Attachments:

- Services Agreement 2026 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: 5/14/2026



4784 Amber Valley Parkway South,
Suite 200
Fargo, ND 58104
www.jacobs.com

May 15, 2026

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

Project Name: **Sheyenne River Benching Mitigation Project**
Project Number: **WP41B**

Subject: **Work Package 41B Sheyenne River Benching Mitigation Project**
Recommendation of Award

Dear Metro Flood Diversion Authority,

The contract for Work Package 41B Sheyenne River Benching Mitigation Project, Cass County, North Dakota was publicly advertised, and **Seven (7)** bids were received at the virtual public bid opening on May 14, 2026, at 1:00 pm.

The bids were as follows:

- | | |
|---------------------------------------------------------|-----------------|
| 1. Border States Paving Inc., in the amount of | \$ 3,747,175.90 |
| 2. Comstock Construction Inc., in the amount of | \$ 3,978,400.00 |
| 3. KPH, in the amount of | \$ 2,679,407.25 |
| 4. MNL (Minnesota Native Landscaping), in the amount of | \$ 1,865,706.20 |
| 5. Park Construction, in the amount of | \$ 4,117,075.35 |
| 6. R.J. Zavoral, in the amount of | \$ 3,907,979.00 |
| 7. Tunheim Construction LLC, in the amount of | \$ 3,332,987.31 |

The Engineers Estimate for the project was: **\$ 6,780,300.00**

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 **WP41B** to **MNL** in the amount of **\$ 1,865,706.20** as the lowest responsive bidder. Enclosed is the Bid Tabulation Assessment.

Please contact me at ian.joynes@jacobs.com if you have any questions regarding this recommendation.

Yours sincerely,

Ian Joynes, BEng CEng FICE, Construction Contracts Manager

Copies to:

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

Bid Tabulation Assessment

SHEYENNE RIVER BENCHING MITIGATION PROJECT
 METRO FLOOD DIVERSION AUTHORITY
 WORK PACKAGE 41B
 CASS COUNTY, NORTH DAKOTA

Bid Submission: 05/14/2026

CONTRACTOR BIDS DUE BACK: THURSDAY - 05/14/2026 AT 1PM CENTRAL TIME

ITEM	DESCRIPTION	QUANTITY	UNIT	Engineers Estimate		Border States Paving		Comstock		KPH		MNL		Park Construction		R.J. Zavoral		Tunheim	
				UNIT PRICE	AMOUNT	UNIT PRICE	TOTAL PRICE	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	MOBILIZATION	1	LS	\$ 300,000.00	\$ 300,000.00	\$ 340,619.95	\$ 340,619.95	\$ 433,236.52	\$ 433,236.52	\$ 25,000.00	\$ 25,000.00	\$ 70,000.00	\$ 70,000.00	\$ 410,000.00	\$ 410,000.00	\$ 192,000.00	\$ 192,000.00	\$ 27,800.00	\$ 27,800.00
2	COMMON EXCAVATION	135810	CY	\$ 35.00	\$ 4,753,350.00	\$ 11.00	\$ 1,493,910.00	\$ 15.70	\$ 2,132,217.00	\$ 14.00	\$ 1,901,340.00	\$ 5.42	\$ 736,090.20	\$ 11.80	\$ 1,602,558.00	\$ 17.00	\$ 2,308,770.00	\$ 10.15	\$ 1,378,471.50
3	TOE-WOOD DEBRIS	7198	CY	\$ 50.00	\$ 359,900.00	\$ 155.00	\$ 1,115,690.00	\$ 83.20	\$ 598,873.60	\$ 16.00	\$ 115,168.00	\$ 77.00	\$ 554,246.00	\$ 162.00	\$ 1,166,076.00	\$ 110.00	\$ 791,780.00	\$ 144.32	\$ 1,038,815.36
4	SOD MAT	1662	CY	\$ 60.00	\$ 99,720.00	\$ 71.60	\$ 118,999.20	\$ 145.25	\$ 241,405.50	\$ 16.00	\$ 26,592.00	\$ 30.00	\$ 49,860.00	\$ 94.60	\$ 157,225.20	\$ 26.00	\$ 43,212.00	\$ 18.83	\$ 31,295.46
5	REMOVE RECYCLED ASPHALT (DRIVEWAY)	675	SY	\$ 35.00	\$ 23,625.00	\$ 9.05	\$ 6,108.75	\$ 3.00	\$ 2,025.00	\$ 10.00	\$ 6,750.00	\$ 6.00	\$ 4,050.00	\$ 12.80	\$ 8,640.00	\$ 10.00	\$ 6,750.00	\$ 3.21	\$ 2,166.75
6	INSTALL RECYCLED ASPHALT (DRIVEWAY)	150	CY	\$ 50.00	\$ 7,500.00	\$ 96.90	\$ 14,535.00	\$ 55.00	\$ 8,250.00	\$ 75.00	\$ 11,250.00	\$ 55.00	\$ 8,250.00	\$ 39.90	\$ 5,985.00	\$ 33.00	\$ 4,950.00	\$ 81.67	\$ 12,250.50
7	STABILIZED CONSTRUCTION ACCESS	5	EA	\$ 2,500.00	\$ 12,500.00	\$ 7,320.00	\$ 36,600.00	\$ 7,285.00	\$ 36,425.00	\$ 1,500.00	\$ 7,500.00	\$ 1,500.00	\$ 7,500.00	\$ 5,860.00	\$ 29,300.00	\$ 1,250.00	\$ 6,250.00	\$ 2,400.00	\$ 12,000.00
8	INSTALL CULVERTED FIELD ENTRANCE	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 48,800.00	\$ 48,800.00	\$ 12,000.00	\$ 12,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,000.00	\$ 3,000.00	\$ 22,900.00	\$ 22,900.00	\$ 15,650.00	\$ 15,650.00	\$ 13,300.00	\$ 13,300.00
9	SEEDING - CLASS III	8	AC	\$ 2,000.00	\$ 16,000.00	\$ 996.00	\$ 7,968.00	\$ 925.55	\$ 7,404.40	\$ 1,100.00	\$ 8,800.00	\$ 550.00	\$ 4,400.00	\$ 1,020.00	\$ 8,160.00	\$ 865.00	\$ 6,920.00	\$ 1,162.50	\$ 9,300.00
10	SEEDING - NORTHWEST TALLGRASS ROADSIDE	18	AC	\$ 5,000.00	\$ 90,000.00	\$ 1,570.00	\$ 28,260.00	\$ 1,459.50	\$ 26,271.00	\$ 1,700.00	\$ 30,600.00	\$ 900.00	\$ 16,200.00	\$ 1,600.00	\$ 28,800.00	\$ 1,364.00	\$ 24,552.00	\$ 1,833.33	\$ 32,999.94
11	MULCHING	12.5	AC	\$ 600.00	\$ 7,500.00	\$ 432.00	\$ 5,400.00	\$ 401.25	\$ 5,015.63	\$ 500.00	\$ 6,250.00	\$ 1,200.00	\$ 15,000.00	\$ 440.00	\$ 5,500.00	\$ 380.00	\$ 4,750.00	\$ 504.00	\$ 6,300.00
12	BIODEGRADABLE EROSION CONTROL BLANKET	66000	SY	\$ 5.00	\$ 330,000.00	\$ 2.30	\$ 151,800.00	\$ 2.15	\$ 141,900.00	\$ 2.25	\$ 148,500.00	\$ 2.35	\$ 155,100.00	\$ 2.35	\$ 155,100.00	\$ 2.00	\$ 132,000.00	\$ 2.69	\$ 177,540.00
13	SEEDING MAINTENANCE - YEAR 2 MOWING	26	AC	\$ 3,100.00	\$ 80,600.00	\$ 230.00	\$ 5,980.00	\$ 214.00	\$ 5,564.00	\$ 250.00	\$ 6,500.00	\$ 192.31	\$ 5,000.06	\$ 235.00	\$ 6,110.00	\$ 200.00	\$ 5,200.00	\$ 269.23	\$ 6,999.98
14	SEEDING MAINTENANCE - YEAR 2 SPOT HERBICIDE TREATMENT	26	AC	\$ 3,100.00	\$ 80,600.00	\$ 173.00	\$ 4,498.00	\$ 160.50	\$ 4,173.00	\$ 190.00	\$ 4,940.00	\$ 230.77	\$ 6,000.02	\$ 176.00	\$ 4,576.00	\$ 150.00	\$ 3,900.00	\$ 200.00	\$ 5,200.00
15	SEEDING MAINTENANCE - YEAR 3 MOWING	26	AC	\$ 3,100.00	\$ 80,600.00	\$ 230.00	\$ 5,980.00	\$ 214.00	\$ 5,564.00	\$ 250.00	\$ 6,500.00	\$ 203.85	\$ 5,300.10	\$ 235.00	\$ 6,110.00	\$ 200.00	\$ 5,200.00	\$ 269.23	\$ 6,999.98
16	SEEDING MAINTENANCE - YEAR 3 SPOT HERBICIDE TREATMENT	26	AC	\$ 3,100.00	\$ 80,600.00	\$ 173.00	\$ 4,498.00	\$ 160.50	\$ 4,173.00	\$ 190.00	\$ 4,940.00	\$ 242.31	\$ 6,300.06	\$ 176.00	\$ 4,576.00	\$ 150.00	\$ 3,900.00	\$ 201.92	\$ 5,249.92
17	REMOVE FOUNDATION ALL TYPES	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 9,530.00	\$ 9,530.00	\$ 4,435.00	\$ 4,435.00	\$ 7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,880.00	\$ 1,880.00	\$ 14,000.00	\$ 14,000.00	\$ 1,300.00	\$ 1,300.00
18	SILT FENCE - UNSUPPORTED	10875	LF	\$ 5.00	\$ 54,375.00	\$ 3.40	\$ 36,975.00	\$ 3.15	\$ 34,256.25	\$ 3.75	\$ 40,781.25	\$ 4.00	\$ 43,500.00	\$ 3.45	\$ 37,518.75	\$ 3.00	\$ 32,625.00	\$ 3.96	\$ 43,065.00
19	12-INCH FIBER ROLL	20	LF	\$ 5.00	\$ 100.00	\$ 3.45	\$ 69.00	\$ 3.20	\$ 64.00	\$ 5.00	\$ 100.00	\$ 25.00	\$ 500.00	\$ 3.50	\$ 70.00	\$ 3.00	\$ 60.00	\$ 4.00	\$ 80.00
20	FLOATING SILT CURTAIN (MOVING WATER)	900	LF	\$ 50.00	\$ 45,000.00	\$ 28.80	\$ 25,920.00	\$ 26.75	\$ 24,075.00	\$ 65.00	\$ 58,500.00	\$ 5.00	\$ 4,500.00	\$ 29.30	\$ 26,370.00	\$ 25.00	\$ 22,500.00	\$ 33.56	\$ 30,204.00
21	SUBGRADE PREPARATION-TYPE A-12IN	5262	LF	\$ 15.00	\$ 78,930.00	\$ 2.50	\$ 13,155.00	\$ 7.05	\$ 37,097.10	\$ 8.00	\$ 42,096.00	\$ 5.00	\$ 26,310.00	\$ 4.20	\$ 22,100.40	\$ 5.00	\$ 26,310.00	\$ 2.66	\$ 13,996.92
22	AGGREGATE SURFACE COURSE CL 13	2400	CY	\$ 16.00	\$ 38,400.00	\$ 73.00	\$ 175,200.00	\$ 56.75	\$ 136,200.00	\$ 65.00	\$ 156,000.00	\$ 47.00	\$ 112,800.00	\$ 67.00	\$ 160,800.00	\$ 76.00	\$ 182,400.00	\$ 77.85	\$ 186,840.00
23	TOPSOIL STRIPPING - 81st ST S	2400	CY	\$ 15.00	\$ 36,000.00	\$ 15.70	\$ 37,680.00	\$ 10.45	\$ 25,080.00	\$ 12.00	\$ 28,800.00	\$ 7.00	\$ 16,800.00	\$ 9.05	\$ 21,720.00	\$ 17.00	\$ 40,800.00	\$ 18.13	\$ 43,512.00
24	SITE CLEANUP	1	LS	\$ 180,000.00	\$ 180,000.00	\$ 59,000.00	\$ 59,000.00	\$ 52,695.00	\$ 52,695.00	\$ 25,000.00	\$ 25,000.00	\$ 10,000.00	\$ 10,000.00	\$ 225,000.00	\$ 225,000.00	\$ 33,500.00	\$ 33,500.00	\$ 247,000.00	\$ 247,000.00
Total Amount				\$6,780,300.00		\$3,747,175.90		\$3,978,400.00		\$2,679,407.25		\$1,865,706.44		\$4,117,075.35		\$3,907,979.00		\$3,332,687.31	



4784 Amber Valley Parkway South,
Suite 200
Fargo, ND 58104
www.jacobs.com

May 15, 2026

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

Project Name: **52nd Ave South Mobility Improvements Project**
Project Number: **WP52K**

Subject: **Work Package 52K 52nd Ave South Mobility Improvements Project**
Recommendation of Award

Dear Metro Flood Diversion Authority,

The contract for Work Package 52K 52nd Ave South Mobility Improvements Project, Cass County, North Dakota was publicly advertised, and **Two (2)** bids were received at the virtual public bid opening on May 14, 2026, at 1:30 pm.

The bids were as follows:

- | | |
|-------------------------------------------------------|----------------------|
| 1. Border States Paving Inc., in the amount of | \$ 918,831.05 |
| 2. R.J. Zavoral, in the amount of | \$ 992,841.00 |

The Engineers Estimate for the project was: **\$ 896,114.50**

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 **WP52K** to **Border States Paving** in the amount of **\$ 918,831.05** as the lowest responsive bidder. Enclosed is the Bid Tabulation Assessment.

Please contact me at ian.joynes@jacobs.com if you have any questions regarding this recommendation.

Yours sincerely,

Ian Joynes, BEng CEng FICE, Construction Contracts Manager

Copies to:

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

Bid Tabulation Assessment

52nd AVE SOUTH MOBILITY IMPROVEMENTS PROJECT
 METRO FLOOD DIVERSION AUTHORITY
 WORK PACKAGE 52K
 CASS COUNTY, NORTH DAKOTA

Bid Submission: 05/14/2026

CONTRACTOR BIDS DUE BACK: THURSDAY - 05/14/2026 AT 1.30 PM CENTRAL TIME

		QUANTITY	UNIT	Engineers Estimate		Border States Paving		R.J. Zavoral	
ITEM	DESCRIPTION			UNIT PRICE	AMOUNT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	REMOVE AGGREGATE BASE & SURFACING	10613	SY	\$5.00	\$ 53,065.00	\$ 6.20	\$ 65,800.60	\$ 3.00	\$ 31,839.00
2	COMMON EXCAVATION-TYPE C	1745	CY	\$20.00	\$ 34,900.00	\$ 30.60	\$ 53,397.00	\$ 6.00	\$ 10,470.00
3	TOPSOIL	7873	CY	\$10.00	\$ 78,730.00	\$ 12.10	\$ 95,263.30	\$ 11.00	\$ 86,603.00
4	COMMON EXCAVATION-WASTE	464	CY	\$20.00	\$ 9,280.00	\$ 11.30	\$ 5,243.20	\$ 20.00	\$ 9,280.00
5	SUBGRADE PREPARATION-TYPE A	18715	LF	\$7.50	\$140,362.50	\$ 2.45	\$ 45,851.75	\$ 5.00	\$ 93,575.00
6	SEEDING CLASS III	5.85	ACRE	\$2,500.00	\$ 14,625.00	\$ 1,360.00	\$ 7,956.00	\$ 1,370.94	\$ 8,020.00
7	TEMPORARY EROSION CONTROL	1	L SUM	\$60,000.00	\$ 60,000.00	\$ 10,500.00	\$ 10,500.00	\$ 7,975.00	\$ 7,975.00
8	AGGREGATE SURFACE COURSE CL 13	15934	TON	\$28.00	\$446,152.00	\$ 33.80	\$538,569.20	\$ 41.00	\$653,294.00
9	MOBILIZATION	1	L SUM	\$50,000.00	\$ 50,000.00	\$ 89,500.00	\$ 89,500.00	\$ 85,000.00	\$ 85,000.00
10	TRAFFIC CONTROL	1	L SUM	\$5,000.00	\$ 5,000.00	\$ 2,480.00	\$ 2,480.00	\$ 2,495.00	\$ 2,495.00
11	SIGNING	1	L SUM	\$4,000.00	\$ 4,000.00	\$ 4,270.00	\$ 4,270.00	\$ 4,290.00	\$ 4,290.00
Total Amount				\$896,114.50		\$918,831.05		\$992,841.00	



4784 Amber Valley Parkway South,
Suite 200
Fargo, ND 58104
www.jacobs.com

May 15, 2026

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

Project Name: **Warnecke Ave & 25th Street SE, Harwood Township Project**
Project Number: **WP52L**

Subject: **Work Package 52L Warnecke Ave & 25th Street SE, Harwood Township Project
Recommendation of Award**

Dear Metro Flood Diversion Authority,

The contract for Work Package 52L Warnecke Ave & 25th Street SE, Harwood Township Project, Cass County, North Dakota was publicly advertised, and **Two (2)** bids were received at the virtual public bid opening on May 14, 2026, at 2:00 pm.

The bids were as follows:

- | | |
|--------------------------------------------------------|----------------------|
| 1. Border States Paving Inc. , in the amount of | \$ 768,507.60 |
| 2. R.J. Zavoral , in the amount of | \$ 479,936.00 |

The Engineers Estimate for the project was: **\$ 388,848.00**

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 **WP52L** to **R.J. Zavoral** in the amount of **\$ 479,936.00** as the lowest responsive bidder. Enclosed is the Bid Tabulation Assessment.

Please contact me at ian.joynes@jacobs.com if you have any questions regarding this recommendation.

Yours sincerely,

Ian Joynes, BEng CEng FICE, Construction Contracts Manager

Copies to:

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

Bid Tabulation Assessment

WARNECKE AVE, HARWOOD TOWNSHIP PROJECT
 METRO FLOOD DIVERSION AUTHORITY
 WORK PACKAGE 52L
 CASS COUNTY, NORTH DAKOTA

Bid Submission: 05/14/2026

CONTRACTOR BIDS DUE BACK: THURSDAY - 05/14/2026 AT 1PM CENTRAL TIME

ITEM	DESCRIPTION	QUANTITY	UNIT	Engineers Estimate		Border States Paving		R.J. Zavoral	
				UNIT PRICE	AMOUNT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	REMOVE AGGREGATE BASE & SURFACING	2956	SY	\$5.00	\$ 14,780.00	\$ 7.85	\$ 23,204.60	\$ 2.00	\$ 5,912.00
2	COMMON EXCAVATION-TYPE C	762	CY	\$20.00	\$ 15,240.00	\$ 10.40	\$ 7,924.80	\$ 6.00	\$ 4,572.00
3	TOPSOIL	3056	CY	\$10.00	\$ 30,560.00	\$ 18.00	\$ 55,008.00	\$ 11.00	\$ 33,616.00
4	BORROW-EXCAVATION	2987	CY	\$15.00	\$ 44,805.00	\$ 51.40	\$153,531.80	\$ 18.00	\$ 53,766.00
5	ROADWAY NARROWING	11655	LF	\$5.00	\$ 58,275.00	\$ 8.50	\$ 99,067.50	\$ 10.00	\$ 116,650.00
6	SUBGRADE PREPARATION-TYPE A	3400	LF	\$7.50	\$ 25,500.00	\$ 8.10	\$ 27,540.00	\$ 5.00	\$ 17,000.00
7	SEEDING CLASS III	2.41	ACRE	\$2,500.00	\$ 6,025.00	\$ 1,800.00	\$ 4,338.00	\$ 1,600.00	\$ 3,856.00
8	TEMPORARY EROSION CONTROL	1	L SUM	\$25,000.00	\$ 25,000.00	\$110,000.00	\$110,000.00	\$ 9,285.00	\$ 9,285.00
9	AGGREGATE SURFACE COURSE CL 13	3091	TON	\$28.00	\$ 86,548.00	\$ 35.90	\$110,966.90	\$ 45.00	\$ 139,095.00
10	MOBILIZATION	1	L SUM	\$50,000.00	\$ 50,000.00	\$ 46,700.00	\$ 46,700.00	\$ 43,450.00	\$ 43,450.00
11	TRAFFIC CONTROL	1	L SUM	\$2,500.00	\$ 2,500.00	\$ 2,010.00	\$ 2,010.00	\$ 1,775.00	\$ 1,775.00
12	GRAVEL SURFACE MAINTANCE	1500	LF	\$10.00	\$ 15,000.00	\$ 67.90	\$101,850.00	\$ 24.00	\$ 36,000.00
13	PIPE CORR STEEL .079IN 24IN	38	LF	\$180.00	\$ 6,840.00	\$ 267.00	\$ 10,146.00	\$ 140.00	\$ 5,320.00
14	END SECT CORR STEEL .079IN 24IN	2	EA	\$1,200.00	\$ 2,400.00	\$ 2,690.00	\$ 5,380.00	\$ 600.00	\$ 1,200.00
15	SIGNING	1	L SUM	\$2,500.00	\$ 2,500.00	\$ 9,370.00	\$ 9,370.00	\$ 8,250.00	\$ 8,250.00
16	SALVAGE SIGN	7	EA	\$125.00	\$ 875.00	\$ 210.00	\$ 1,470.00	\$ 27.00	\$ 189.00
	Total Amount				\$386,848.00		\$768,507.60		\$479,936.00



Diversion Board of Authority Meeting

May 28, 2026

MOU and Agreement Actions for Consideration

John Shockley

MFDA MOUs & Agreements



MOU Parties	Project	MOU or Agreement Cost and Summary
Harwood Township & MFDA Letter Agreement for Lost Tax Revenue Payments	SWDCAI	<p>The Harwood Township entered into a Memorandum of Understanding with the Authority on June 24, 2021. Pursuant to Section 13.04 of the MOU, the Authority agreed to remit annual lost tax revenue payments in the amount of \$2,364.00 to the Township over a period of ten (10) years. The Authority had remitted five (5) annual payments to the Township with five (5) annual payments remaining. The Authority attended a Harwood Township meeting on March 31, 2026, and requested that the Township consider the Authority making one single lump sum final payment for the lost tax revenue in the final amount of \$11,820.00 in lieu of making annual payments. The township approved this within their meeting. This letter agreement modifies the timing of the Authority’s lost tax revenue payment to the Township, and it also acknowledges that Section 13.04 of the MOU has been satisfied in full and the Authority owes no additional lost tax revenue payments to the Township.</p>



April 9, 2026

VIA MAIL

Daniel Palmer, Chair
Harwood Township
Board of Township Supervisors
2831 169th Avenue SE
Harwood, ND 58042

LETTER AGREEMENT FOR TIMING OF LOST TAX REVENUE PAYMENTS

Dear Mr. Palmer:

As you are aware, Harwood Township (the “Township”) entered into a Memorandum of Understanding, dated June 24, 2021 (the “MOU”), with the Metro Flood Diversion Authority (the “Authority”), defining the roles and responsibilities of the parties in regard to impacts resulting from construction of the storm water diversion channel work package of the Fargo-Moorhead Metropolitan Area Flood Risk Management Project. Pursuant to Section 13.04 of the MOU, the Authority agreed to remit annual lost tax revenue payments in the amount of \$2,364.00 to the Township over a period of ten (10) years. To date, the Authority has remitted five (5) annual payments to the Township, with five (5) annual payments remaining.

On March 31, 2026, Tom Fuchs, the Senior Construction Manager for the Authority, attended your Township meeting, and inquired whether you would prefer for the Authority to continue to make the five (5) annual payments or whether you would prefer for the Authority to make a single lump sum, final payment amount of \$11,820.00 in lieu of making annual payments. In referencing your draft meeting minutes, a copy of which is enclosed with this letter, the Township voted to accept a single lump sum, final payment of the lost tax revenues. The Authority is agreeable to making that payment, and this letter agreement (the “Letter Agreement”) is intended to evidence the agreement between the Authority and the Township to modify Section 13.04 of the MOU.

The Authority and the Township hereby agree as follows:

1. Intent. The parties are entering into this Letter Agreement to modify the timing of the Authority’s payments to the Township for lost tax revenues, as set forth in the following paragraph, in accordance with Section 13.04 of the MOU. This Letter Agreement is not intended to modify any other terms or conditions of the lost tax revenue payments or of any other sections of the MOU, which remain in full force and effect.
2. Lost Tax Revenue Payments. The parties previously agreed that the Authority would remit lost tax revenue payments, each in the amount of \$2,364.00, to the Township on an annual basis for

ten (10) years. As of the date of this Letter Agreement, the Authority has remitted five (5) annual payments to the Township. The parties hereby agree that the Authority will make a one (1) time lump sum, final payment to the Township, in the amount of \$11,820.00, to satisfy the remaining five (5) annual payments owed by the Authority to the Township. With the Township's execution of this Letter Agreement, it agrees and acknowledges that it has received the described \$11,820.00 payment from the Authority, that Section 13.04 of the MOU has been satisfied in full, and that the Authority owes no additional lost tax revenue payments to the Township.

3. Voluntary Agreement. This Letter Agreement is executed voluntarily and without duress or undue influence from or on behalf of any person, firm, or entity, whether public or private.
4. No Representations. No representations have been made by either party to the other except for those contained in this Letter Agreement.
5. Authorized Signatures. The signatory for the Authority represents and warrants that he/she has the authority, right, and power to execute this Letter Agreement on behalf of the Authority and to bind the Authority to the terms and conditions of this Letter Agreement. The signatory for the Township also represents and warrants that he/she has the authority, right, and power to execute this Letter Agreement on behalf of the Township and to bind the Township to the terms and conditions of this Letter Agreement.
6. Choice of Law. This Letter Agreement, and all rights and duties arising hereunder, shall be interpreted under the substantive law of the State of North Dakota.
7. Modifications and Amendments. No amendment, change, or modification of this Letter Agreement shall be valid unless it is in writing and signed by both parties to this Letter Agreement.
8. Titles and Captions. The paragraph, titles, and captions contend in this Letter Agreement are inserted only as a matter of convenience and in no way define, limit, extend, or describe the scope of this Letter Agreement or the intent of any provision herein.
9. Entire Agreement. The Letter Agreement contains the entire agreement between the parties with respect to the timing of the remaining lost tax revenue payments set forth in Section 13.04 of the MOU. All other terms and conditions of the MOU remain in full force and effect.
10. Effective Date. This Letter Agreement will be effective on the date the last party signs this Agreement.



If the foregoing is acceptable to you, please sign and date this Letter Agreement in the space below and return it to me. I will then execute the below-provided space for the Authority and return a fully-executed copy to you. Please let me know if you have any questions.

Sincerely,

Kris Bakkegard

Kris Bakkegard, Director of Engineering

Agreed to and accepted by:

METRO FLOOD DIVERSION AUTHORITY

By: _____

Its: _____

Date: _____

HARWOOD TOWNSHIP

Daniel S. Palmer

By: DANIEL S. PALMER

Its: HARWOOD Township Chairman

Date: 5-10-26



TOWNSHIP MEETING MINUTES

(See the Following Pages.)

HARWOOD TOWNSHIP

Cass County, North Dakota

A REGULAR MEETING of the Harwood Township Board of Supervisors was called to order at 6:00 pm this 31ST day of March 2026 by Daniel J. Palmer, Chairman at the Harwood American Legion Hall, Harwood, North Dakota.

MEMBERS PRESENT:

Daniel J. Palmer,	Chairman
James J. Haag,	Supervisor
Chad M. Lilleberg,	Supervisor
Jann Monson,	Treasurer
Douglas A. Warnecke,	Clerk, Zoning, Flood Adm.
Michelle M Byrum,	Clerk Elect. (2026).

OTHERS PRESENT:

Daren Byrum, Keith Monson.

OFFICER QUALIFICATION: Election 2026-03-30.

Mr. Warnecke having certified the election and notifying to winners thereof conducted an Oath of Office ceremony – to Mr. Lilleberg, Mrs. Monson and Mrs. Byrum did so swear to perform their respective duties.

Bank Signature Cards: Mrs. Monson noted the Bank North signature card needs to be updated to remove Mr. Warnecke and add Mrs. Michelle Byrum as legal signor of checks, etc. Mr. Palmer motioned to approve the removal of Douglas Warnecke and add Michelle Byrum as signatory to any Harwood Township financial documents as required. Second by Mr. Lilleberg and approved.

Mr. Palmer called for nominations for Chairman of the Township Board of Supervisors for 2026-27 election period. Mr. Haag nominated Mr. Palmer, 2nd by Mr. Lilleberg and approved. Mr. Palmer accepted same and continued conduct of this meeting.

Mr. Warnecke noted the Board needs to appoint a Zoning Administrator and a Flood Plain Administrator to administer same held he has held. Mr. Palmer motioned to appoint **Mr. Chad Lilleberg** to administer both of those activities. Second by Mr. Haag and approved.

Mr. Warnecke advised a remuneration amount should be set for the Zoning administrator; advising he has accepted \$10.00 per building permit issued which is way inadequate to pay for paper/ electronic records, expenses and time needed to visit a construction site, take pictures and perform inspections as needed. Discussion. Mr. Lilleberg advised he would accept \$50.00 per permit issued. Thereupon Mr. Palmer motioned to raise the base permit fee to \$50.00 and to pay the Zoning Administrator \$50.00 per issued permit for a period of one (1) year.

Mr. Warnecke advised he has accepted a fixed amount of \$300. per year for duties as the Flood Plain Administrator whether there is a flood event or not – as there are other duties associated with the appointment including some meetings etc. Thereupon Mr. Haag motioned to pay the Flood Plain administrator \$300.00 per year. Second by Mr. Palmer and approved.

CY 2027 BUDGET:

Lengthy discussion on valuations for 2026 for CY 2027. See minutes of 9 and 30 March 26. CC has now advised the Twp valuation to be \$67,285,500.00. We need to get to 18 mils minimum levy for CY2027. The 18 mil rate is the maximum the county will payout regardless of the dollar amount of the levy submitted in excess thereof. Mr. Warnecke has proposed a budget of \$77,896. which amount exceeds the 3% cap (see minutes of 30 Mar). Thereupon Mr. Haag motioned to submit to the county a levy \$85,000.00. Second by Mr. Lilleberg and approved.

Mrs. Monson noted the special road funds are invested in Certificates of Deposit at Bank North in Harwood. We have four earning 4.19% apy to maturity with interest deposited to the checking account upon expiration/renew. A total of 4 individual CD's with maturing dates of 10 and 13 July 2026. Ad a total amount of \$65,000. We can have up to \$500,000. in this account.

MINUTES OF LAST BOARD MEETING: Held on 30 March 2026 Not available due to limited time.

OLD BUSINESS:

Annual Road Inspection: Discussion. Saturday, 2 May 2026, 8:00am. Place to be determined.

Assessor Contract: Mr. Palmer reviewed same noting an amount for CY 2027 of \$1,000. W/165 Res. and 12 Comm. parcels. Payable to Cass Cty Gov. Mr. Palmer & Mr. Warnecke signed same.

NEW BUSINESS:

Electronic Records Transfer: to **Michelle Byrum, Clerk**, Harwood Township. Discussion on Twp records being stored on personal computer devices. The ND Twp Off Assn legal council recommended Twp's should have their own electronic filing systems vs personal comingled files.

NEW BUSINESS (Cont'd)

Mr. Palmer motioned to have Mr. Warnecke research an appropriate computer system for use by the Township clerk for use in the performance of Twp duties, not to exceed \$1,000.00. Second by Mr. Lilleberg and approved. Further discussion on office supplies, ink etc. Dollar reimbursement amount required to be determined.

Minimum Maintenance Roads: Mr. Palmer advised 27th St. and 171st Ave currently signed as MM roads. The diversion construction vehicles have been using these roads for access to the channel. Cass County will remove the MM signs and rebuild the roadways to Twp standards as they will be used extensively with the rebuilding and opening of Warnecke Ave along the channel embankment connecting 171st Ave to CC hiway 4 to CC 31. **Mr. Lilleberg** will check on MM road a head sign on 28th St. west of CC 31.

Meeting Space rental: The Harwood American Legion has advised with the retirement of Mr. Warnecke as clerk they will need to have a person present to unlock/lock the entry door. The rate shall be a minimum of \$50.00 for the first hour and an additional \$.03/minute (\$30.00/Hr.) over the first hour. Discussion, **Mr. Palmer** will inquire about avail space and terms at the Harwood Community Center. Mrs. Monson suggested perhaps the City of Harwood Office.

Gravel bids CY 2026: Mr. Palmer reviewed bids as follows: (Also see minutes of 3/30/2026). Knife River: Class 5 - \$23.65/ton. Class 13: 25.65/ton both with fuel add-ons – See bid sheet. Amerize: Class 5 - \$20.65/ton. Class 13: 26.50/ton both with fuel/truck add-ons. See bid sheet for details. Discussion. **Mr. Haag** inquired about valid bid dates; motioned to Table, 2nd Mr. Lilleberg and approved.

FM Diversion-meeting review: Mr. Palmer read an email message from Mr. Tom Fuchs recapping the Twp meeting of 30 March especially concerning the final tax replacement funds for lost tax revenue to Harwood Township caused by the FM Diversion channel removing taxable property from the tax roll. The Diversion Authority has offered two options: Annual payouts of \$2,364 or a one lump sum final payout in 2026 of \$11,820.00. Discussion. Mr. Lilleberg motioned to accept one final lump sum payment as noted and funds to be placed into the Twp Special Road fund. Second by Mr. Palmer and approved.

STATEMENT FOR PAYMENT:

Mrs. Sandra Lemke	\$60.00 – 2026 Twp Election Clerk
Mrs. Tammy Gilbraith	\$ 60.00 – 2026 Twp Election Judge
Mrs. Alice Amundson	\$ 60.00 – 2026 Twp Election Judge
Mrs. Nancy Paul	\$ 60.00 – 2026 Twp Election Judge

Motion to pay as presented by Mr. Haag, second by Mr. Lilleberg and approved.

COMMENT CARDS:

None received.

ADJOURNMENT:

There being no further business to come before this meeting, Mr. Lilleberg motioned to adjourn same, second by Mr. Haag and approved. This meeting stands adjourned at 7:18 pm this 31st day of March 2026.

Respectfully recorded,

DOUGLAS A. WARNECKE
Retiring Clerk, Harwood Township.
(For Michelle Byrum, Clerk).

NOTE: *This being my last Township meeting as your Clerk, I wish to thank all community residents and contractors and service providers for your considerations over the past fifty years. I especially thank all the Township officers who have also served over all years; and to the current officers as well. I welcome and ask all to please support Mrs. Michelle Byrum in the performance of her duties associated with the Clerk position. Thank you Michelle!*

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: May 27, 2026
Re: OIN 1890 Excess Land Recommendation

RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 1890 (29.08 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 1890



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: May 18, 2026

RE: Excess Lands Recommendation – OIN 1890, 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 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 1890 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 1890

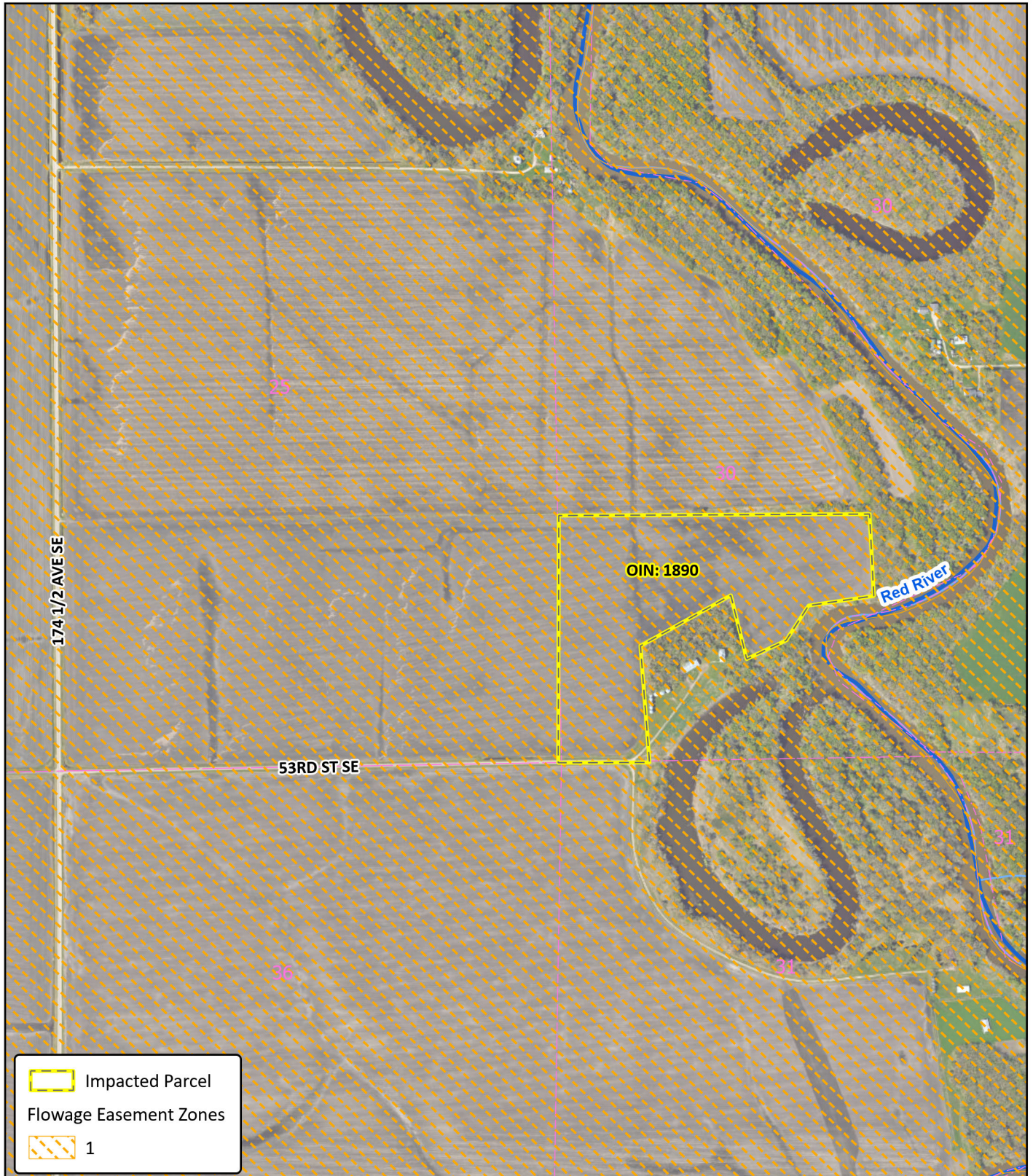
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	29.08 acres

Narrative Description of Parcel(s)	OIN 1890 is located in North Dakota along 53 rd Street SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	May 17, 2021
Purchase Price	\$190,200
Proposed Sale Price	\$199,000 *Based on \$6,900/acre for flowage easement encumbered tillable acreage in Cass County.
Former Owner	Jacob Sip
Adjacent Owners	OIN 1891 – Rodney & Cherie Mathison OIN 7213 – Caden Coleman OIN 1898 – Ryan & Heather Hanson OINs 1897 & 2048 – Randy Backlund OIN 1995 – Terry & Kay Compson RT OINs 1895 & 1991 – Susan Evert
Property Management Approach	This property has been maintained through a farmland lease with Pifer’s Land Management since 2022.
Property Taxes	For 2025 this property had roughly \$457 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. Any future sale will need to reserve a flowage easement.
Right of First Refusal	The prior landowner has secured a ROFO that is set to expire on May 17, 2026.

3. Conclusion and Recommendation

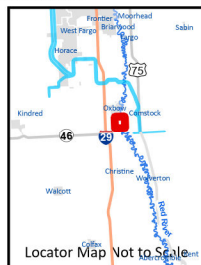
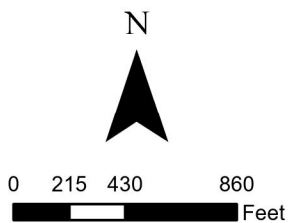
Based on the pertinent facts presented above, it is recommended to declare OIN 1890 as “Excess Land” and proceed with the process outlined in the Policy. If you agree with this recommendation, please sign the attached declaration form for our records (Exhibit C).

Exhibit A: Map Exhibit of Parcel Recommended as Excess Lands



Impacted Parcel
 Flowage Easement Zones
 1

Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



OIN: 1890
Owner: Cass County Joint Water Resource District
Parcel ID: 57-0000-10217-060

Cass County, ND
FM AREA DIVERSION
Date: 4/30/2026



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

That part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:

Beginning at a found iron monument which designates the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 480.65 feet to a found iron monument at the southwest corner of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract for a distance of 619.78 feet to a found iron monument on the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East along said northerly line for a distance of 546.41 feet to a found iron monument; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet to a found iron monument; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet to an iron monument; thence North 33 degrees 12 minutes 36 seconds East for a distance of 219.36 feet to an iron monument; thence North 81 degrees 59 minutes 58 seconds East for a distance of 347.09 feet to an iron monument; thence North 02 degrees 25 minutes 29 seconds West for a distance of 434.29 feet to an iron monument on the north line of said Government Lot 4; thence North 89 degrees 46 minutes 32 seconds West along said north line for a distance of 1637.44 feet to a found iron monument at the northwest corner of said Government Lot 4; thence South 00 degrees 36 minutes 35 seconds West along the west line of said Government Lot 4 for a distance of 1310.51 feet to the point of beginning. Said tract contains 29.08 acres, more or less.

SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 40.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet to the point of beginning; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County and said line there terminates. The northwesterly sideline of said 40.00 foot wide easement shall be prolonged or shortened to terminate on the south line of said Section 30 and on the westerly line of said tract.

AND FURTHER SUBJECT TO an easement for ingress-egress purposes over, under and across that part of Government Lot 4 in Section 30, Township 137 North, Range 48 West of the 5th Principal Meridian, Cass County, North Dakota, being a strip 10.00 feet wide, lying to the left of, as measured at a right angle to and parallel with a line described as follows:

Commencing at the southwest corner of said Section 30; thence South 89 degrees 41 minutes 29 seconds East on a record bearing along the south line of said Section 30 for a distance of 408.68 feet; thence North 42 degrees 04 minutes 05 seconds East for a distance of 99.78 feet to the westerly line of a tract of land described in Document No. 1436183, on file and of record in the office of the Recorder, said Cass County, the point of beginning; thence North 03 degrees 56 minutes 01 second West along the westerly line of said tract of land described in Document No. 1436183 for a distance of 545.15 feet to the northerly line of said tract; thence North 61 degrees 08 minutes 10 seconds East for a distance of 546.41 feet; thence South 13 degrees 22 minutes 25 seconds East continuing along said northerly line for a distance of 347.95 feet; thence North 65 degrees 00 minutes 41 seconds East continuing along said northerly line for a distance of 230.32 feet and said line there terminates. The westerly and northerly sideline of said 10.00 foot wide strip shall be prolonged or shortened to terminate on a line bearing South 42 degrees 04 minutes 05 seconds West from the point of beginning and on a line bearing North 33 degrees 12 minutes 36 seconds East from the point of termination. AND FURTHER SUBJECT TO all easements, restrictions, reservations and rights of way of record, if any.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 1890 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

May 20, 2026

Date

Memorandum



To: Metro Flood Diversion Authority Lands Committee
 From: Justin Fisher, Director of Lands and Compliance
 Cc: Jason Benson, Executive Director & John Shockley, MFDA Legal Counsel
 Date: May 27, 2025
 Re: OIN 831 Excess Land Offer

RECOMMENDATION/ACTIONS NEEDED:

Approve the excess land offer as noted below for OIN 831.

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.

The following parcel has an interested buyer who the Project has been negotiating with on the sale price. The offer has been reviewed by the Authority, and they recommend approval to move forward with the sale of this parcel at \$30,000.

OIN	Acres	Asking Price	Basis (PPA)	Offer Price	Offer PPA
831	8.4	\$42,000	\$5,000	\$30,000	\$3,500

ATTACHMENTS:

- Excess Lands Recommendation – OIN 831



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: October 10, 2025

RE: Excess Lands Recommendation – OIN 831, 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 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 831 as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OIN 831

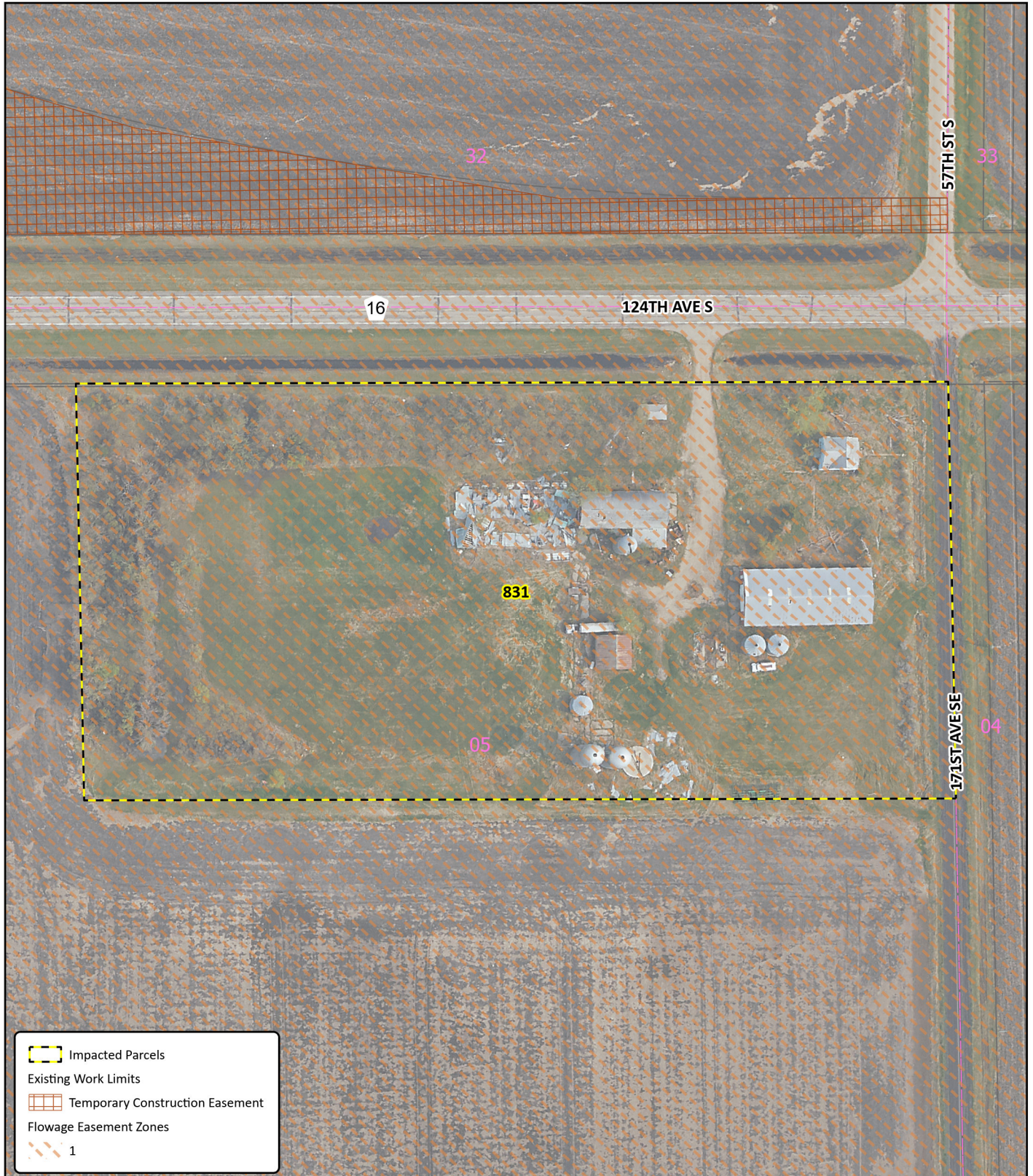
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	8.40 acres

Narrative Description of Parcel(s)	OIN 831 is located in North Dakota on the corner of County Road 16 and 171 st Ave SE in the Upstream Mitigation Area associated with the Comprehensive Project.
Purchase Date	December 19, 2024
Purchase Price	\$400,000
Proposed Sale Price	\$42,000 Based on \$5,000/acre for flowage easement encumbered recreational land.
Former Owner	John Loffelmacher
Adjacent Owners	OIN 830 – Karen Offutt Trust OIN 827, 1112, & 1099X – Terry & Kristie Sauvageau
Property Management Approach	This property has been maintained through a weed control and mowing contract with JT Lawn Services.
Property Taxes	In 2024 this property had \$1,957.36 in 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 to ensure no future development.
Right of First Refusal	The prior landowner is not entitled to a ROFO.

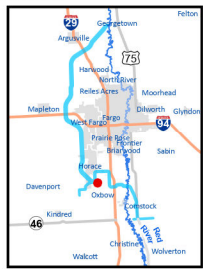
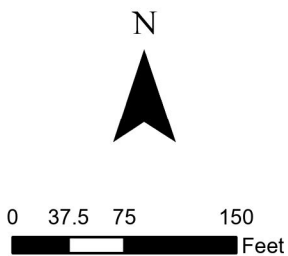
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OIN 831 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



Information depicted may include data unverified by AE2S. Any reliance upon such data is at the user's own risk. AE2S does not warrant this map or its features are either spatially or temporally accurate.
 Coordinate System: NAD 1983 StatePlane North Dakota South FIPS 3302 Feet | Edited by: cwickenheiser, AE2S, LLC | C:\Data\Projects\GIS Projects\FM Area Division\012 Lands Program\Property Acquisition\Project Wide\Individual Property Maps.aprx | Individual Layout Not Data Driven



OIN: 831
Owner: CASS COUNTY JOINT
WATER RESOURCE DISTRICT
Parcel ID: 57-0000-10245-010

Cass County, ND
 FM AREA DIVERSION
 Date: 10/1/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

The following legal description is from the Purchase Agreement dated December 19, 2024.

That part of the NE¼ of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota, included within the following metes and bounds description: Beginning at the Northeast corner of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota; thence Westerly along the North line of said Section 5, a distance of 800.00 feet; thence Southerly along a line which is parallel with the East line of said Section 5, a distance of 455.00 feet; thence Easterly along a line which is parallel with the aforementioned North Section line a distance of 800.00 feet more or less, to a point of intersection with the aforementioned East Section line; thence Northerly along said East Section line a distance of 455.00 feet, more or less, to the Point of Beginning.

Exhibit C: Declaration of Excess Land Form

I hereby declare that OIN 831 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.

A handwritten signature in black ink, reading "Jason P. Benson", is written over a solid black horizontal line.

Jason Benson
Executive Director

10/14/2025
Date

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION CONFIRMING THE APPOINTMENT OF MEMBERS TO
THE DEBRIS REMOVAL AND RESTORATION SUB-COMMITTEE
UNDER THE LAND MANAGEMENT COMMITTEE OF THE
METRO FLOOD DIVERSION AUTHORITY FOR 2026**

WHEREAS, Article VI of the JPA contains the powers, duties, and membership requirements of committees established by the Diversion Authority Board; and

WHEREAS, the Diversion Authority Board has established the Debris Removal and Restoration Sub-Committee, as a sub-committee to the Land Management Committee, to advise the Diversion Authority Board pursuant to Section 6.01 of the JPA and pursuant to a resolution adopted March 26, 2026, which provides the membership requirements of the Debris Removal and Restoration Sub-Committee; and

WHEREAS, pursuant to Article VI of the JPA, the Diversion Authority Board desires to appoint and confirm members of the Debris Removal and Restoration Sub-Committee.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Metro Flood Diversion Authority:

1. Debris Removal and Restoration Sub-Committee. The Diversion Authority hereby confirms the appointment of the members to the Debris Removal and Restoration Sub-Committee, as a sub-committee to the Land Management Committee of the Metro Flood Diversion Authority as reflected on the attached Exhibit A, and further states that the membership of the Debris Removal and Restoration Sub-Committee meets the membership requirements stated in the resolution adopted March 26, 2026.
2. This Resolution shall take effect immediately upon adoption.

Dated: May 28, 2026

METRO FLOOD DIVERSION AUTHORITY

APPROVED:

Dr. Timothy J. Mahoney, Chair

ATTEST:

Dawn Lindblom, Secretary

The motion for adoption of the foregoing resolution was duly seconded by Member _____, and upon roll call vote, the following voted in favor thereof: _____

_____.

The following were absent and not voting: none. The following voted against the same: none. A majority of the Members having voted aye, the resolution was declared duly passed and adopted.

EXHIBIT A

Debris Removal and Restoration Sub-Committee Members

Nathan Boerboom	MFDA Land Management Committee
Bob Zimmerman	MFDA Land Management Committee
Jake Gust	MFDA Land Management Committee
Ken Lougheed	Cass County Joint Water Resource District
Jenny Mongeau	Moorhead-Clay County JPA
[TBD]	Richland-Wilkin JPA Producer
[TBD]	Richland-Wilkin JPA Producer

**MEMORANDUM OF AGREEMENT
BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
AND THE NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE UPSTREAM MITIGATION AREA FARGO-MOORHEAD METROPOLITAN
AREA FLOOD RISK MANAGEMENT PROJECT
CASS AND RICHLAND COUNTIES, NORTH DAKOTA**

April 2026

WHEREAS, the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (FMM Project, the Undertaking) was authorized by Section 7002(2) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014), Public Law 113-121, citing the Report of the Chief of Engineers dated December 19, 2011 (Chief's Report); and

WHEREAS, the Chief's Report was based on the Final Feasibility Report and Environmental Impact Statement, Fargo-Moorhead Metropolitan Area Flood Risk Management, dated July 2011, as approved by the U.S. Army Corps of Engineers, St. Paul District (USACE); and

WHEREAS, the USACE determined that the FMM Project is an Undertaking subject to review under 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 USC § 306108); and

WHEREAS, a *Programmatic Agreement Among the U.S. Army Corps of Engineers, St. Paul District, the North Dakota State Historic Preservation Officer, and the Minnesota State Historic Preservation Officer Regarding the Fargo-Moorhead Metro Flood Risk Management Project, Cass County, North Dakota and Clay County, Minnesota* (PA), was executed in 2011 and amended in 2013, pursuant to 36 CFR § 800.14(b)(1)(ii) due to the fact that identification of historic properties and the Undertaking's effects on historic properties could not be fully determined in advance of the USACE's approval of the FMM Project; and

WHEREAS, modifications to the FMM Project were analyzed in the September 2013 Supplemental Environmental Assessment (2013 SEA), the 2019 SEA, and 2024 SEA, and further design of the Plan B alignment for the FMM Project has resulted in impacts to additional areas not included in earlier evaluations; and

WHEREAS, the USACE, as stipulated in the PA, shall oversee completion of the identification of historic properties within the current Area of Potential Effect (APE), as documented on Attachment A, including evaluation of National Register of Historic Places (NRHP) eligibility, assessment of potential adverse effects, and resolution of adverse effects for all identified historic properties in consultation with the North Dakota State Historic Preservation Office (ND SHPO) and other interested parties; and

WHEREAS, the currently defined Undertaking includes proposed use of approximately 26,000 acres of farmland in Cass and Richland Counties in North Dakota and Clay and Wilkin Counties,

Minnesota, south of the Southern Embankment, for storage of water during operation of the FMM Project—the project feature is known as the Upstream Mitigation Area (UMA); and

WHEREAS, the USACE, in consultation with ND SHPO, has refined the Undertaking’s APE to include the portion of the UMA within the state boundaries of North Dakota, from south of Horace in Cass County to Christina in Richland County, as documented on Attachment B; and

WHEREAS, the Undertaking requires the removal of all structures within Zone 1 of the UMA in Cass and Richland Counties. The Undertaking may require the removal or modification to structures within Zone 2, along the Red River; and

WHEREAS, the USACE, in consultation with ND SHPO under Stipulation D of the PA, has determined that multiple historic properties within the UMA APE are either listed or are eligible for listing in the NRHP as documented on Attachment C; and

WHEREAS, when adverse effects caused by the Undertaking are unavoidable, pursuant to Stipulation E of the PA the USACE, in consultation with the ND SHPO, is required to coordinate and implement a Memorandum of Agreement (MOA) to resolve the adverse effects through agreed-upon mitigation; and

WHEREAS, the ND SHPO has concurred with the USACE's finding that the Undertaking will have an adverse effect on historic properties and is a Signatory to this MOA; and

WHEREAS, the USACE, in consultation with the ND SHPO, has completed Level III Historic American Buildings Survey (HABS) and Historic American Landscapes Survey (HALS) documentation under a separate MOA executed in 2023 and amended in 2025, *Memorandum of Agreement between the United States Army Corps of Engineers, St. Paul District, and the North Dakota State Historic Preservation Office Regarding the Structures Located within the Upstream Mitigation Area (UMA) of the FMM Project, Cass County, North Dakota*, as part of mitigation to address adverse effects to 16 historic properties within the UMA; and

WHEREAS, the USACE, in consultation with the ND SHPO, has executed a separate *Memorandum of Agreement between the United States Army Corps of Engineers, St. Paul District, and the North Dakota State Historic Preservation Office Regarding the Relocation of a Log Cabin within the Upstream Mitigation Area (UMA) of the FMM Project, Cass County, North Dakota* (2024), as part of mitigation to address adverse effects to Hanson Cabin; and

WHEREAS, this MOA addresses the remaining mitigation efforts for adverse effects to historic properties limited to the UMA within the state boundaries of North Dakota, from south of Horace in Cass County to Christina in Richland County; and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), the USACE has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, the Metro Flood Diversion Authority (MFDA), as one of the non-Federal Sponsors for the Project, has continued to be a consulting party on the Project’s flood risk management measures and has been invited to concur on this MOA; and

WHEREAS, the USACE recognizes the Federal government’s special relationship with Federally recognized Indian tribes and is responsible for government-to-government consultation pursuant to the NHPA, 36 CFR § 800.2(c)(2)(ii), the American Indian Religious Freedom Act (42 U.S.C. 1996), Executive Orders 13007 and 13175, and Sections 3(c) and 12 of the Native American Graves Protection and Repatriation Act (NAGPRA, 25 U.S.C. 3001 et seq.) and consults and provides notifications for Project activities with Indian tribes engaged with the Project since execution of the PA; and

WHEREAS, the USACE consults with owners, former owners, their descendants, and other interested parties on mitigation measures for effects to historic properties and has invited these interested parties to concur on this MOA; and

WHEREAS, in accordance with the PA, the USACE continues to provide the public an opportunity to comment on the adverse effects of the Undertaking per 36 CFR § 800.6(a)(4), through public meetings and individual consultations; and

WHEREAS, the USACE continues to seek and consider the views of the above-mentioned parties, collectively known as Consulting Parties, and the effects on historic properties per Section 106. This agreement document will be circulated to all formerly contacted parties via written electronic mail (E-mail); and

NOW, THEREFORE, the USACE and ND SHPO (individually a “Signatory” and collectively “Signatories”) agree that the Undertaking shall be implemented in accordance with the following Stipulations in order to take into account the adverse effect of the Undertaking on historic properties and satisfy the USACE’s Section 106 responsibilities for the Undertaking.

STIPULATIONS

The USACE shall ensure that the following provisions are carried out.

I. HISTORIC NARRATIVE OF THE UMA AND PUBLIC ENGAGEMENT

A. The USACE shall develop an historic narrative which will be presented in the form of a StoryMap presentation that provides the historical context of the UMA and the communities therein. The StoryMap shall incorporate oral histories, genealogies, brief topic-specific histories, and HABS/ HALS Level III documentation collected on the 16 affected historic properties from the above-mentioned MOA executed in 2023 and amended in 2025.

i. The USACE shall consult with the ND SHPO on the StoryMap’s content, hosting obligations, and repository commitments. Based on the consultation, the StoryMap shall be accessible to Consulting Parties and the general public as part of public outreach for at least five (5) years. Sixty (60) days prior to the end of the five-year time period, the USACE shall consult with the ND SHPO to evaluate and determine whether or not maintenance shall be continued.

Additionally, an appropriate archival repository for the StoryMap shall be identified (e.g. Wayback Machine or Archive.org).

- ii. The USACE shall interview and collect the oral histories, to be incorporated into the StoryMap, from community members within the UMA, including landowners, descendants, and church and cemetery groups, all of whom are Consulting Parties to this MOA.
- B. The USACE, in consultation with the ND SHPO, shall produce eight (8) topic-specific booklets highlighting examples of historic resources in the UMA using the collective research and data gathered from the mitigation efforts captured in various agreement documents and this MOA. The USACE shall produce a draft product for each booklet on which the ND SHPO will have thirty (30) days to provide comments.
- i. The USACE may produce and print physical copies of each. A digital copy of the booklets shall be made available within the StoryMap. A digital copy of the booklets shall also be stored in accordance with Stipulation IV of this MOA. A physical and digital copy of the booklets will be provided to the ND SHPO for its records.
- C. The USACE shall produce an annotated bibliography based on the collective research and data gathered from the mitigation efforts captured in the various agreement documents previously mentioned in this MOA.
- i. The intent of the annotated bibliography is for use in future research beyond the life and scope of the FMM Project. As such, the annotated bibliography shall be stored in accordance with Stipulation IV of this MOA. A copy of the annotated bibliography will be distributed to the ND SHPO for its records.

II. CHANGES IN LANDSCAPE VIEWSHED

In accordance with the PA, as amended, viewshed analysis of historic properties within one half mile of the centerline of the southern embankment (dam) revealed several properties which would be adversely affected by visible project features. Mitigation measures for these properties include tree screens and native plantings.

- A. The USACE shall plant two to three mature trees on the southern boundary of the Lower Wild Rice and Red River Cemetery (32C2653) to mitigate for the viewshed obstruction caused by the southern embankment. Archaeological monitors shall be present during planting.
- i. This Stipulation is contingent upon the USACE gaining Right of Entry (ROE) from the Lower Wild Rice and Red River Cemetery Board to allow for staging and/ or access to the work area. If the Cemetery Board refuses to grant ROE, Stipulation II.A. shall be null and void.
- B. The USACE shall utilize a DOT seed mix (MNDOT 35-241 Mesic Prairie General) forb and flower seed mix along earthen embankment around the St. Benedict's

Cemetery (32CS5255) to mitigate for the viewshed obstruction caused by the impoundment structure.

III. HISTORICAL SIGNAGE IN THE UMA

The significance of the UMA with respect to early settlement and religion in the Red River Valley is supported by the presence of cemeteries established by original settlement communities. While the majority of early settlers were of a Lutheran denomination, excluding those interred in St. Benedict's Cemetery, they did not all share a common language. Therefore, a number of 'first cemeteries' were established by different communities within close proximity to one another. Historical Signage will highlight the individual communities that established churches and cemeteries during the late 19th century.

- A. The USACE shall produce up to two (2) signs for placement at historic cemeteries, based on related historic research from the above-mentioned HABS/ HALS Level III document MOA, previous research efforts, and Stipulation I of this MOA. Signage shall reference repository sources where additional information may be found.
 - i. The USACE shall develop the design and content of the signs, and determine their placement in consultation with the ND SHPO and applicable Consulting Parties. The USACE shall provide the ND SHPO and applicable Consulting Parties a draft product on which the ND SHPO and Consulting Parties will have thirty (30) days to comment.
 - ii. This Stipulation is contingent upon the USACE gaining ROE from the applicable Consulting Party(ies) to allow for installation of the final work products. The USACE shall not place Historical Signage on land parcels for which the applicable Consulting Party(ies) have not granted ROE. If the Consulting Party(ies) do not provide ROE to allow installation of the final sign(s), information from the sign(s) will be included in the StoryMap content and in one of the topic-specific booklets.

IV. ACCESS TO MITIGATION WORK PRODUCTS

The complexity of the Project has warranted a variety of mitigation measures involving archaeological deep testing, remote sensing, HABS/ HALS recordation, structural relocations and rehabilitation, historic signs, historic context—StoryMaps, oral histories, published booklets, annotated bibliography, and genealogies. Preservation of and access to work products resulting from mitigation measures throughout the Project's APE is an important part of the investment made in these work products. To best facilitate access to work products, the Signatories shall pursue digital archiving with multiple repositories. In consultation with ND SHPO, the USACE shall prepare an inventory of files and locations for storage proposed, focusing upon the following repositories.

- A. ND SHPO: All reports, shapefiles, and project files for point and polygon survey data related to the identification, evaluation, and mitigation of historic properties within the APE; and printed and digital copies of booklets.

- B. Historical Societies: Oral histories and genealogies, and printed and digital copies of booklets.
- C. Western Minnesota Steam Threshers Reunion: Three rehabilitated log homes containing interpretative signage and printed booklets, and memorabilia, including furnishings, for public education.
- D. ESRI: The historic context StoryMap, which includes, but is not limited to, links to digital copies of the booklets, HABS/ HALS documentation, genealogical documentation, oral histories, Matterport 360® data, plat maps, drone imagery, and copies of historic documentation and photos.
- E. Library of Congress: All HABS and HALS documentation.
- F. Matterport: All LiDAR files recorded with the Matterport 360®.
- G. USACE: Copies of all reports and raw documentation that can be accommodated within applications currently in use by the Government.
- H. The Digital Archaeological Record (tDAR), located at Arizona State University, [tDAR is a digital repository appropriate for duplicate storage of reports, imagery, and limited spatial data]: All reports, HABS and HALS documentation, additional photographs, annotated bibliography used for StoryMap research, digital versions of booklets, and genealogies and transcribed oral histories. The USACE, in consultation with ND SHPO, shall agree upon appropriate protections for sensitive cultural resources data. Requests for permission to access reports with restrictions shall be submitted to the ND SHPO.

V. ARCHAEOLOGY

Archaeological investigations within the APE have included Class III intensive cultural resource inventories and Class II reconnaissance inventory surveys performed under contract to the non-Federal Sponsors. Limited mitigation of two (2) sites within the diversion channel was prepared by the USACE and has been completed and submitted to the ND SHPO. Finally, archaeological monitoring by the non-Federal Sponsors and the USACE has been undertaken in accordance with the terms of the PA. These investigations have indicated that there are archaeologically sensitive areas within the Project footprint. The USACE, in consultation with ND SHPO, shall prepare a probability model using data from deep testing and previous surface survey. The final report shall be submitted to ND SHPO.

VI. UNANTICIPATED DISCOVERIES

- A. If suspected historic properties, including sites that contain possible human remains, unidentified animal bones, or mortuary objects, are discovered during ground disturbing activities related to Stipulations II and/ or III of this MOA, all activity shall cease within one hundred (100) feet of the discovery to avoid and/ or minimize harm to the property.

- i. The contractor assigned to do the work specified in this Stipulation or the on-site archaeological monitor, if applicable, shall immediately notify the USACE of the discovery and implement interim measures to protect the discovery from damage, looting, and vandalism. Measures may include, but are not limited to, protective fencing, covering of the discovery with appropriate materials, and/ or posting of security personnel.
 - ii. For properties with suspected human remains, the USACE shall follow the requirements of North Dakota Century Code 23-06-27 and North Dakota Administrative Code 40-02-03 protecting prehistoric and historic burial sites, human remains and burial goods, and must coordinate with the State Archaeologist at ND SHPO.
 - iii. The USACE shall then notify the other Signatory and any Native American Tribes that may attach religious and cultural significance to the property.
 - iv. The Contractor shall provide access to law enforcement and the other Signatory onto the site and shall not resume work within the area until notified by the USACE.
- B. The USACE shall contract a professionally qualified archaeologist meeting the *Professional Qualification Standard in the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (36 C.F.R. Part 61) to evaluate the newly discovered property for eligibility for inclusion in the NRHP.
- i. In lieu of a consultant's evaluation recommendation, the USACE may assume a property is eligible for inclusion in the NRHP following consultation with, or based on input from, ND SHPO and Consulting Parties, as appropriate and sufficient to assess any potential adverse effects caused by the Undertaking.
 - ii. If an evaluation is performed, the consulting archaeologist shall provide an eligibility recommendation to the USACE within seventy-two (72) hours.
 - iii. The USACE shall make a National Register eligibility determination and submit it to the ND SHPO and Consulting Parties, as appropriate, for review and comment within seventy-two (72) hours of receipt of the recommendation from the consulting archaeologist. When applicable, the USACE shall also carry out an appropriate level of consultation with interested Native American Tribes in relation to any properties that may have religious or cultural significance to Tribes(s).
 - a. If the USACE determines the discovery does not meet NRHP criteria, the USACE will inform the ND SHPO of such determination, and work may resume.
 - b. For all discoveries determined eligible for the NRHP, the USACE shall make a finding of effect and propose measures to resolve adverse effects, if any.

Work may resume upon receipt of the ND SHPO's written concurrence with the USACE's finding of effect and resolution of adverse effect, if applicable.

VII. DURATION

This MOA will be null and void if its terms are not carried out within five (5) years from the date of execution. Prior to such time, the USACE may consult with the other Signatory to reconsider the terms of this MOA and amend it in accordance with Stipulation IX below.

VIII. DISPUTE RESOLUTION

- A. Should either Signatory to this MOA object at any time to any action proposed or the manner in which the terms of this MOA are implemented, the USACE shall consult with the ND SHPO to resolve the objection. If the USACE determines such an objection cannot be resolved, the USACE will:
- i. Forward all documentation relevant to the dispute, including the USACE's proposed resolution, to the ACHP. The ACHP shall provide the USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and Signatories and provide them with a copy of this written response. The USACE will then proceed according to its final decision.
 - ii. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day period, USACE may make the final decision on the dispute and proceed accordingly. Prior to reaching such a decision, the USACE shall prepare a written response that takes into account any timely comments regarding the dispute from the other Signatory to this MOA and provide it and the ACHP with a copy of such written response.
 - iii. The USACE's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

IX. AMENDMENTS

This MOA may be amended when such an amendment is agreed to in writing by both Signatories. The amendment will be effective on the date a copy signed by both Signatories is filed with the ACHP.

X. TERMINATION

If either Signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other party to attempt to develop an amendment per Stipulation IX above. If within thirty (30) days (or another period agreed

to by both parties) an amendment cannot be reached, either Signatory may terminate this MOA upon written notification to the other Signatory.

Once the MOA is terminated, and prior to work continuing on the Undertaking, the USACE must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6 or (b) request, take into account, and respond to the comment of ACHP under 36 C.F.R. § 800.7. The USACE shall notify the other Signatory as to the course of action it will pursue.

Execution of this MOA by the USACE and the ND SHPO and implementation of its terms evidence that the USACE has taken into account the effects of this Undertaking on historic properties and afforded the ACHP an opportunity to comment.

**MEMORANDUM OF AGREEMENT BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT,
AND THE NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE UPSTREAM MITIGATION AREA FARGO-MOORHEAD METROPOLITAN
AREA FLOOD RISK MANAGEMENT PROJECT
CASS AND RICHLAND COUNTIES, NORTH DAKOTA**

SIGNATORY:

UNITED STATES ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT



Digitally signed by
CHASE.MATTHEW.BRYAN.1065699199
Date: 2026.05.20 13:33:21 -05'00'

. Date: 20 MAY 2026 .

Colonel Matthew Chase, St. Paul District Commander

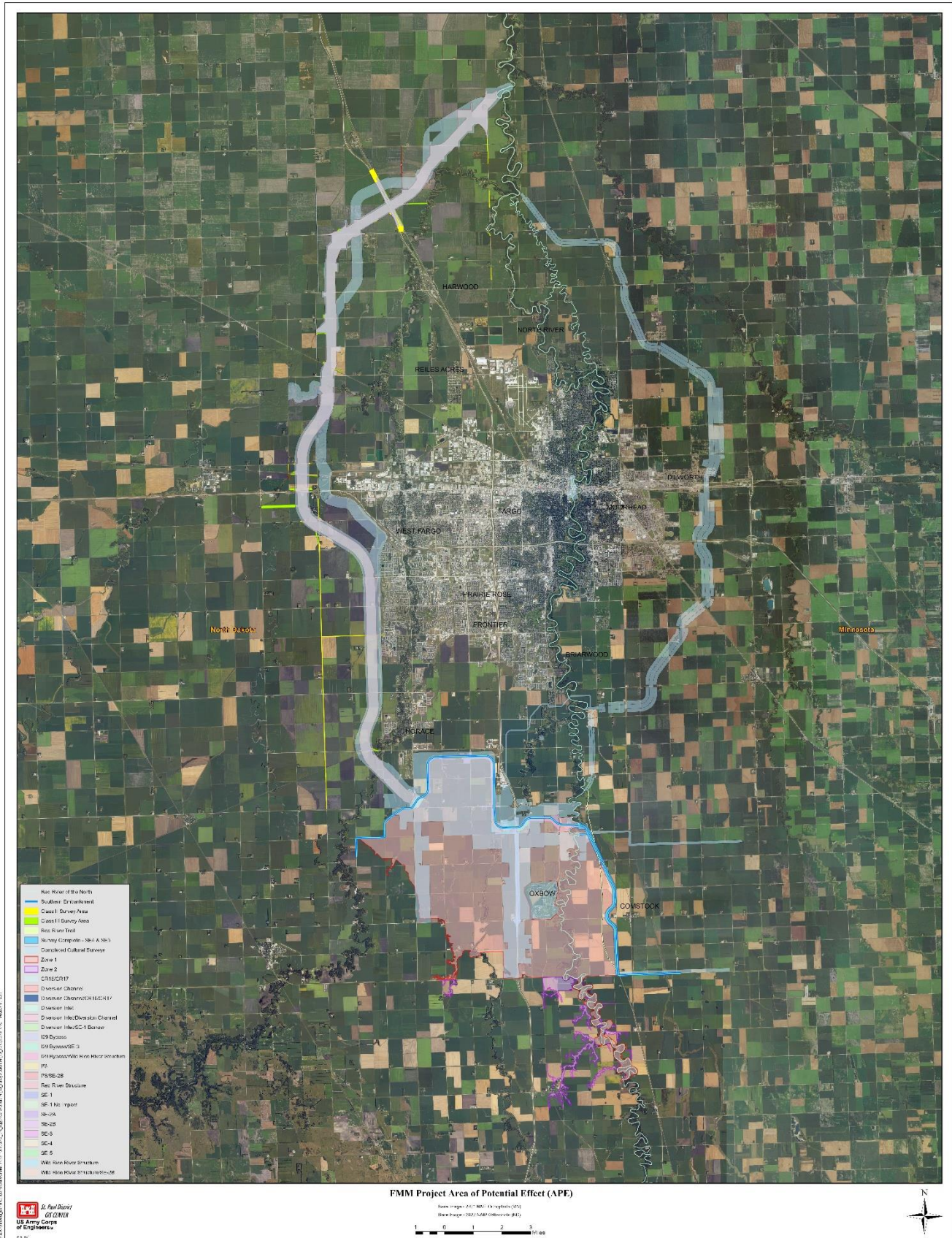
**MEMORANDUM OF AGREEMENT BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT,
AND THE NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE UPSTREAM MITIGATION AREA FARGO-MOORHEAD METROPOLITAN
AREA FLOOD RISK MANAGEMENT PROJECT
CASS AND RICHLAND COUNTIES, NORTH DAKOTA**

**SIGNATORY:
NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE**

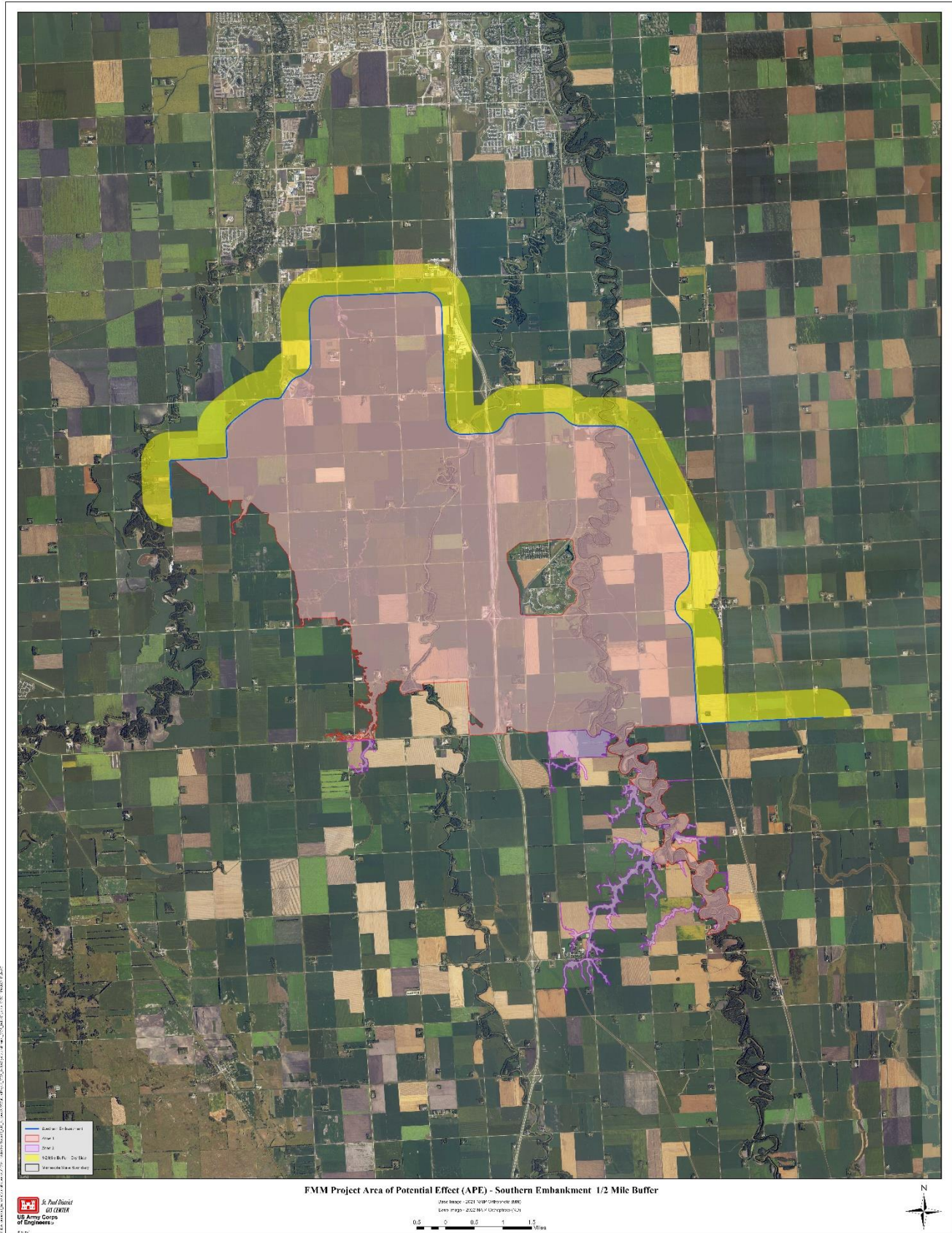
_____. Date: _____.

William Peterson, PhD, State Historic Preservation Officer

Attachment A. FMM Project APE indicating all surveys



Attachment B. FMM UMA portion of the Project APE with 1/2 mile buffer



Attachment C. Eligible or Listed Historic Properties within the UMA in ND

32CS5365 Feature 2

32CS5368 Farmstead with 8 contributing features

32CS5369 Feature 7, plus two additional contributing features

32CS5370 Farmstead with 9 contributing features

32CS5382 Feature 7

32CS5385 Farmstead with 4 contributing features

32CS5346 Hanson Cabin

32CS5109 Gulbrand Ramstad Farmstead

32CS5384 Moss, Richard Farmstead

32CS5408 Farmstead and Feature 2

32CS5406 Feature 1 Residence

32RI0932 Farmstead and Features 1 (log house) and 7 (barn)

32RI0936 Feature 2 Niles Johnson Farm

32CS5255 St. Benedict's Cemetery

32CS2653 Lower Wild Rice and Red River Cemetery

32RI1877 Hemnes Cemetery

**MEMORANDUM OF AGREEMENT
BETWEEN
THE U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
AND THE NORTH DAKOTA STATE HISTORIC PRESERVATION OFFICE,
REGARDING
THE UPSTREAM MITIGATION AREA FARGO-MOORHEAD
METROPOLITAN AREA FLOOD RISK MANAGEMENT PROJECT
CASS AND RICHLAND COUNTIES, NORTH DAKOTA**

**CONCURRING PARTY:
METRO FLOOD DIVERSION AUTHORITY**

_____. Date: _____.

Dr. Timothy J. Mahoney, Chair, Metro Flood Diversion Authority

**CONCURRING PARTY:
METRO FLOOD DIVERSION AUTHORITY**

_____. Date: _____.

Jason Benson, Executive Director, Metro Flood Diversion Authority

FARGO MOORHEAD DIVERSION PROJECT
MONTHLY UPDATE

20 May 2026

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 99.5% complete. Completion date is 28 Oct 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated in June 2026.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Construction is 99% complete. Completion date is 28 November 2025. Final inspections upcoming. Turnover to Sponsors for OMRRR anticipated in June 2026.

3 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 95% complete. Construction completion date is 30 April 2026. Structural crews working on misc. metal and electrical install and concrete finishing. Turnover to Sponsors for OMRRR anticipated in late August 2026

4 Drain 27 Wetland Mitigation Project Plantings - Construction

Native plantings 5-year contract for wetland establishment. Completion date is 2 December 2027. Contractor replanted areas disturbed by adjacent producers.

5 FY2024 Contract Awards - Construction:

OHB Ring Levee: Turnover to Sponsors for O&M occurred on 29 December 2025. Drainage adjustment under separate contract ongoing.

Reach SE-1B: 79% complete. Contract completion date will be extended into July 2026. Contractor mobilized in late-April.

Reach SE-2B: 90% complete. TRM and turf establishment remain and Contractor has mobilized to site. Contract completion date is 23 October 2026.

Forest Mitigation #1: Planting/maintenance ongoing. Contract completion date is 31 Dec 2028.

Reach SE-4: 34% complete. Contractor mobilized in late-April. Contract completion date is 15 October 2026.

6 FY2025 Contract Awards - Construction:

SE-3: 40% complete. Contractor mobilized mid-April. Contract completion date is 11 September 2026.

SE-5: 37% complete. Contractor recently mobilized. Contract completion date is 8 September 2026.

Forest Mitigation #2: Planting/maintenance ongoing. Contract completion date is 31 Dec 2029.

7 FY2026 Contract Awards:

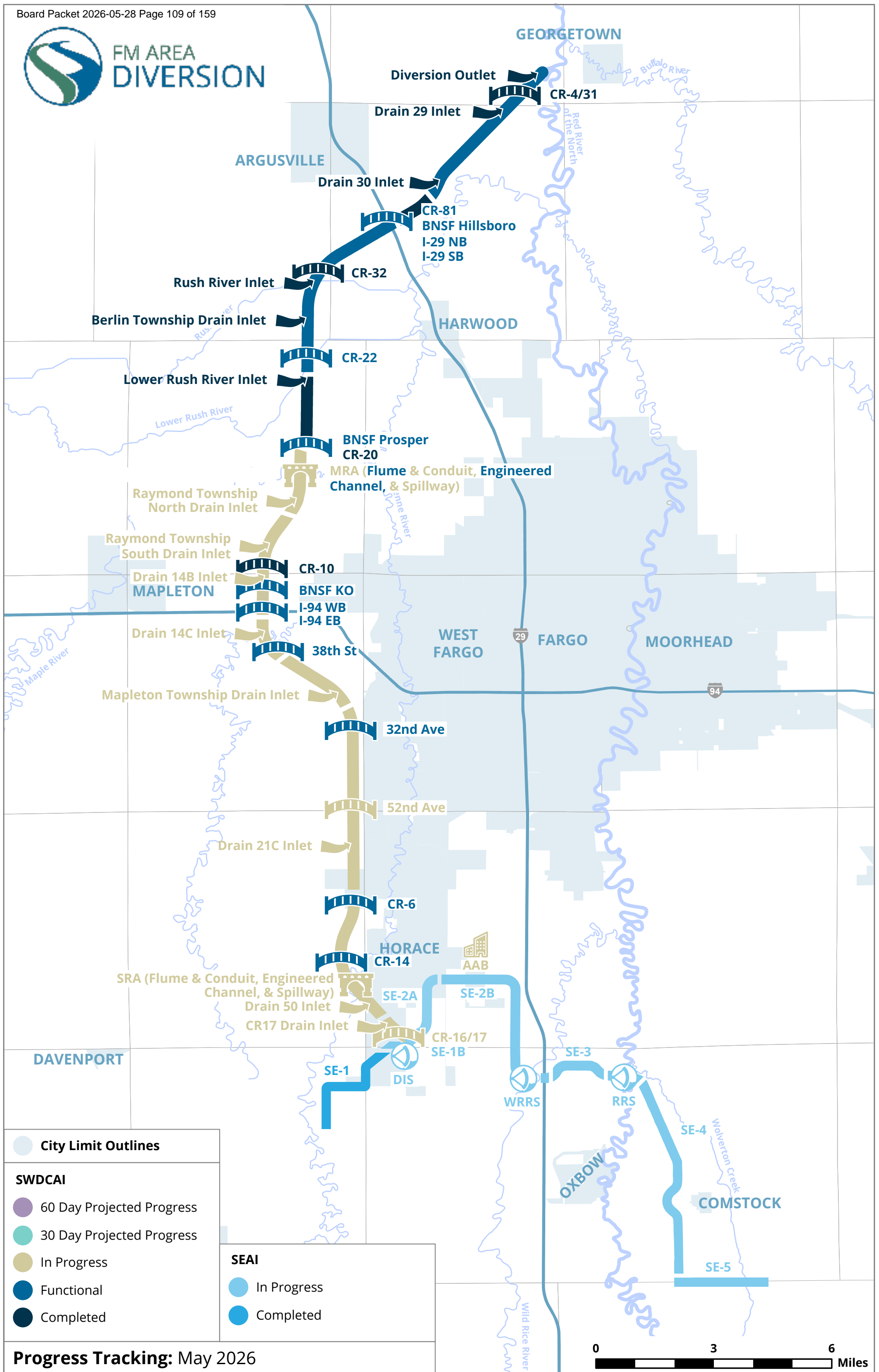
Forest Mitigation #3: Service contract awarded 27 February 2026. Completion date will be December 2028.

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

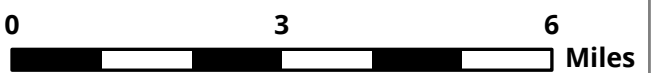
Turnover to MFDA occurred on 20 December and preparation of O&M documents is ongoing.

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.



Progress Tracking: May 2026

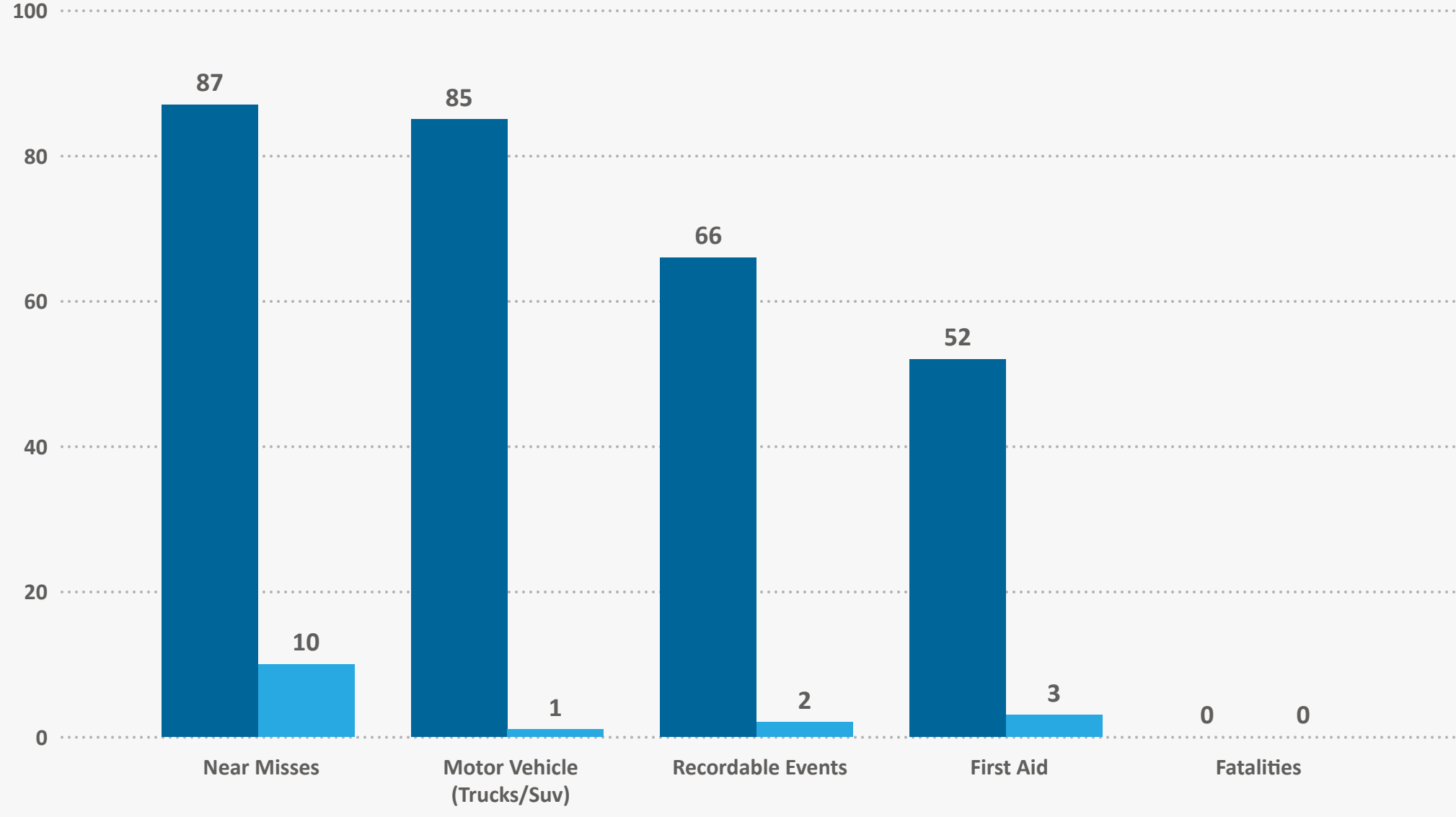


FM Area Diversion Safety Statistics - April 2026

Current Reporting Period: April 1 - April 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
0	2
Incident	Incidents

Authority Led Projects

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

PMC P3 SUMMARY REPORT APRIL 2026

Issue Date – May 18, 2026

PROGRESS

Construction of the SWDCAI is approximately 86%¹ complete based on Earned Value from RRVA's latest Schedule Submittal.

The work during the reporting period is summarized below:

- **General:** There continues to be challenges to complete the remaining work within the permit restrictions; however, the Authority and the Developer are working with the relevant agencies to ensure compliance. There are currently seasonal permit restrictions impacting work to the Aqueducts.
- **Aqueducts:** Site conditions were extremely muddy, and roadways were difficult to travel, which has impacted work. Maple River Aqueduct: Steelwork, motors, cable drives, spools and lifting blocks were installed for the vertical lifting gate. Fish were removed, boulders were removed, concrete erosion mats were installed, grass was seeded and the temporary bypass was removed all for the engineered channel. Leaks in the flume were investigated. Epoxy coated rebar and formwork were erected, concrete was placed, skim coat applied and dewatering continued, all to the spillway. Investigations continue into the vertical cracks in the wingwalls. Temporary access across the existing Maple River was removed to allow temporary dewatering of the engineered channel and replaced once the water was returned to the engineered channel, and fish removal carried out to the existing river. Excavation between the spillway and the main channel continued. Formwork was installed for the overhangs and decking on the spillway maintenance road/trail bridge. There was no activity on the Obermeyer weir; however, a solution is still being developed for incorrectly placed bolts. As the channel work removes the existing roadway, the east maintenance road/trail has been strengthened to provide access. Sheyenne River Aqueduct: A solution is still being developed for incorrectly placed bolts, and the side plates were installed for the Obermeyer weir. Dewatering continued, dowels, rebar and formwork were installed, and concrete placed to the baffle blocks, walls overhangs, walkways, cap beams and wingwalls for the spillway. H-piles were driven for wingwalls #1, #2, #5 and #6 and cut to elevation. Sheet piles were driven for wingwalls #1, #2, #3, #4, #5, #6, #7 and #8; cut to elevation; and tar epoxy applied. Formwork was erected for wingwalls #1, #2, #5, #6, #7, west abutment, section 1 of the flume walkway, overhangs and decking of maintenance road bridge and flume walkway. Epoxy coated rebar was installed for wingwall #6 section 4, north section top lift of the west abutment, the footing of wingwall #7 section 4, the remaining wing walls on the east side, the heat trace control pedestals, and the north top slab at the west abutment. Concrete was placed for the bulkheads, outlets and caps for the flume bypass at wingwalls #5 and #6; the north section upper wall and west approach slab of the west abutment; the box culvert/flume bypass at the east and west abutments; the east abutment south section upper wall; section 1 of the flume walkway; the top slab of the west abutment; and the half walls in section 2 of wingwalls #5 and #6. Surface finish and repairs were carried out for the interior walls and low flow channel in sections 1, 2, 3, 4 and 5 of the flume, all bays of the channel under-passage and the interior guiderails for the east control gate. Texcote was applied to the interior of the flume in all sections. Boulders were installed in the flume and repairs carried out where a boulder fell from height. Cable and covers for the heat trace system were installed in all sections of the

¹ Note: Overall Percent Complete is based on the RRVA March 2026 PSSU submitted on April 15, 2026, and is calculated based on Earned Value (EV).

flume. Ballast from the rail shooflies was placed between wingwalls #3 and #7, and between wingwalls #4 and #8. Excavation continues for the engineered channel east of the aqueduct, and topsoiling commenced. The sand lens continued to be dewatered. Mobilization commenced for the installation of the lift towers for the vertical control gate. Scaffolding was removed where no longer required.

- **Stormwater Diversion Channel:** Reach 01, 02, 05 and 14: Survey monuments were installed for the levee settlement monitoring system. Reach 05: Dewatering continued and the downstream plug was removed. Reach 06: The downstream plug was removed and some topsoil work commenced. Excavation recommenced as the water receded. Reaches 08 and 11: The main channel excavation and placement on the EMBs continued. Reach 13: Dewatering was in operation and mass excavation continued. Reach 14: The top of the levee was re-worked and dressed up.
- **Interstate Crossings:** I-29 and I-94: Lane closures were in place northbound and southbound for inspection and repairs to slabs.
- **County and Township Road Crossings:** CR 81 Crossing: Culverts were installed at the tie in to 27th St. CR 22 Crossing: Riprap placement was completed around the bridge piers and abutments. 52nd Avenue Crossing: Surface preparation was carried out for Texcote to the north and south Texas Corral Barriers. CR 6 Crossing: Frosted material was excavated from the east and west sides of the crossing, thawed and placed back in lifts. Geogrid was placed and aggregate base placement commenced. CR 14 Crossing: The frost protection mulch removal continued from the roadway in preparation for fill and final grading.
- **Diversion Outlet:** No activity.
- **Hydraulic Structures:** Rush River Inlet: Topsoil was placed along the riprap limit. Berlin Drain Inlet: Sand left over from the sandbags was removed. Raymond North Drain Inlet: Backfill was placed and compacted around the diaphragms. Drain 14B Drain Inlet: Repairs commenced to the misaligned and settled reinforced concrete pipes. Incorrectly installed and exposed black rebar in the headwall was broken out in preparation for repair. Drain 21C Drain Inlet: Concrete was placed for the downstream headwall. CLSM was placed to the upstream and downstream diaphragms.
- **Railroad Crossings:** BNSF K.O. Railroad Crossing: BNSF removed the shoofly tracks and demobilized. Excavation of the shoofly commenced.
- **Access and Security:** No activity this month.
- **Authority Administration Building (AAB):** Office building Drywall, Insulation, blocking, painting, windows, tiling, brickwork and external cladding all continue to be installed. Rough-in of plumbing, electrical and mechanical continued. Maintenance Building: wall panels and windows continue to be installed. Electrical rough-in commenced.

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

GENERAL ADMINISTRATION

Significant effort by both the Developer and the Authority has resulted in progressing Advance Payments and Interim Completions into a regular rhythm.

Staff at the Authority and the Developer have commenced preparing processes and procedures for Project Substantial Completion and transitioning into the operation and maintenance period.

The Developer's program continues to slip to the right, resulting in the Interim Completion schedule becoming severely compressed and challenging on resources both for the Authority and the Developer.

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	Dispute resolved via the Definitive Settlement Agreement
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 resolved via the Definitive Settlement Agreement
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 resolved via the Definitive Settlement Agreement
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 resolved via the Definitive Settlement Agreement
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 resolved via the Definitive Settlement Agreement
CE-026 - Hazardous Environmental Conditions Reach 13	RRVA maintains that it Encountered Hazardous Environmental Conditions on Reach 33	June 20, 2025,	Dispute resolved via the Definitive Settlement Agreement
Noncompliance Points Assessed for RRVA_LL-C-NCR-00207 and RRVA_LL-C-NCR-00222	RRVA disputes and refuses to cure Noncompliance Points Assessed for NCR207 and NCR222	May 8, 2025	Dispute resolved via the Definitive Settlement Agreement
Notice of Interim Completion Package for Legal Drain 29	RRVA disputes the Authority's position to not grant certification of ICEs for Drain 29	April 18, 2025	Dispute resolved via the Definitive Settlement Agreement
Notice of Interim Completion Package for Legal Drain 30	RRVA disputes the Authority's position to not grant certification of ICEs for Drain 30	May 9, 2025,	Dispute resolved via the Definitive Settlement Agreement

The Authority and the Developer have re-established the Technical Dispute Review Board and the Parties recently appointed a new chair of the Financial Dispute Review Board. However, due to the resignation of the Authority's FDRB member, the Authority and the Developer are exploring the possibility of combining the TDRB and the FDRB into one single DRB that deals with technical and financial matters.

COMMERCIAL

Compensation and Relief Events

By the end of April 2026, RRVA had submitted notices of 34 (thirty-four) 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)*.

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 31 (thirty-one) Authority-initiated change requests (ACRs) through the end of the reporting period. 18 (eighteen) have been agreed and progressed to executed change orders or directives, totaling a cost to the Authority of \$5,533,793.31 and a credit to the Authority of \$950,000. 5 (five) ACRs were withdrawn and 8 (eight) were resolved via the Statement of Principles. @1 (one) ACR is under development by the Authority². A summary of the ACRs is in *Attachment C – Authority Change Requests*.

There were 59 (fifty-nine) developer-initiated change requests (DCRs) through the end of the reporting period. 37 (thirty-seven) have been agreed and progressed to executed 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*.

PROJECT CONTROLS

Schedule

The Developer submitted the forty-second Project Status Schedule (PSSU) update on April 15, 2026, for the month of March 2026 (01-Apr-26 Data Date). The submittal was accepted for review. To create the PSSU, the Developer reported making approximately 2,295 changes from the PSSU 2026 February submitted on March 13, 2026, 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 October 1, 2026, which matches the baseline date. The approved PBS Project Substantial Completion Date (Scheduled Project Substantial Completion Date) is October 1, 2026.

PBS3-R2 has been accepted contingent upon all the stated conditions being satisfied in the SOP. Informal comments for schedule concerns have been drafted in the form of a letter and provided to the Developer on August 22, 2025 (FMAD-TRN-014140).

² One ACR is in development, referenced 'ACR032-2026 – AMENDMENT TO TR SECTION 3.3.3.5 - NDDOT FENCING' following a request from NDDOT that the fence paralleling the interstate be "Fence Smooth Wire 3 Strand-Steel Post", "Corner Assembly Steel Post", and "Double Brace Assembly-Steel Post"

Invoicing and Payment

BNSF submitted 168 invoices through the month of April 2026 totaling \$21,059,657.23. These have been forwarded to the Developer for payment for work performed by BNSF and its subcontractors at the Prosper, Hillsboro and KO locations. For the month of April, 158 of the 168 were paid for a total of \$18,225,106.33. The unpaid amount falls within the 60-day turnaround 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 per 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 April.

Payments to RRVA

July 3, 2025, marked execution of the settlement agreement Statement of Principles (SoP) between the Developer and the Authority. The SoP allows the Developer to submit and request advance payment invoices for relative Pay Units provided the works for the specific Interim Completion Element(s) be substantially complete within 120 days of each advance payment request. The tables below have been updated to reflect payments made to the Developer under this agreement. Section 22 of the SoP also allows for payments to the Developer regarding settling outstanding claims.

Summary of all Payments to the Developer through April 2026		
Cost Type	Amount	Notes
Series A Advance Payments	\$132,959,188.80	See Table 1 Below
Series B Interim Completion Payments	\$12,639,603.20	See Table 2 Below
Full ICE Payments	\$14,390,103.00	See Table 3 Below
Contingency SoP Section 22 Payments	\$27,000,000	\$7,000,000 paid 3/31/26 for design and construction certificates for Rush River Inlet and Diversion Outlet Structure. See SOP Section 22 Payments table below.
Contingency ACRs	\$7,956,760.06	(see Attachment C)
Contingency DCRs	\$3,712,553.80	(See Attachment D)
DRB Members (50% share)	\$141,699.98	Includes Polsinelli PC cost share.
Grand Total	\$198,799,908.84	

Table 1 - Series A - Additional Milestone <u>Advance</u> Payments				
Description	Pay Unit	Amount	Status	Date Paid
Diversion Channel Reach 2	4	\$13,018,175.20	Paid	17-Jun-25
Drain Inlet associated with Legal Drain 29	11	\$1,373,906.40	Paid	17-Jun-25
Drain Inlet associated with Legal Drain 30	12	\$2,554,404.80	Paid	31-Jul-25
Diversion Channel Reach 1	3	\$18,459,476.80	Paid	6-Aug-25
Diversion Channel Reach 1	2	\$11,322,074.40	Paid	6-Aug-25
CR 32 Crossing	26	\$6,662,244.80	Paid	18-Aug-25
Combined CR 4 and CR 31 Crossing and Collector Roadway Improvements	28	\$7,211,620.80	Paid	18-Aug-25

Table 1 - Series A - Additional Milestone <u>Advance</u> Payments				
Description	Pay Unit	Amount	Status	Date Paid
CR 20 Crossing	55	\$5,187,908.00	Paid	18-Aug-25
CR 10 Crossing	54	\$5,267,792.00	Paid	18-Aug-25
38th Street W Crossing and improvements	57	\$5,205,660.00	Paid	18-Aug-25
CR 22 Crossing	25	\$4,789,423.20	Paid	15-Sep-25
Drain Inlet associated with Legal Drain for Berlin Township	14	\$3,406,494.40	Paid	5-Dec-25
Removal of the BNSF Hillsboro Subdivision Line Crossing Shoofly	31	\$1,358,017.60	Paid	16-Dec-25
Removal of the BNSF Prosper Subdivision Line Crossing Shoofly	34	\$1,020,732.00	Paid	16-Dec-25
Division Outlet	1	\$5,875,866.40	Paid	14-Jan-26
Diversion Channel Reach 5	7	\$30,073,898.40	Paid	27-Jan-26
Diversion Inlet Structure Tie-In	47	\$7,625,964.80	Paid	24-Feb-26
Drain Inlet associated with Legal Drain for Raymond Township South	17	\$2,545,528.80	Paid	3-Mar-26
	Total	\$132,959,188.80		

Table 2 - Series B – Interim Completions				
Description	Pay Unit	Amount	Status	Date Paid
Drain Inlet associated with Legal Drain 29	11	\$343,476.60	Paid	16-Oct-25
Drain Inlet associated with Legal Drain 30	12	\$638,601.20	Paid	16-Dec-25
CR 32 Crossing	26	\$1,665,561.20	Paid	24-Dec-25
CR 20 Crossing	55	\$1,296,977.00	Paid	6-Jan-26
Diversion Channel Reach 2	4	\$3,254,543.80	Paid	14-Jan-26
Combined CR 4 and CR 31 Crossing and Collector Roadway Improvements	28	\$1,802,905.20	Paid	14-Jan-26
Drain Inlet associated with Legal Drain for Berlin Township	14	\$851,623.60	Paid	26-Jan-26
CR10 Crossing	54	\$1,316,948.00	Paid	13-Feb-26
Diversion Channel Outlet	1	\$1,468,966.60	Paid	24-Apr-26
	Total	\$12,639,603.20		

Table 3 – Full Interim Completion Payments				
Description	Pay Unit	Amount	Status	Date Paid
BNSF KO Shoofly East Bound Crossing	35	\$3,472,708.00	Paid	26-Mar-25
BNSF KO Shoofly West Bound Crossing	38	\$3,472,708.00	Paid	26-Mar-25
BNSF Proper Shoofly	32	\$3,195,335.00	Paid	26-Mar-25
BNSF Hillsboro Shoofly	29	\$4,249,352.00	Paid	26-Mar-25

Table 2 - Series B – Interim Completions				
Description	Pay Unit	Amount	Status	Date Paid
Total		\$14,390,103.00		

Other:

The following invoices are forecasted to be submitted in 2026, the amount shown is for the full pay unit amount:

Invoice Name	Pay Unit #	Forecasted Payment Date	Pay Unit /ACR DCR Amount
Channel Reach 14 Pay Unit	46	Jun-2026	\$18,446,658
Diversion Inlet Structure Tie-In	47	Jun-2026	\$9,532,456
BNSF Prosper crossing – BU5 – Removal of Shoofly	34	Jul-2026	\$1,275,915
Rush River Inlet	13	Jul-2026	\$8,041,484
Diversion Outlet	1	Jul-2026	\$7,344,833
38th Street W Interim Connection (roadway connection south of I-94) - Construction	ACR023-2024 - 2	Jul-2026	\$51,750
Lower Rush River Inlet	15	Jul-2026	\$8,862,507
Channel Reach 05 Pay Unit	7	Jul-2026	\$37,592,373
CR 22 Crossing	25	Jul-2026	\$5,986,779
Raymond Township South Drain Inlet	17	Jul-2026	\$3,181,911
BNSF Hillsboro crossing – BU5 – Removal of Shoofly	31	Jul-2026	\$1,697,522
Raymond Township North Drain Inlet	16	Aug-2026	\$3,193,006
Channel Reach 01 Pay Unit	3	Aug-2026	\$23,074,346
Channel Reach 01 Pay Unit	2	Aug-2026	\$14,152,593
Channel Reach 04 Pay Unit	6	Aug-2026	\$16,380,341
Channel Reach 03 Pay Unit	5	Aug-2026	\$26,733,448
Cass County Drain 14C	ACR006-2022	Aug-2026	-\$950,000
BNSF Prosper Subdivision Line Crossing	33	Aug-2026	\$8,416,565
BNSF KO Subdivision Line Eastbound Crossing	36	Aug-2026	\$9,126,639
BNSF KO Subdivision Line Westbound Crossing	39	Aug-2026	\$9,126,639
CR 16/17 Crossing	48	Aug-2026	\$6,584,740
Drain 14B Inlet	18	Aug-2026	\$3,581,328
38th Street West Crossing	57	Aug-2026	\$6,507,075
BNSF Hillsboro Subdivision Line Crossing	30	Aug-2026	\$11,134,819
Mapleton Township Drain Inlet	49	Aug-2026	\$3,193,006
CR 14 Crossing	60	Aug-2026	\$7,189,260
Drain 14C Inlet	19	Sep-2026	\$8,940,172
CR 6 Crossing	53	Sep-2026	\$6,484,885
I-94 Eastbound Crossing	23	Sep-2026	\$11,001,680
I-94 Westbound Crossing	24	Sep-2026	\$11,001,680

Invoice Name	Pay Unit #	Forecasted Payment Date	Pay Unit /ACR DCR Amount
I-29 Northbound Crossing	21	Sep-2026	\$11,123,724
I-29 Southbound Crossing	22	Sep-2026	\$11,123,724
Removal of the BNSF KO Subdivision Line Eastbound Crossing Shoofly outside of BNSF ROW. (Buildable Unit as described in Section 3.3.3.6 Railroad)	37	Sep-2026	\$1,386,864
Removal of the BNSF KO Subdivision Line Westbound Crossing Shoofly outside of BNSF ROW. (Buildable Unit as described in Section 3.3.3.6 Railroad)	40	Sep-2026	\$1,386,864
52nd Avenue W Crossing	59	Sep-2026	\$5,494,777
Channel Reach 06 Pay Unit	8	Sep-2026	\$17,553,406
Maple River Aqueduct	20	Sep-2026	\$41,248,560
Channel Reach 08 Pay Unit	10	Sep-2026	\$25,280,570
Channel Reach 07 Pay Unit	9	Sep-2026	\$22,568,529
32nd Avenue West Crossing	56	Sep-2026	\$6,484,885
Channel Reach 09 Pay Unit	41	Sep-2026	\$42,263,110
Channel Reach 10 Pay Unit	42	Sep-2026	\$29,499,300
Sheyenne River Aqueduct Changes & Aqueduct Design Maple River - Milestone 4 - Completion of Construction at Maple and Sheyenne	ACR016-2023 & ACR022-2023 - 4	Sep-2026	\$2,225,000
Channel Reach 12 Pay Unit	44	Sep-2026	\$22,676,150
Authority Administration Building	58	Sep-2026	\$8,631,843
CR 81 Crossing	27	Sep-2026	\$14,706,217
Drain 50 Inlet	51	Sep-2026	\$3,193,006
Channel Reach 11 Pay Unit	43	Sep-2026	\$36,903,602
Drain 21C Inlet include 15th St. SW Improvements CR8 – 32nd Ave.	50	Sep-2026	\$3,193,006
Channel Reach 13 Pay Unit	45	Oct-2026	\$44,500,407
Sheyenne River Aqueduct	52	Oct-2026	\$36,144,900
Substantial Completion Milestone Payment	MPsc	Oct-2026	\$127,265,187
Milestone 2 will be paid when the Certificate of Interim Completion for Pay Unit Number 24 (I-94 Westbound Crossing) is achieved.	ACR007 - 2022-2	Oct-2026	\$141,970
Milestone 1 will be paid when the Certificate of Interim Completion for Pay Unit Number 22 (I-29 Southbound Crossing) is achieved.	ACR007 - 2022-1	Oct-2026	\$141,970
Total			\$802,023,981

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.

The Authority will also pay BNSF a total of \$9,000,000 for lifespan maintenance and future reconstruction of three railroad bridges following completion of construction of these structures, estimated to be Summer 2026. This

payment reflects the net present value of the three bridges for which BNSF will accept responsibility for ownership and maintenance.

In addition to the payments above, Section 22 of the Statement of Principles (SOP) executed in July 2025 provides for a total of \$57 million in settlement of released claims as follows:

SOP Section 22 Payments			
Payment Type	Amount	Payment Date	Notes
Initial Settlement Agreement 30 days following Statement of Principles Effective Date (July 3, 2025)	\$10,000,000	July 14, 2025	
30 days after all NCRs identified in Schedules C and D of the SOP are formally closed	\$10,000,000	October 3, 2025	
30 days following issuance of Design Certificates and Construction Certificates for Buildable Units S09 (Rush River Inlet) and O00 (Diversion Outlet Structure)	\$7,000,000	March 31, 2026	
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Units CR1, CR2, CR3, CR4, CM1, CM2, CM3, CM4, CM5, CS1, CS2, CS3, CS4 and CS5 for Local Drainage.	\$5,000,000		
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Units A51, A52, and A53 for the Maple River Aqueduct.	\$5,000,000		
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Unit A56 for the Sheyenne River Aqueduct.	\$5,000,000		
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Units M35, Y35, G35, and R36 for the NDDOT Bridges.	\$5,000,000		
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Units X71, X73, X75, X81, X83, X85, X91, X93 and X95 for the BNSF Bridges.	\$5,000,000		
30 days after the issuance by the Developer of a Design Certificate and Construction Certificate for Buildable Units M11, G11, Z11, M12, Y12, G12, M13, G13, Z13, R14, R15, R17, R61, R62, and R73 for the Cass County Bridges.	\$5,000,000		
Grand Total	\$57,000,000		

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*.

Safety

The summary for Safety for the Month of April 2026 is as follows:

- 4/7/2026 ASN - Public Road (I-29 Northbound); employee was driving northbound on I-29 following a semi, when a chunk of ice flowed off the trailer and struck the front of the company vehicle, causing minor damage to the grill inside the bumper. No injuries.
- 4/10/2026 ASN - Reach 04; employee was pressure washing a tractor when a chunk of mud and rock came loose, making contact with the windshield, causing it to break. No injuries.
- 4/11/2026 ASN - Maple River Aqueduct; Mechanic shop barn door broke off due to high winds. No injuries.
- 4/14/2026 ASN - Maple River Aqueduct; welder was sharpening a soap stone and scratched his left thumb on a sheet of metal.
- 4/15/2026 ASN - Maple River Aqueduct; skid steer operator was in the process of backing up and made contact with a semi-truck that was attempting to go around her. No damage to semi-truck, minor damage to the rear bumper on the skid steer. No injuries.
- 4/15/2026 ASN - Maple River Aqueduct; skid steer operator was cleaning the hauling routes, when it reached the end of the route. The operator reversed into the side-by-side that left damage on the rear passenger side. The side by side was parked.
- 4/16/2026 ASN - All Hand Safety Meeting.
- 4/16/2026 ASN - Maple River Aqueduct; welder was chipping slag overhead when a piece fell down her welders' jacket onto her chest.
- 4/21/2026 ASN - Drain 50 Inlet; operator using a Bulldozer backed up into a light plant causing significant damage.
- 4/21/2026 ASN - Sheyenne River Aqueduct; Crane operator was moving boulders onto the flume, when communication problems with the rigger occurred during the lift. The last command that the crane operator heard through the radio was to lift, when around 15 feet the boulder slipped through the straps and fell onto the flume. During the lifting the rigger was commanding to stop; however, the crane operator radio was silent.
- 4/21/2026 ASN - Drain 21C Inlet; employee was helping to remove a form and stepped on a nail that was hidden underneath the dirt/sand.
- 4/22/2026 ASN - CR 22 Crossing; while moving crane mats the load shifted, resulting in part of the crane mat hitting the wind shield leaving a small spiderweb crack.
- 4/23/2026 ASN - Maple River Aqueduct; employee was in the process of inserting a 2x4 under a concrete block when the anchor bolt snapped loose from the concrete causing the block to fall. The block trapped the tip of his left index finger.
- 4/29/2026 ASN - Maple River Spillway; while grinding concrete at the spillway, the wind picked and blew dust into the employee's eye.

Road Closures for Bridge Construction

Temporary Road Closures	Anticipated Mainline Opening Date
County Road 81 – Partially demolished	Open

Temporary Road Closures	Anticipated Mainline Opening Date
32nd Ave – Traffic Detoured to CR 8 and CR 31	Open
52nd Ave – Traffic Detoured to CR 8 and CR 31	May/June 2026
County Road 6 - Bypass Operational	May 2026
County Road 16/17 Temporary Closure for Paving	May 2026

Roadways are currently closed.	Upcoming Permanent Road Closures (Tentative Schedule)
24th St SE – Closed 9/21/2022	
172nd Ave. SE – Closed 9/19/2022	40th Ave. / CR 8 – Planned date closed December 2025
171st Ave. SE – Closed 10/31/2023	81st S – Planned date August 2026 (SRA Access)
170th Ave. SE – Closed 10/31/2023	
169th Ave. SE – Closed 6/21/2023	<u>ACTIVE BYPASSES</u>
29th St. SE – Closed 9/17/2023	CR 14, and CR 6
32nd St. SE – Closed 3/20/2024	<u>ACTIVE BRIDGES</u>
37th St. SE – Closed 9/20/2023	CR 4/31 Crossing, CR 32 Crossing, CR 10 Crossing, CR 20 Crossing, I-29, I-94, CR 16/17 Crossing, 38 th St NW Crossing; 32 nd Ave Crossing CR 22.
166th Ave. SE – Closed 5/24/2024	<u>ACTIVE DETOURS</u>
43rd St. SE Closed 10/7/2024	CR 16/17 beginning May 5, 2026, through May 26, 2026
112th Ave. S – Closed 10/10/2024	<u>UPCOMING DETOURS</u>
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	
35th St. SE – Closed 10/7/2027	

Operations & Maintenance

RRVA continued general inspections throughout the ROW, Local Drainage inspections to ensure ditches and culverts are free from debris, and Interim Completion Element inspections. The Developer has stated its primary focus is areas that are submitted for Interim Completion.

There were two Certificates for Interim Completion issued to the Developer in April. One Certificate was issued to the Developer for the Diversion Outlet on April 17th, and one Certificate was issued to the Developer for the Rush River Inlet on April 30th. Issuance of Certificates Interim Completion prompt the commencement of all performance requirements in accordance with the Project Agreement.

The inspections for Drain 29 Inlet, Drain 30 Inlet, CR 20 Crossing, CR 32 Crossing and CR 4/31 Crossing and Roadway Improvements, Channel Reach 02, Local Drainage, Dead-End Terminations, 170th Ave Crossing Drain 13 & 30, Berlin Township Drain Inlet and CR 10 Crossing are being recorded and managed in 'Cityworks', the Computerized Management and Maintenance System (CMMS). The Diversion Outlet April inspections were completed in Cityworks and the Rush River Inlet inspections are queued up in Cityworks for May.

The work orders in Cityworks remain open for Bridge Deck Cleaning for CR 20 Crossing, CR 32 Crossing, CR 4/31

Crossing and CR 10 Crossing with a projected end date of May 29, 2026. We continue to monitor RRVA's inspections and their inputs in City works. The Authority continues to remind the Developer that the entire project ROW is of concern and will be reported under Nonconformance if its efforts are not apparent on project wide matters.

Compliance checks

The PMC carried out the following for the month of April 2026:

- 866 Daily Observations; 90 Compliance Checks; 2 Issues written (were noted that the Contractor was able to resolve readily) were conducted by the Authority's Construction Management Team.

For monthly construction activities update, see Appendix A of this document.

Testing

Earthwork field and laboratory tests performed by Braun Intertec are as follows:

- Atterberg (9); Hydrometer (10); Proctor (12); Sieve (2); Field Reports (28); Density Tests (37); Concrete (326)

Survey GIS:

- There were no specific surveys completed in April due to mud conditions.

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.
 - 128 Inspection and Test Plans (ITPs) have been approved for Utility activities.
 - 62 Shop Drawing submittals for Developer Managed utility relocations are approved.
- Overall, 100 of 108 identified utility conflicts (~93%) have all work including HDD void grouting and removal of abandoned facilities completed.
- Relocations for all 60 utilities crossing under the channel have been tied-in or cut over.
- Abandoned/retired utility facilities have been removed for 89 Utility BUs. Buried segments of 3 utilities still need to be removed.
- The voids have been grouted on both the entry and exit sides at 40 HDD installations. One bore still requires grouting on both sides and one requires the HDD void to be grouted on one side only.
- Adjustments for 13 of the 14 overhead electric transmission lines crossing the channel ROW are complete.

- In the second half of April, Park Construction removed CenturyLink’s retired 25-pair copper line (BU F34) and retired fiber optic line (BU F35) in Reach 13. Park Construction also removed Cass Rural Water’s retired 6-inch waterline (BU W16) in Reach 11 in late April.

SUBMITTALS

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

Submittal	Reporting Period	To Date
Submittals received for review and comment (including ITP Complete)	162	5,380
Reviews carried out*	178	5,022
Submittals returned with no comment	71	1,943
Submittals in review with the Authority as at end of reporting period	105	n/a
Submittals back with RRVA for resubmission as at end of reporting period		250
rejected as incomplete at end of reporting period	11	56
rejected with comments at end of reporting period	66	194
number of comments at end of reporting period	749	3,782
CDS returned with no comments	1	198
RFC documents (includes minor updates that are not redesigns)	-3 (BUs in re-design)	194
Relating to utility relocations (some BUs combined into a single RFC)	0	81
RFCs back in redesign	0	4
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. This also excludes ITP Close out reviews as comments on these are included in the associated Construction Certificates.

- 2 Interim Completion Element (ICE) Notices were certified in April 2026; Diversion Outlet and Rush River Inlet bringing the total number of agreed Notices to 13 (11.5% of total value).
- ICE Notices for Channel Reach 1 and Channel Reach 14 were rejected in the reporting period.
- 24 ICE Notices due to be received by the Authority by the end of April 2026 remain undelivered by the Developer. These are Reach 3, Reach 4, Reach 7, Reach 9, Mapleton Drain, Drain 14B, Raymond Drain North, Raymond Drain South, CR16/17 Crossing, CR22 Crossing, 38th St W Crossing, 32nd Ave W Crossing, 52nd Ave W Crossing, CR6 Crossing, CR 14 Crossing, CR81 Crossing, BNSF Prosper Crossing, BNSF Hillsboro Crossing, BNSF Hillsboro Shoofly Removal, BNSF Prosper Shoofly Removal, BNSF KO Crossing, BNSF KO Shoofly Removal, I-94 and I-29. These are now delayed, on average, by 200 days between their notified date of expected Notice and latest expected date.
- No 15-business-day notices were received in April 2026.
- 7 60-day notices were received in April 2026; Drain Inlet associated with Legal Drain 21C, Channel Reaches 6, 8, 10, 11, 12, Maple River Aqueduct.

- No ICE Advance Payment requests were made in March 2026.

TECHNICAL

• Design Review

- Released for Construction (RFC) level design documents are completed. Several modifications to the RFC documents continue. Review and comment of these revisions continue.
- Multiple meetings and workshops held to address remaining H&H Model comments. Anticipate completion of the “Design” H&H Model and initiation of the development of the “As-Built” H&H Model next month. The “As-Built Model is a Substantial completion requirement.
- Primary mechanism to document minor changes to the Released for Construction documents, the RFI (Request for Information) continues to be received. The RFI’s are evaluated for content, and a determination is made if the proposed modification requires a formal revision to the current design documents.
- Developer submitting Technical Memos have been received to address corrective actions required at the Maple River Aqueduct. The use of this type of submittal provides the Authority with a level of detail provided by the Engineer of Record above and beyond that of the RFI. This method is used on items which warrant a higher level of analysis by the Engineer of Record.
- Evaluation of required documentation (provided by the Developer) needed for submittal of FEMA certification continues. The acceptance of the submittals by FEMA is a critical milestone in the finalization and certification of the project.
- Receipt and review of Developer submitted Record Drawing Deliverable packages continues. Multiple meetings have been held with the Developer and will continue with the Developer until Final Completion. The Record Drawing Deliverable (RDD) will become the source document for the as constructed project. The RDD includes as-built plans, survey data, materials testing results, geotechnical reports and multiple other items which have been evaluated and verified by the Developer that the project was built in reasonable close conformity to the plans, specifications and contract documents.
- Ongoing discussions in an attempt to finalize the Flow and Water Level measuring system continue. This critical component provides continuous flow data of the Diversion Channel and interconnecting drains. This project component is most beneficial during an operational event, providing the Authority real-time data of the Diversion Channel flows so that accurate operation of the control systems will be initiated by the Authority.

QUALITY

Nonconformances

The Developer reported 6 (six) Nonconformances.

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

Summary of points as of the end of reporting period	Number of Nonconformances	Assessed NCPs
Assessed Noncompliance Points	96	1,125

Due to lag in the reporting process and the review status of the Monthly Performance Reports, the numbers reported above may be different than what Developer reported as part of their Monthly Performance Report.

The 3 months and 12 months rolling Developer Default Thresholds are reached. A workshop with the Developer was held to discuss status of Nonconformances affecting these numbers. It is expected that the number of Noncompliance Points will be reduced once submittals associated with Shop Drawings and Inspection and Test Plans will be put forward and reviewed, and possibly when other Nonconformance related information becomes available.

A large number of Nonconformance Reports are still open, and the total percentage of Nonconformance Reports closed to date is 65%.

Audits

The PMC conducted an audit of the Developer’s construction certification processes. The outcome of this audit included 5 (five) Opportunities For Improvement.

ENVIRONMENTAL

Environmental Compliance

2024 Section 404 Permit Special Condition M, P and S:

- Rush River: has been accepted by USACE
- Maple River: has been accepted by USACE
- Sheyenne River: has been accepted by USACE
- Special Condition KK – the 2026 Eagle and Raptor Nest Survey Report was received from the Developer on 28-Apr-26 and submitted to USACE on 28-Apr-26.

Permanent Native Vegetation

There was no permanent planting/seeding this month. Permanent seeding and tree planting is starting in Reach 14 in early May 2026 due to the weather.

Permanent Seeding/Planting Annual Summary

Year	# of Trees	Reaches	Acres Seeded To Date	Reaches
2024	3,508	1, 2 & 3	1,040.34	1, 2, & 3
2025	2,576	1, 2, 3, 4, 5, 6, 7, 8, 12 & 13	1,378.96	Previous: 1, 2, 3, 4, 5, 6, 7, 8, 12 & 13 (portions in some reaches)
Total to Date	6,084 Trees		2,147.00 Acres	

Audits

No environmental audits occurred this month.

Permits

Open/Applied For	Closed	Total
97	640	737

2024 404 Permit – Violation: On 25-July-25, RRVA notified the Authority of a violation of the USACE Section 404 Permit Condition OO due to the disappearance of a brown-headed cowbird nest. On August 29, 2025, USACE issued a Notification of Non-Compliance stating that another event would trigger a civil penalty and requested the Developer’s investigation results, which were received, reviewed internally, and an update requested from the Developer. The Authority received the updated Developer response which was under review at month’s end.

2026 404 Permit – Violation: On 27-February-26 USACE issued a Notification of Non-Compliance (Section 404 General Condition 5, Special Condition AA, and Special Condition FF) stating the next violation would likely result in civil penalties.

NPDES/SWPPP NDR11-1957 – Violation: On 27-February-26 ND DEQ issued an Inspection Report of the Maple River Engineered Channel including a list of Corrective Actions.

Sheyenne River Sovereign Lands Permit - Sheyenne River Aqueduct Revision No. 2 was submitted on 2-March-26. However, this application was formally withdrawn on 19-March-26 with the intent to update and resubmit on or after 1-April-26. A sovereign lands permit application was submitted on 13-March-26 for the Sheyenne River Drain 50 Temporary Connection and was then formally withdrawn on 19-March-26 with the intent to update and resubmit on or after 1-April-26.

Cultural Monitoring

Cultural excavation/monitoring occurred at Site 5 this month. A request for utilization of a cold weather process for cultural excavation and monitoring at Site 5/TR-5, Maple River Aqueduct area was received from the Developer. It was reviewed and a test plan was accepted and carried out on January 25th in a nearby area. On 2-February-26 USACE notified the MFDA that the ND SHPO had provided permission for using the warming blanket method at the Maple River site (TR 5). The D&C Contractor performed excavation throughout April 2026 at multiple areas inside Site 5.

Mussel Salvage

No mussel salvage work occurred this month.

Spills, Contamination and Hazardous Materials

Three spills were reported this month.

Environmental Nonconformances (NCRs)

This month there were no new NCRs opened, none were closed, 21 total remained open.

RESILIENCE AND SUSTAINABILITY

Resilience

Meetings were held this month to determine how much subcontractor data has been obtained and included in the reports. For 2023 and 2024 the Developer admitted there was none collected. For 2025, they instituted a form sent monthly to their subcontractors in mid-year after the July 2025 audit uncovered this lack of data; they have requested back data for 2025 as well.

This lack of verifiable data is of concern. The Developer is working on proposing methodologies to account for this lack of data, however, our current impression, based on our discussions including some information supplied this month, is that their proposals may not adequately address the lack of data and therefore likely will not meet the TR Section 3.14 requirements or their Appendix M Proposal Commitments. However, we will review the proposed methodologies to be submitted with the 2024 and 2025 Annual Reports and updated in the RPP update.

- The Resilience 2024 Annual Report was resubmitted and returned with compliance and preference comments on March 26, 2026, and is awaiting resubmittal.
- The Resilience 2025 Annual Report was returned with compliance and preference comments on 24-Feb-26, and is awaiting resubmittal.
- The Resilience Program Plan was resubmitted on 07-Jul-25, returned, and rejected incomplete on 04-Aug-25, resubmitted on 26-Nov-25, and returned “rejected incomplete” to the Developer in December. The Developer agreed to submit separate information regarding the EDMS file structure including all backup information for each KPI; this was received 30-Jan-26 and was returned “rejected incomplete” to the Developer on 11-Feb-26.

Sustainability

RRVA’s Sustainability efforts outside of the PA are: 1. Education and Skills; 2. Renewable Energy; and 3. Culture & Heritage. No monthly Sustainability update meeting was held in this month; and it appears the Developer has stopped these efforts.

FEDERAL COMPLIANCE

Reporting

The 2025 annual report was submitted on 13-Feb-26 and rejected incomplete on 16-Mar-26; resubmitted on 07-Apr-26 and rejected incomplete on 05-May-26

The FRC Plan 2026 Update was submitted 31-Mar-26 and returned rejected incomplete on 22-Apr-26.

EMPLOYEE APPRENTICESHIP PROGRAM

The 2026 Q1 EAP Report was accepted on 30-Apr-26. The 2025 EAP Annual Report was received in January and returned with compliance comments on 2-Feb-26; resubmitted on 03-Feb-26 and accepted on 06-Feb-26

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 ³	Developer's assessment of BU % complete – see footnote ⁴
Buildable Unit Group - Aqueducts					
A51	Maple River Aqueduct Flume/Conduit Structure	710+17	Active	Welding Vertical Gate Welding the Vertical Gate Tower Bridge Installation of Stairs and Ladders in the Vertical Gate Towers Installing the maintenance crane Installing the hoist	89.45%
A52	Maple River Aqueduct Spillway	710+17	Active	Welding the permanent solution for the sheet piles Welding studs on sheet piles Formwork and rebar installation for Sheet pile facing and cap beam Concrete pours for Sheet pile facing and cap beam Installation of Compressor building components Installation of the manhole	76.89%
A53	Maple River Aqueduct Engineered Channel	710+17	Active	Installed Flex-a-mat up to the High-Water Level Completed the Excavation and Tie-in with the Aqueducts	97.58%
A56	Sheyenne River Aqueduct	1477+50	Active	Formwork and rebar installation for west abutment, east abutment, Flume Bypass culvert, Flume sidewalk Concrete pours for west abutment, east abutment, Flume Bypass culvert, Flume sidewalk LFC heat trays installation Installation of the Mineral Insulated Cables and Self-regulating cables Texcote painting in the Flume Boulders Installation Welding pile tension anchors in wingwalls, Sheet piling in wingwalls, backfill for wingwall footings, Backfill between wing walls. Formwork and rebar, concrete pours for wingwalls footings Formwork and rebar, concrete pours for wingwalls	57.78%

³ Status and progress are as observed by the PMC at the end of April 2026.

⁴ Note: Buildable Unit Percent Complete is based on the RRVA January PSSU submitted on or around April 15, 2026, 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 ³	Developer's assessment of BU % complete – see footnote ⁴
				Formwork and Rebar, Concrete pours for Spillway baffle blocks Formwork and rebar, concrete pours for spillway sheet pile facing and cap beam	
Buildable Unit Group – Local Drainage					
CR1	Local Drainage in Rush River WRD - Reach C01	41+70 to 219+29	Complete	Complete	98.60%
CR2	Local Drainage in Rush River WRD - Reach C02	219+29 to 302+00	Complete	Complete	99.43%
CR3	Local Drainage in Rush River WRD – Reach C03	302+00 to 428+53	Active	No work during reporting period	95.82%
CR4	Local Drainage in Rush River WRD - Reach C04	428+53 to 576+00	Active	No work during reporting period	93.51%
CM1	Local Drainage in Maple River WRD – Reach C05	576+00 to 655+00	Complete	Complete	94.39%
CM2	Local Drainage in Maple River WRD – Reach C06	655+00 to 762+77	Active	Left Ditch Excavation, Geotextile Placement, Bedding Placement, Geotextile Placement	90.41%
CM3	Local Drainage in Maple River WRD – Reach C07	762+77 to 859+53	Active	No work during reporting period	85.59%
CM4	Local Drainage in Maple River WRD – Reach C08	859+53 to 912+00	Active	No work during the reporting period	80.81%
CM5	Local Drainage in Maple River WRD – Reach C09	912+00 to 968+00	Active	No work during the reporting period	89.79%
CS1	Local Drainage in Southeast Cass WRD - Reach C10	968+00 to 1080+28	Active	No work during the reporting period	92.89%
CS3	Local Drainage in Southeast Cass WRD - Reach C12	1235+72 to 1327+00	Active	No work during the reporting period	82.64%
CS4	Local Drainage in Southeast Cass WRD - Reach C13	1327+00 to 1554+59	Active	No work during reporting period	93.66%
CS5	Local Drainage in Southeast Cass WRD – Reach C14	1554+59 to 1571+70	Complete	Complete	93.33%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
Buildable Unit Group - Diversion Channel					
C01	Diversion Channel, Low Flow Channel (LFC), Engineered Material Berms (EMBs), Diversion Channel Line of Protection in Reach-01	27+63 to 219+29	Complete	Complete.	99.87%
C02	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-02	219+29 to 302+00	Complete	Complete	99.95%
C03	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-03	302+00 to 428+53	Active	No work during the reporting period.	96.47%
C04	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-04	428+53 to 576+00	Active	Main Channel and LFC Excavation, placed on right EMB, and Topsoil Placement.	91.51%
C05	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-05	576+00 to 655+00	Active	No work during the reporting period	99.59%
C06	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-06	655+00 to 762+77	Active	Main Channel Excavation, Levee Placement, EMB Placement, Topsoil Stripping and Placement	74.62%
C07	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-07	762+77 to 859+53	Active	No work during the reporting period.	94.48%
C08	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection, in Reach-08	859+53 to 912+00	Active	No work during the reporting period.	66.74%
C09	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-09	912+00 to 968+00	Active	Main Channel and LFC Excavation and placed material on the Right and Left EMB. Topsoil placement.	84.65%
C10	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-10	968+00 to 1080+28	Active	Main Channel and LFC Excavation, placed on left and right EMB,	79.54%
C11	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-11	1080+28 to 1235+72	Active	Main Channel Excavation, Levee Placement, EMB Placement, Topsoil Stripping and Placement	60.66%
C12	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-12	1235+72 to 1327+00	Active	No work during the reporting period	81.59%
C13	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-13	1327+00 to 1554+59	Active	Main Channel Excavation, EMB Placement, Topsoil Stripping and Placement	67.35%
C14	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-14	1554+59 to 1571+70	Active	No work during the reporting period.	93.48%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
Buildable Unit Group - Hydraulic Structures					
S08	Drain 29 Inlet	27+63	Complete	Complete Punch List items to be addressed	99.93%
S16	Drain 30 Inlet	213+75	Complete	Complete Punch List items to be addressed	99.85%
S09	Rush River Inlet	431+75	Active	Completed construction, working on Punch List items.	99.49%
S10	Lower Rush River Inlet	578+50	Active	No work during the reporting period	98.40%
S03	Berlin Township Drain Inlet	492+84	Complete	Punch list items	98.92%
S04	Raymond Township North Drain Inlet	756+00	Active	No work during the reporting period	97.74%
S32	Raymond Township South Drain Inlet	793+00	Active	No work during reporting period	97.16%
S33	Drain 14B Inlet	856+00	Active	No work during the reporting period	89.00%
S34	Drain 14C Inlet	929+30	Active	No work during reporting period	92.25%
S15	Mapleton Township Section 24 Drain Inlet	1078+00	Active	No work during reporting period	90.51%
S55	Mapleton Township Section 9 Drain Inlet	929+00	Complete	Complete	0.00%
S68	Drain Inlet 21C	1232+25	Active	Rub and patching the headwalls and Diaphragm CLSM US & DS	51.39%
S69	Drain 50		Active	Headwall texturing U/S Headwall texturing; Headwall backfill; backfill operations ongoing.	58.38%
S74	Drain Inlet associated with CR17	1548+00	Active	No work during reporting period	96.67%
Buildable Unit Group - Diversion Outlet					
O00	Diversion Outlet Structure	27+63 to 41+70	Complete	At the O&M Stage; however, some rework may be required	99.77%
Buildable Unit Group - Roadways					

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
R19	25th St. Connection Parcel 2368	160+00 LT	Active	Roadway scope of work completed, working in punch list items	94.06%
R20	27th St. Connection to CR81	300+00 LT	Active	Embankment construction connecting to CR 81 Mainline No work during the reporting period.	92.84%
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	Complete	Complete	87.62%
R26	172nd Ave. SE Connection to realigned CR4	114+00 RT	Complete	Complete	92.68%
R18	24th St. SE Connection to realigned CR4	100+00 RT	Complete	Complete	89.91%
M11	County Road 4/31 Crossing (Bridge)	86+91	Complete	Complete. Bridge opened to the public December 4	100.00%
M12	County Road 81 Crossing Bridge	310+20	Complete	Complete, but punch list repair work on the roadway is needed from haul trucks.	94.72%
Z11	County Road 4/31 Crossing (Roadways)	86+91	Complete	Complete	100.00%
R25	171st Ave. SE Crossing at Drain 30	215+00 LT	Complete	Complete	94.40%
Y12	County Road 81 Crossing (Bypass)	310+20	Complete	No work during reporting period	98.45%
G12	County Road 81 Crossing (Settlements)	310+20	Complete	Complete	97.60%
M35	Interstate I-29 Northbound & Southbound Crossing (Bridge)	NB 313+75 SB 314+81	Active	Saw cutting, Grading and Sealing concrete Shoulder gravel work and topsoil placement Asphalt Paving at shoulders SB Striping Riprap installation ongoing Riprap installation ongoing All lanes open to traffic on November 24	97.10%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
Y35	Interstate I-29 Northbound & Southbound Crossing (Bypass)	NB 313+75 SB 314+81	Complete	Removal of the bypass complete	99.55%
G35	Interstate I-29 Northbound & Southbound Crossing (Settlements)	NB 313+75 SB 314+81	Complete	Complete	97.67%
M13	Country Road 32 Crossing (Bridge)	408+08	Complete	Punch list items need to be addressed	100.00%
G13	Country Road 32 Crossing (Settlements)	408+08	Complete	Complete	100.00%
Z13	Country Road 32 Crossing (Roadways)	408+08	Active	Complete	99.58%
R14	Country Road 22 Crossing	571+84	Complete	Complete	95.72%
R15	CR 20 Crossing	679+37	Complete	Complete	99.99%
R27	CR10 (12th Ave. NW Connection to multiple parcels)	870+00 RT	Not Started	No work during reporting period	30.50%
R17	CR 10 Crossing	852+46	Complete	No working during reporting period	99.84%
R36	Interstate I-94 Eastbound & Westbound Crossing	WB 902+89 EB 903+74	Active	Shoulder gravel and topsoil placement Striping of SB lanes Worked on formwork placement/saw cutting/grading/sealing; Work on the Weigh Station ramp concrete paving; survey work on off ramp concrete staking All lanes open to traffic	97.27%
R58	38th St W Crossing (Township Road)	976+17	Active	Deck and asphalt approach cleaning Striping of lanes Guard rail installation Sub grade prep and embankment construction	96.22%
R59	32nd Avenue W Crossing (Township Road)	1119+06	Active	Guardrail installation Traffic opening walk/inspection completed	89.18%
R60	52nd Avenue W Crossing (Township Road)	1224+92	Active	Form and Rebar at barrier walls	85.41%
R61	County Road 6 Crossing	1330+41	Active	Bedding and riprap installation Tex-Cote still needs to be completed	85.14%
R62	County Road 14 Crossing	1438+97	Active	Embankment construction	83.89%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote³	Developer's assessment of BU % complete – see footnote⁴
R73	County Road 16/17 Crossing	1558+40	Active	Crossing open to traffic November 24	95.59%
R74	24th St. SE Connection to Landlocked Parcel 1222	55+00	Complete	Complete	96.30%
R75	38th St. NW Connection to the Maintenance Road/Trail	874+00	Not Started	No work during reporting period	57.24%
R76	47th St. SE access to Parcel 1200	1500+00	On Hold	No work during reporting period	87.25%
R77	170th Ave. Xing Drain 13 & Legal Drain 30	250+00	Complete	Complete	100.00%
R3A	Dead-End Termination of Local Roads in Reach-01	27+63 to 219+29	Complete	Complete	73.83%
R3B	Dead-End Termination of Local Roads in Reach-02	219+29 to 302+00	Complete	Complete	90.51%
R3C	Dead-End Termination of Local Roads in Reach-03	302+00 to 428+53	Complete	Complete	60.74%
R3D	Dead-End Termination of Local Roads in Reach-04	428+53 to 576+00	Complete	Complete	92.15%
R3E	Dead-End Termination of Local Roads in Reach-05	576+00 to 655+00	Complete	Complete	96.89%
R3F	Dead-End Termination of Local Roads in Reach-06	655+00 to 762+77	Complete	Complete	82.16%
R3G	Dead-End Termination of Local Roads in Reach-07	762+77 to 859+53	Complete	Complete	88.95%
R3J	Dead-End Termination of Local Roads in Reach-09	912+00 to 968+00	Complete	Complete	86.47%
R3K	Dead-End Termination of Local Roads in Reach-10	968+00 to 1080+28	Complete	Complete	89.25%
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	Complete	87.74%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
R3N	Dead-End Termination of Local Roads in Reach 13	1327+00 to 1554+59	Complete	Complete	97.15%
RA6	Security and Access Reach 1	27+63 to 219+29	Active	No work during reporting period	99.55%
RB6	Security and Access Reach 2	219+29 to 302+00	Active	No work during reporting period	96.80%
RC6	Security and Access Reach 3	302+00 to 428+53	Complete	Completed the Maintenance Road per SoP	64.26%
RD6	Security and Access Reach 4	428+53 to 576+00	Active	Maintenance Road placement,	72.00%
RE6	Security and Access Reach 5	576+00 to 655+00	Active	Maintenance Road complete but will be upgrading thickness to use as access during construction.	91.91%
RF6	Security and Access Reach 6	655+00 to 762+77	Active	Maintenance Road placement continues.	0.44%
RG6	Security and Access Reach 7	762+77 to 859+53	Active	No work during the reporting period.	1.05%
RA7	Security and Access Reach 9	912+00 to 968+00	Active	Maintenance Road placement, 11,909 CY Finished striping the deck barriers from work, removing overhangs, curing approach slabs at Drain Inlet 14C Maintenance Bridge	94.08%
RB7	Security and Access Reach 10	968+00 to 1080+28	Active	Maintenance Road placement, 4,204 CY	9.35%
RF7	Security and Access Reach 14	1554+59 to 1571+70	Active	Maintenance Road placement, 5,183 CY	4.85%
Buildable Unit Group – Railroad Crossings					
X71	BNSF Hillsboro crossing – BU1 – Shoofly	311+61	Complete	Complete	100.00%
X72	BNSF Hillsboro crossing – BU2 – Tie-in to Shoofly	311+61	Complete	Complete	100.00%
X73	BNSF Hillsboro crossing – BU3 – Bridge and Track	311+61	Complete	Work is complete and track has been cut over Riprap installation ongoing	99.92%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
X74	BNSF Hillsboro crossing – BU4 – Final Ballast, Tie and Rail	311+61	Complete	Park worked on Hillsboro Shoofly EMB Removal.	100.00%
X75	BNSF Hillsboro crossing – BU5 – Removal of Shoofly	311+61	Active	Shoofly Embankment material removal and placing in the EMB area.	98.84%
X81	BNSF Prosper crossing – BU1 – Shoofly	661+59	Complete	Complete	99.55%
X82	BNSF Prosper crossing – BU2 – Tie-in to Shoofly	661+59	Complete	Complete	100.00%
X83	BNSF Prosper crossing – BU3 – Bridge and Track	661+59	Complete	Complete, punch list needs to be addressed.	99.51%
X84	BNSF Prosper crossing – BU4 – Final Ballast, Tie and Rail	661+59	Complete	Complete	100.00%
X85	BNSF Prosper crossing – BU5 – Removal of Shoofly	661+59	Not Started	Park worked on Prosper Shoofly Removal.	98.43%
X91	BNSF K.O. crossing – BU1 – Shoofly	870+87	Complete	Complete	99.60%
X92	BNSF K.O. crossing – BU2 – Tie-in to Shoofly	870+87	Complete	Complete	100.00%
X93	BNSF K.O. crossing – BU3 – Bridge and Track	870+87	Active	Last concrete section placed and tented for curing.	99.04%
X94	BNSF K.O. crossing – BU4 – Final Ballast, Tie and Rail	870+87	Active	BNSF is placing and welding track panels as well as started placing ballast	95.75%
X95	BNSF K.O. crossing – BU5 – Removal of Shoofly	870+87	Not Started	No work during reporting period	39.65%
Utility Adjustments					
AT1	AT&T Reach 8 @ Design (COM-ATT-871+00)	871+00	Active	Partial removal of abandoned utility	98.30%
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%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote³	Developer's assessment of BU % complete – see footnote⁴
F09	CenturyLink - Reach 4 @ Design (COM-CLN-571+50)	571+50	Active	Utility removal at the levee footprint	97.80%
F10	CenturyLink - Reach 4 @ Design (COM-CLN-571+61)	571+61	Active	Utility removal at the levee footprint	97.80%
F12	CenturyLink - Reach 6 @ Design (COM-CLN-679+11)	679+11	Active	Utility removal at the levee footprint	99.82%
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	98.92%
F19	CenturyLink - Reach 9 @ Design (COM-CLN-962+00 (2))	962+00	Active	Conduit installation at the bridge abutments	98.92%
F20	CenturyLink - Reach 9 @ Design (COM-CLN-962+00 (3))	962+00	Active	Conduit installation at the bridge abutments	98.92%
F22	CenturyLink - Reach 10 @ Design (COM-CLN-978+00 (1))	978+00	Active	Conduit installation at the bridge abutments	99.20%
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	90.04%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer's assessment of BU % complete – see footnote ⁴
MP1	Minnkota Power - Reach 1 @ Design (ELC-MKP-54+12)	54+12	Active	Temporary relocation at CR 4-31 and Drain 29	99.85%
MS2	Midcontinent - Reach 7 @ Design (COM-MCC-851+00)	851+00	Active	Utility removal at the levee footprint	99.28%
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	99.60%
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	99.29%
W05	Cass Rural Water - Reach 3 @ Design (WAT-CRW-304+98)	304+98	Active	Removal of utility	95.55%
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	99.14%
Buildable Unit Group - Administration Building					
AB1	Authority Administration Building - Settlement Works		Complete	Complete	100.00%
AB2	Authority Administration Building - Building Works		Active	Structural Steel erection and welding Roof joists installation and welding, decking Septic mound Installation Pond excavation Storm sewer installation Precast concrete installation Exterior layout and framing installation	50.50%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ³	Developer’s assessment of BU % complete – see footnote ⁴
				Wiring for transformer Topping slab concrete pour Infill for south of pad to southern embankment Parking lot subgrade and gravel Set transformer Interior rough-in electrical and mechanical. Exterior panels completed Stairway pans are installed.	

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

CE-/RE-#	Description	Date Initial CE Notice Submitted	Cost / Relief Submitted ⁵	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	N/A	Resolved via Definitive Settlement Agreement *
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	N/A	Closed – Submitted to TDRB
CE 017	Initial-Uncdisclosed Hazardous Environmental Condition at KO & Prosper	November 21, 2023	Not yet submitted	N/A	Resolved via Definitive Settlement Agreement *
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

⁵ 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 ⁵	Cost / Relief Agreed	Status
CE 019	Additional Riprap Requirement due to Hydraulic Analysis of DIS	March 20, 2024	\$1,840,509.39	N/A	Withdrawn
CE 020	Updates to Project Agreement, Exhibit 4 (Project Land)	May 20, 2024	Not yet submitted	N/A	Withdrawn
CE 021	Attachment 3-14 Update (related to Exhibit 4)	May 20, 2024	Not yet submitted	N/A	Withdrawn
CE 022	Rush River Excavation - 404 Permit Delay	June 25, 2024	\$829,468.55	N/A	Resolved via Definitive Settlement Agreement *
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	N/A	Closed – Subject to dispute provisions of the Project Agreement (Section 54.3)
CE 025	Obstructions Uncovered Hillsboro	July 22, 2024	Not yet submitted	N/A	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	N/A	Resolved via Definitive Settlement Agreement
CE 028	Undisclosed Hazardous Environmental Conditions at County Road 8	December 3, 2024	\$2720.84	N/A	Resolved via Definitive Settlement Agreement
CE 029	Drain 14C – Mapleton Drain 9	December 24, 2024	\$394,875.56	N/A	Resolved via Definitive Settlement Agreement
CE 030	Obstructions uncovered in Reach 9	January 10, 2025	\$16,639	N/A	Resolved via Definitive Settlement Agreement
CE 031	Authority Failure to Use Reasonable Efforts Pursuant to Article 54	January 20, 2025	Not yet submitted	N/A	Resolved via Definitive Settlement Agreement
CE032	Qualifying Change in Law	January 20, 2025	Not yet submitted	N/A	Resolved via Definitive Settlement Agreement
CE033	Delay to Certificates of Interim Completion	April 24, 2025	Not yet submitted	N/A	Resolved via Definitive Settlement Agreement
CE034	Qualifying Change in Law - Drones	January 15,2026	Not yet submitted	N/A	Withdrawn
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

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	Resolved via Definitive Settlement Agreement
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	Resolved via Definitive Settlement Agreement
ACR011-2023	MLGC FOC Installation in Mapleton Township	January 20, 2023	\$368,550.67	\$350,000.00	Paid
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	Resolved via Definitive Settlement Agreement
ACR014-2023	Relocation of CRWUD waterline	February 2, 2023	\$48,449.58	N/A	Resolved via Definitive Settlement Agreement
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	Resolved via Definitive Settlement Agreement
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	Resolved via Definitive Settlement Agreement

ACR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
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	Withdrawn as part of Definitive Settlement Agreement
ACR025-2025	AAB Modifications	May 29, 2025	TBD	TBD	Resolved via Definitive Settlement Agreement
ACR026-2025	County Road 17 Connection	May 30, 2025 (with revision pending issue)	No Cost	No Cost	Executed
ACR027-2025	Road Connection in Harwood Township	Aug 13, 2025	TBD	TBD	Withdrawn
ACR028-2025	Highways Improvements	Aug 27, 2025	\$257,129.85	\$153,092.93	Executed
ACR029-2025	TCE Releases	Oct 7, 2025	No Cost	No Cost	Executed
ACR030-2026	Exhibit 4 Updates (to accommodate the Harwood Township Connector Road)	May 8, 2026	No Cost	No Cost	Executed
ACR031-2026	Amendment to Attachment 4-1 to the Technical Requirements (Item 3.05.18)	March 24, 2026	N/A	N/A	Withdrawn
ACR032-2026	Amendment to T=R Section 3.3.3.5 - NDDOT Fencing	TBD	TBD	TBD	Pending

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	Executed
DCR2022-010	Changing Dead End Termination Types for Local Roads at Diversion Channel	October 5, 2022	\$50,000.00	\$17,440.50	Executed
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	Executed
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	Placeholder - 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
DCR2025-058	Transverse Grade – Maintenance Road	October 29, 2025	No Cost	No Cost	Executed
DCR2026-059	WAPA Electrical Transmission Line Towers - Amendments to Section 3.3.4.4.5 (7) (a)	March 27, 2026	No Cost	No Cost	Executed

Attachment E – Noncompliance Points (NCPs) Status Tables

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

NCR Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
NCR-00084	MFDA-NCR-0023 – Start construction work without ITP open trench BU-W02			9	Definitive Settlement Agreement
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			0	Definitive Settlement Agreement
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			0	Definitive Settlement Agreement
NCR-00088	No signature has been provided on the RFI response per Procedure 4			0	Definitive Settlement Agreement
NCR-00089	Procedure 5, prior notification of the RFI response to ASN was made in some reviews, but not all reviews			0	Definitive Settlement Agreement
NCR-00093	MFDA-NCR-0028 – Incorrect Engineer of Record signing and sealing Design Deliverables E40-W03 – WAT-CRW-153+81			0	Definitive Settlement Agreement
NCR-00094	MFDA-NCR-0029 – Unapproved key personnel, core staff discipline, staff and specialist performing the work			0	Definitive Settlement Agreement
NCR-00096	MFDA-NCR-0032 – Lack of issuance of Schedule of Design Deliverables updates			10	Definitive Settlement Agreement
NCR-00097	MFDA-NCR-0033 – Lack of implementing Design Quality Procedure DQP 3.7			18	Definitive Settlement Agreement
NCR-00098	MFDA-NCR-0031 – Incorrect Engineer of Record signing and sealing Design Deliverables E30-G11 – CR4 31 Crossing			0	Definitive Settlement Agreement
NCR-00099	MFDA-NCR-0034 – Lack of CQMP procedure associated with processes leading into issuance of record drawings			200	Definitive Settlement Agreement
NCR-00100	The Project Quality Monitor did not attend the project office during the Month of November (2022)			0	Definitive Settlement Agreement
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			10	Definitive Settlement Agreement
NCR-00110	MFDA-NCR-0036 – Lack of issuing Federal Compliance Report for year 2022			14	Definitive Settlement Agreement
NCR-00112	Lack of RRVA not having a RRVA's Local Affairs Project Manager on staff			12	Definitive Settlement Agreement
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			50	Definitive Settlement Agreement
NCR-00134	MFDA-NCR-0049 – Lack of implementing the process for checking and reviewing design deliverables			40	Definitive Settlement Agreement
NCR-00147	Starting construction work without having an approved Inspection and Test Plan for CenturyLink Utility Line (F09) at 571+50			6	Definitive Settlement Agreement
NCR-00148	Starting construction work without having an approved Inspection and Test Plan for CenturyLink Utility Line (F10) at 571+61			6	Definitive Settlement Agreement
NCR-00151	MFDA-NCR-0054 – Starting work without accepted ITP (F11)			6	Definitive Settlement Agreement
NCR-00154	Identification of NC in the CQMP May 2023 Audit – Tracking Completion of BUs and PEs			4	Definitive Settlement Agreement
NCR-00155	Identification of NC in the CQMP May 2023 Audit – Coordination of CQM and CM for coordinating completion of each PE and BU			0	Definitive Settlement Agreement

NCR Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
NCR-00171	MFDA-NCR-0056 – Starting work without accepted ITP			3	Definitive Settlement Agreement
NCR-00172	MFDA-NCR-0057 – Starting work without accepted ITP			3	Definitive Settlement Agreement
NCR-00174	MFDA-NCR-0055 – Starting work without accepted ITP			3	Definitive Settlement Agreement
NCR-00180	Lack of RRVA not having a safety coordinator on staff			0	Definitive Settlement Agreement
NCR-00185	MFDA-NCR-0064 – Starting work without accepted revised safety plan			11	Definitive Settlement Agreement
NCR-00199	MFDA-NCR-0075 – Lack of erosion and sedimentation protection			2	Definitive Settlement Agreement
NCR-00207	MFDA-NCR-0076 – Lack of registering Nonconformance			12	Definitive Settlement Agreement
NCR-00208	MFDA-NCR-0077 – Lack of compliance with work zone traffic			1	Definitive Settlement Agreement
NCR-00222	MFDA-NCR-0084 – Lack of conducting audit in accordance with the Audit Program			6	Definitive Settlement Agreement
NCR-00224	MFDA-NCR-0085 – Utilized compaction equipment for levee and EMB fill			2	Definitive Settlement Agreement
NCR-00242	MFDA-NCR-0091 – Performing work without submitting affected Reviewable Submittal (List of Buildable Units)			10	Definitive Settlement Agreement
NCR-00247	Starting construction work without having an approved Inspection and Test Plan for BNSF Prosper settlement activities			0	Definitive Settlement Agreement
NCR-00253	MFDA-NCR-0095 – Failure to provide records related to BNSF notification of Hazardous Environmental Condition			10	Definitive Settlement Agreement
NCR-00254	MFDA-NCR-0096 – Failure to provide timely notification of Hazardous Environmental Condition			0	Definitive Settlement Agreement
NCR-00256	Outlet Structure - Boulders in Rock Weirs not meeting the minimum Diameter Requirements			0	Definitive Settlement Agreement
NCR-00264	MFDA-NCR-0100 – Lack of notifying the occurrence of Noncompliance Event associated with Nonconformance RRVA- QU-NCR-00256 (NCR-00256)			10	Definitive Settlement Agreement
NCR-00309	R36 – I-94 1-Week Ramp Closure			5	Definitive Settlement Agreement
NCR-00323	MFDA-NCR-0108 – Lack of issuing PBS Monthly Updates			10	Definitive Settlement Agreement
NCR-00324	MFDA-NCR-0109 – Lack of Modifying or Adding WBS Elements in PBS			10	Definitive Settlement Agreement
NCR-00325	MFDA-NCR-0110 – Lack of including activities in PBS			10	Definitive Settlement Agreement
NCR-00327	MFDA-NCR-0112 – Starting work without accepted changes to the RRVA Project Management Plan			10	Definitive Settlement Agreement
NCR-00330	MFDA-NCR-0115 – Lack of covering the complete list of Buildable Units in the PBS			10	Definitive Settlement Agreement
NCR-00347	Key Personnel Position – D&CC-CQMP position not filled			9	Definitive Settlement Agreement
NCR-00362	C02 (Tree Planting) – Starting Construction Work without having an approved ITP			0	Definitive Settlement Agreement
NCR-00363	Key Personnel Position – D&CC – CM position not filled			0	Definitive Settlement Agreement
NCR-00380	Lack of updates to the H&S Organizational Chart			10	Definitive Settlement Agreement

NCR Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
NCR-00421	MFDA-NCR-0130 - Lack of Submitting the Construction GIS Geodatabase Updates on a Quarterly Basis	28	28	0	FMAD-TRN-015224
NCR-00432	MFDA-NCR-0131 – Lack of Shop Drawing and Samples approval prior to flap gates installation at Drain 30			0	Definitive Settlement Agreement
NCR-00433	MFDA-NCR-0132 – Lack of listing Design Change on the applicable Construction Certificates for Drain 30			0	Definitive Settlement Agreement
NCR-00434	MFDA-NCR-0133 – Failure to report Nonconformance related to geotextile fabric installation at Drain 30			0	Definitive Settlement Agreement
NCR-00453	MFDA-NCR-0137 - Failure to Stabilize Drainage Features with Appropriate Controls Prior To Surface Water Connection	6	N/A	6	
NCR-00456	Lack of proper documentation for Material Delivery and Hold Point inspection in Reach 2	84	84	0	Formal response issued on May 8, 2026
NCR-00462	X93 - Pick Plan Not Approved Prior to Girder Setting	2	N/A	2	Notification of rectification was issued
NCR-00472	Lack of Shop Drawings approval prior to RCP installation related to Lifting Methods and Devices for Handling Precast Units	16	N/A	16	Nonconformance Report is closed
NCR-00474	Lack of issuing Request for Information (RFI) for Drain 30 sealant material	158	153	5	Formal response issued on May 8, 2026.
NCR-00477	A51 (Vertical Lift Gate) - Starting Construction without Approved Inspection and Test Plan	45	N/A	45	
NCR-00478	A51 (Heat Trace) - Starting Construction without Approved Inspection and Test Plan	12	N/A	12	Nonconformance Report is closed
NCR-00479	A51 (Heat Trace) - Starting Construction without Approved Shop Drawing	3	N/A	3	Nonconformance Report is closed
NCR-00480	A51 (Vertical Lift Gate) - Starting Construction without Shop Drawing	45	N/A	45	
NCR-00481	A51 (E House) - Starting Construction without Approved Inspection and Test Plan	9	N/A	9	Nonconformance Report is closed
NCR-00482	A51 (E House) - Starting Construction without Approved Shop Drawing	3	N/A	3	Nonconformance Report is closed
NCR-00487	RC6 & RB7 - Starting Construction without Approved Shop Drawings	1	N/A	1	Nonconformance Report is closed
NCR-00491	C01 – Low Flow Channel Sediment Build Up	3	N/A	3	Nonconformance Report is closed
NCR-00521	A53 - Start of Construction of Bypass Sump without RFC Documents	71	N/A	71	
NCR-00522	A53 - Start of Construction of Bypass Sump without Inspection & Test Plan	71	N/A	71	
NCR-00523	A52 (Girders) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00524	A52 (Rebar) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00525	A51 (Tower Anchor Bolts) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00526	A56 (H-Piles Wing Walls 1-8) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00527	A56 (H-Piles Flume) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00528	A56 (Sheet Piles Flume) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-00529	A56 (Spillway Rebar) - Starting Construction without Approved Shop Drawing	18	N/A	18	

NCR Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
NCR-00530	A51 (Compressor Building) - Starting Construction without Approved Shop Drawing	18	N/A	18	
NCR-0536	R15 - County Road 20 Punch List Not Completed Within 90 Days of Interim Completion Certification	94	N/A	94	
NCR-0537	R15 - County Road 20 Punch List Not Completed Within 90 Days of Interim Completion Certification	3	N/A	3	Nonconformance Report is closed
Total		1390		1125	



METRO
FLOOD
DIVERSION
AUTHORITY

Lands Status Report

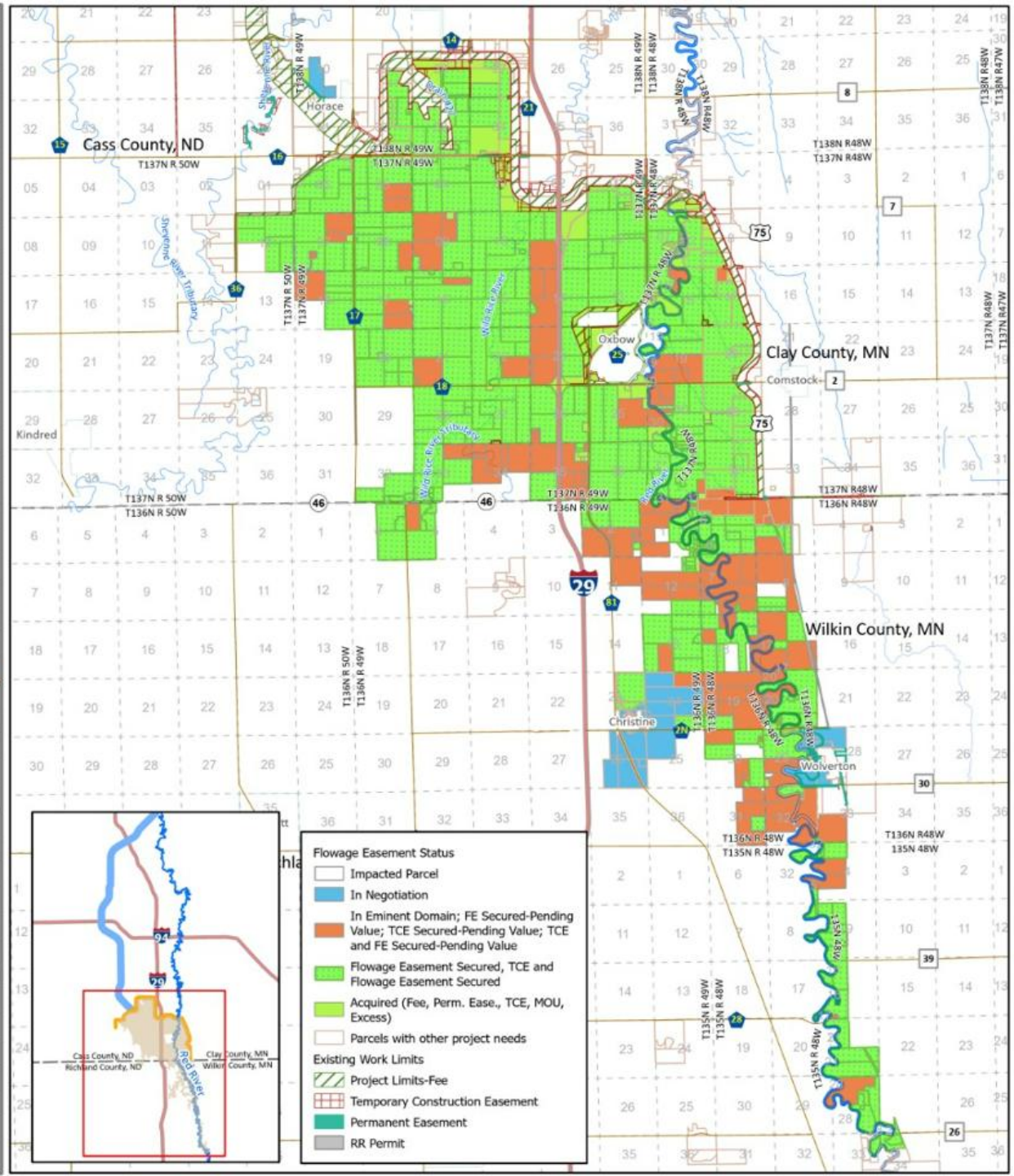
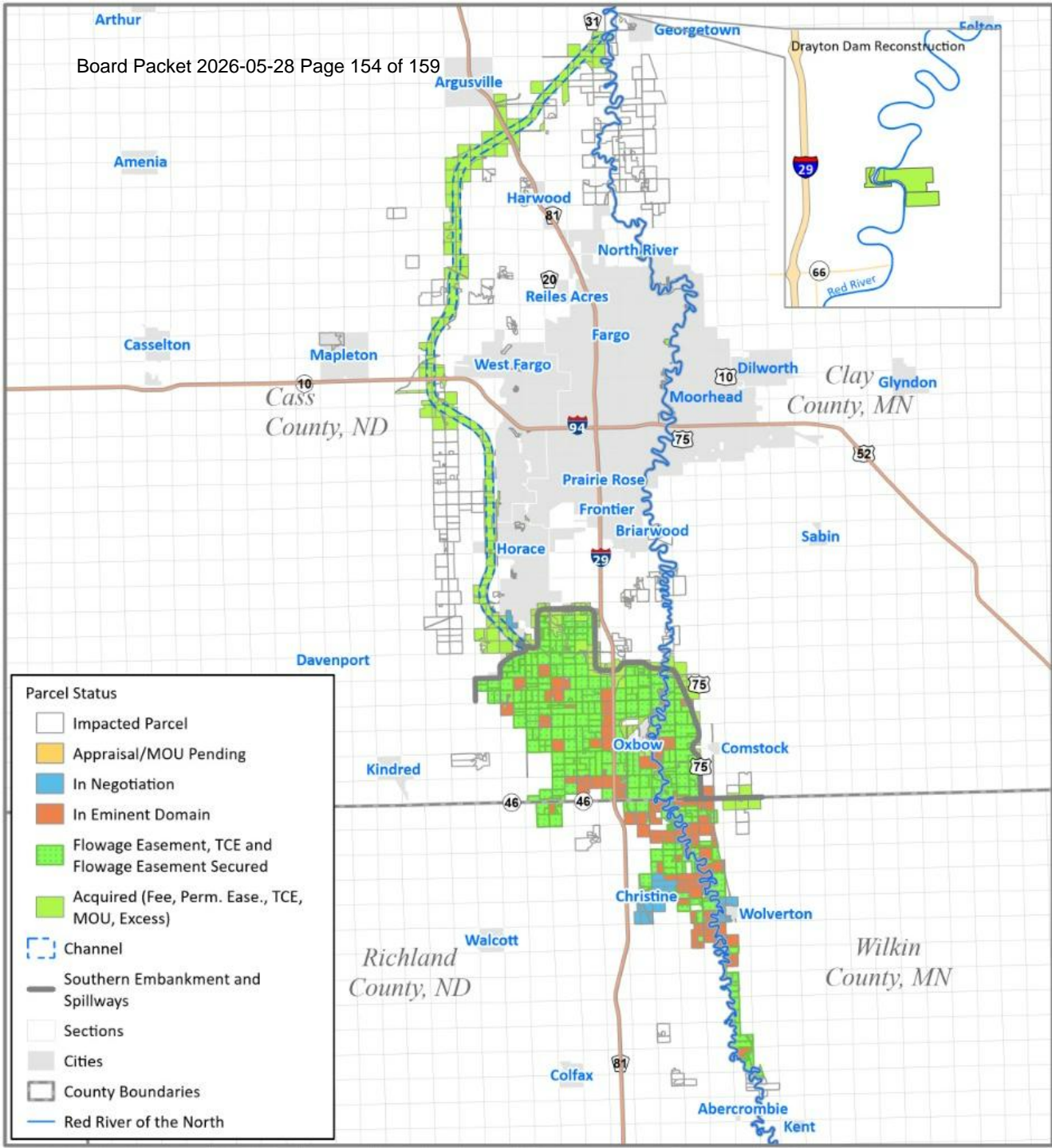
May 2026



Key Activities



- **Continued negotiating settlement agreements for existing eminent domain actions**
 - To date, completed three (3) eminent domain trials in Cass County. No new trials in the last month.
 - Completed site inspections and initial discovery hearing for the actions in Minnesota.
 - Working to schedule Commissioner Hearings for Minnesota actions.
 - Negotiated many settlements since completing the first trial.
 - 13 pending settlement offers with property owners.
- **Closings are pending for:**
 - MN: 5 parcels / 2 owners
 - ND: 30 parcels / 16 owners
- **21,456 acres of flowage easements have been acquired, and 5,634 acres are outstanding**
- **Continued development of the MFDA's post operation clean-up and restoration programs**
- **Continued development of the MFDA's crop loss programs**



- Parcel Status**
- Impacted Parcel
 - Appraisal/MOU Pending
 - In Negotiation
 - In Eminent Domain
 - Flowage Easement, TCE and Flowage Easement Secured
 - Acquired (Fee, Perm. Ease., TCE, MOU, Excess)
 - Channel
 - Southern Embankment and Spillways
 - Sections
 - Cities
 - County Boundaries
 - Red River of the North

- Flowage Easement Status**
- Impacted Parcel
 - In Negotiation
 - In Eminent Domain; FE Secured-Pending Value; TCE Secured-Pending Value; TCE and FE Secured-Pending Value
 - Flowage Easement Secured, TCE and Flowage Easement Secured
 - Acquired (Fee, Perm. Ease., TCE, MOU, Excess)
 - Parcels with other project needs
- Existing Work Limits**
- Project Limits-fee
 - Temporary Construction Easement
 - Permanent Easement
 - RR Permit

Property Acquisition Progress



Construction Footprint*



No Change

UMA Footprint**

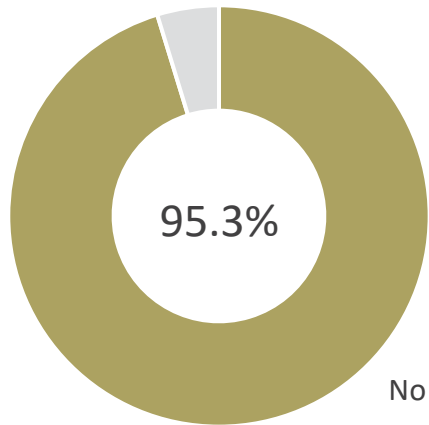


No Change

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

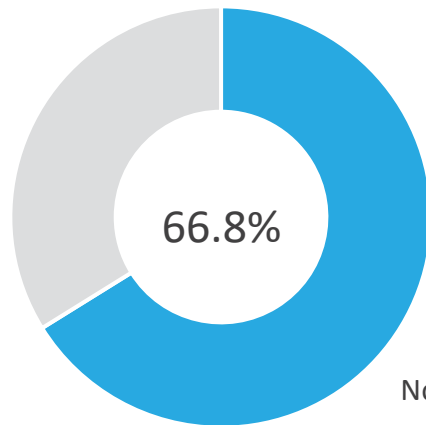
** Includes parcels for Christine and Wolverton
As of May 18, 2026

Property Acquisition Progress by Location



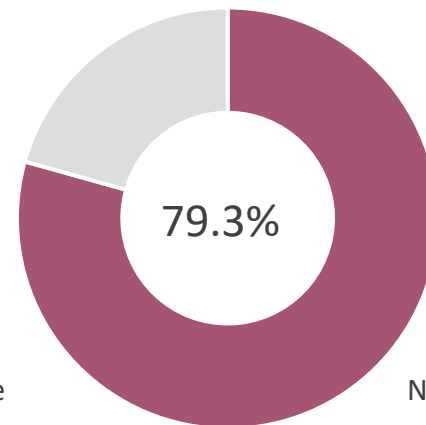
No Change

Southern Embankment & Associated Infrastructure



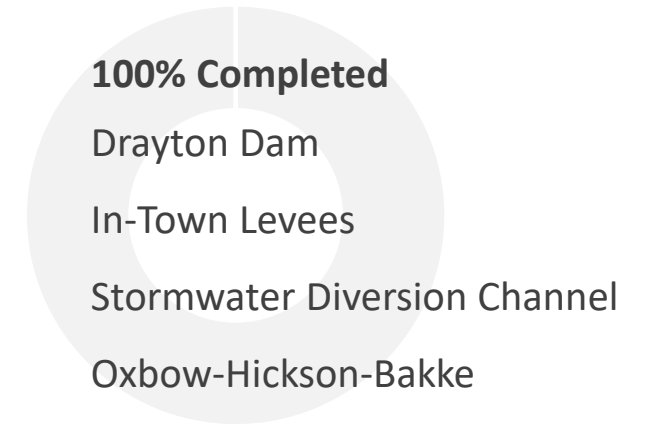
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Upstream Mitigation Area



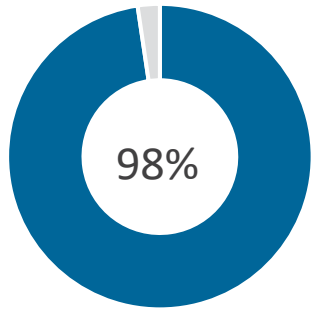
No Change

Environmental Monitoring Easements



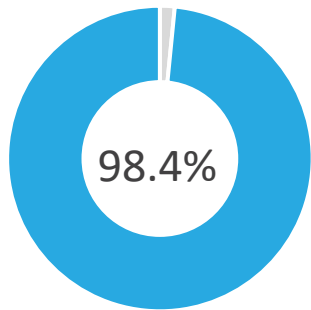
Landowner Overview

Construction Footprint*



298 Owner Groups
264 in ND & 35 in MN⁺
292 settlements achieved
7 in litigation

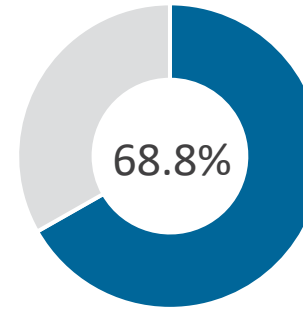
98% of owner groups have settled



576 Parcels
567 settlements achieved
9 in litigation

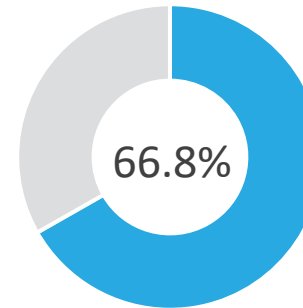
98.4% of parcels have been acquired

UMA Footprint**



292 Owner Groups
223 in ND & 71 in MN⁺
201 settlements achieved
41 ongoing negotiations
59 in litigation

68.8% of owner groups have settled



653 Parcels
436 settlements achieved
70 ongoing negotiations
147 in litigation

66.8% of parcels have been acquired

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

⁺ Some owner groups have property in both states

** Includes Christine and Wolverton parcels

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 City of Christine flowage easements and Horace Mobility Improvements

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

City of Fargo

Comparative Sales Tax Analysis of All Sales Tax Revenue - ACCRUAL BASIS

Data as of 5/20/2026

Payment Date	Collection Month	County Amount	County Collections	County Growth %	Split 94% MFDA	2% Sales Tax			(1.25% tax)		Total to MFDA - Annual	
						PSST Amount	Infra & FC Amount	Infra & FC Collections Total Amount	City Total Amount	City Growth %		Split Infra & FC 62.5 % MFDA
			3,548,174.71	11.90%	3,335,284			10,326,611.22	11,617,437.62	8.02%	6,454,132	9,789,416
	Dec-26	-				-	-					
	Nov-26	-				-	-					
	Oct-26	-				-	-					
	Sep-26	-				-	-					
	Aug-26	-				-	-					
	Jul-26	-				-	-					
	Jun-26	-				-	-					
	May-26	-				-	-					
	Apr-26	-				-	-					
	Mar-26	-				-	-					
4/22/2026	Feb-26	1,991,327.23				736,819.60	5,894,556.81					
3/20/2026	Jan-26	1,556,847.48				554,006.80	4,432,054.41					
			23,236,103.87	-0.29%	21,841,938			68,274,579.41	74,935,830.45	-2.22%	42,671,612	64,513,550
2/23/2026	Dec-25	2,153,670.99				814,634.22	6,517,073.77					
1/23/2026	Nov-25	2,416,687.95				869,473.49	6,955,787.93					
12/19/2025	Oct-25	1,397,583.64				528,563.25	4,228,506.01					
11/24/2025	Sep-25	2,379,895.75				836,408.75	6,691,270.01					
10/21/2025	Aug-25	2,281,923.54				835,497.50	6,683,979.99					
9/22/2025	Jul-25	1,796,292.91				622,825.54	4,982,604.32					
8/21/2025	Jun-25	2,270,466.69				803,789.60	6,430,316.85					
7/22/2025	May-25	2,053,576.19				749,363.21	5,994,905.70					
6/20/2025	Apr-25	1,616,213.54				600,695.48	4,805,564.00					
5/21/2025	Mar-25	1,698,986.33					5,424,656.49					
4/23/2025	Feb-25	1,477,568.31					4,523,059.23					
3/21/2025	Jan-25	1,693,238.03					5,036,855.11					
2/21/2025	Dec-24	2,207,030.88	23,304,345.12	0.86%	21,906,084		6,626,714.99	69,824,744.71		0.83%	43,640,465	65,546,550
1/21/2025	Nov-24	2,281,112.22					6,540,733.39					
12/20/2024	Oct-24	1,764,529.62					5,342,358.63					
11/22/2024	Sept-24	2,257,740.11					6,622,406.84					
10/21/2024	Aug-24	2,088,361.27					6,284,633.45					
9/21/2024	July-24	1,746,626.42					5,168,111.30					
8/21/2024	June-24	2,659,707.17					7,859,913.01					
7/22/2024	May-24	1,348,902.41					4,252,926.43					
6/24/2024	Apr-24	1,759,660.73					5,404,517.72					
5/21/2024	Mar-24	2,276,388.27					6,980,911.25					
4/22/2024	Feb-24	1,023,591.77					3,163,097.74					
3/21/2024	Jan-24	1,890,694.25					5,578,419.96					
2023 Collections			23,106,462.71	8.18%	21,720,075			69,250,461.96		4.02%	43,281,539	65,001,614
2022 Collections			21,358,922.89	-2.56%	20,077,388			66,571,120.26		4.28%	41,606,950	61,684,338
2021 Collections			21,920,710.74	31.11%	20,605,468			63,840,810.53		29.90%	39,900,507	60,505,975
2020 Collections			16,719,327.13	0.30%	15,716,168			49,146,842.57		-5.00%	30,716,777	46,432,944
2019 Collections			16,670,136.34	6.04%	15,669,928			51,732,824.69		7.36%	32,333,015	48,002,944
2018 Collections			15,720,221.20		14,777,008			48,185,965.90			30,116,229	44,893,237
2017 Collections			2,796,024.89		2,628,263							
Totals Since 2019			\$ 168,380,430					\$ 506,196,018				