

Board Agenda



Diversion Board of Authority

July 23, 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 June 25, 2026 [Attachment 01.00] (Pg. 3)
3. Approve Order of Agenda
4. **CONSENT AGENDA – APPROVE THE FOLLOWING:**
 - a. Finance Report [Attachment 02.00] (Pg. 9)
 - b. Voucher Approval [Attachment 03.00] (Pg. 35)
 - c. DA Board Approval Contracting Actions [Attachment 04.00] (Pg. 54)
 - i. AON New Professional Services Agreement[Attachment 04.01] (Pg. 56)
 - ii. Minnkota Task Order 11, Amendment 0 [Attachment 04.02] (Pg. 58)
 - iii. WP 38C Task Order 49 Project Structure Mitigation Project Award to LinnCo [Attachment 04.03] (Pg. 60)
 - iv. USGS New Agreement for CR 16 Gaging Station[Attachment 04.04] (Pg. 62)
 - d. Excess Land Sales
 - i. OIN 9053N & 9992Y Excess Land Recommendation [Attachment 05.01] (Pg. 64)
 - ii. OIN 9403, 9404 & 9411 Excess Land Recommendation [Attachment 05.02] (Pg. 72)

REGULAR AGENDA:

5. Executive Director Update
 - a. USACE Coordination – Section 408
 - b. O&M Update
 - c. WRRS Transfer from USACE to MFDA
6. General Counsel Update
 - a. WIFIA Loan Update
 - b. Resolution Amending Members to the MFDA Board and Committees

[Attachment 06.00] (Pg. 80)

- c. Crop Loss Program [Attachment 07.00] (Pg. 86)
 - i. Resolution Establishing the Crop Loss Reserve Fund Oversight Sub-Committee of the MFDA [Attachment 07.01] (Pg. 88)
 - ii. Resolution Authorizing the Executive Director of the MFDA to Issue a RFQ for Investment Management and Advisory Services for the Crop Loss Reserve Fund [Attachment 07.02] (Pg. 93)

7. Project Updates

- a. USACE Project Update [Attachment 08.00] (Pg. 96)
- b. SWDCAI Project Update [Attachment 09.00] (Pg. 98)
- c. Project Safety Update [Attachment 10.00] (Pg. 99)
- d. P3 Monthly Update [Attachment 11.00] (Pg. 100)
- e. Monthly Drone Footage Video

8. Communications Team Update

9. Land Management Update

- a. Property Acquisition Status Report [Attachment 12.00] (Pg. 138)

10. Finance Update

- a. Sales Tax Update [Attachment 13.00] (Pg. 145)
- b. MFDA 2025 Financial Statement Audit [Attachment 14.00] (Pg. 146)

11. Other Business

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 (2) and (9) to discuss negotiating strategy and to provide negotiating instructions to its General Counsel, Executive Director and Director of land regarding (1) a requested amendment to the ICE Advance Agreement between the MFDA, RRVA and ASN; and (2) to discuss negotiation strategy regarding the sale of the Horace Elevator.

14. Next Meetings: August 27, 2026

15. Adjournment

**The Discussion of these matters in an open meeting would have an adverse fiscal effect on the bargaining position of the Metro Flood Diversion Authority.*

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 – June 25, 2026

City of Fargo Commission Chambers

A regular meeting of the Metro Flood Diversion Authority Board of Authority was held on June 25, 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; Jim Kapitan, Cass County Commissioner; Duane Breitling, Cass County Commissioner; Tony Grindberg, Cass County Commissioner; Lisa Borgen, Moorhead City Council; Kevin Campbell, Clay County Commissioner and Denise Kolpack, Fargo City Commissioner.

Member(s) absent: Dave Piepkorn, Fargo City Commissioner; Shelly Carlson, Mayor, City of Moorhead and Chuck Hendrickson, Moorhead City Council.

1. CALL TO ORDER

Mayor Mahoney called the meeting to order at 3:29 PM. Roll call was taken, and a quorum was present.

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

MOTION PASSED

Ms. Kolpack moved to approve the minutes from the May 2026 meeting and Mr. Breitling seconded the motion. On a voice vote, the motion carried.

3. APPROVE THE ORDER OF THE AGENDA

MOTION PASSED

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

4. APPROVE THE CONSENT AGENDA

MOTION PASSED

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

5. EXECUTIVE DIRECTOR UPDATE

a. New Committee and Board Member Orientation

Mr. Benson reported that MFDA staff met with mayor-elects Mr. Eric Gjerdevig and Mr. Josh Boshee and provided them with an update and overview of the Project. Additional orientations will be conducted with the rest of the new members in July.

b. September 15, 2026, Board Retreat

Mr. Benson asked board members to hold September 15, 2026, on their calendars for a board retreat. The retreat is tentatively scheduled from noon to 5:30 and will begin with lunch, an approximate two-hour working session, and conclude with a bus tour of the Project.

c. Request for New Committee and Board Member Appointments

Mr. Benson asked the cities of Fargo and West Fargo make their new MFDA committee and board appointments at their next respective commission meetings.

6. GENERAL COUNSEL UPDATE

a. Amended Resolution Confirming Members to the Debris Removal & Restoration Sub-Committee

Mr. Shockley provided an overview and summary of the above-referenced amended resolution to confirm appointment of the members to the Debris Removal and Restoration Sub-Committee, as a sub-committee to the Land Management Committee that was stated in the resolution adopted March 26, 2026.

The following members were appointed:

Nathan Boerboom	MFDA Land Management Committee
Bob Zimmerman	MFDA Land Management Committee
Jake Gust	MFDA Land Management Committee
Ken Loughheed	Cass County Joint Water Resource District
Jenny Mongeau	Moorhead-Clay County JPA
Richland-Wilkin Producer	Riley Miller, Richland-Wilkin JPA
Richland-Wilkin Producer	Craig Hertsgaard, Richland-Wilkin JPA

MOTION PASSED

Mayor Dardis moved to approve the sub-committee appointments as presented and Ms. Kolpack seconded the motion. On a roll call vote, the motion carried.

b. Resolution Authorizing the Preparation and Distribution of a Preliminary Official Statement for the Subordinate Sales Tax Revenue Bonds, Series 2026

Mr. Shockley provided an overview and summary of the above-referenced resolution regarding the official statement for the sales tax revenue bonds.

MOTION PASSED

Ms. Borgen moved to approve the resolution as presented and Mr. Grindberg seconded the motion. On a roll call vote, the motion carried.

c. Amended Resolution Authorizing the MFDA to Match 50/50 the Funds Received from the State of Minnesota

Mr. Shockley provided an overview and summary of the above-referenced amended resolution authorizing the MFDA to 50/50 match for any funds received from the State of Minnesota or Congressionally Directed Spending grants for the City of Moorhead's lift stations #7 and #11 after April 23, 2026.

MOTION PASSED

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

d. WIFIA Loan Update

Mr. Shockley reported that the WIFIA invoices will be submitted soon for the next draw, and it anticipated that it will be approximately \$105,000,000.

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. Turnover to Sponsors for OMRRR occurred 15 June 2026.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Turnover to Sponsors for OMRRR anticipated early -July 2026.

3 Red River Structure (RRS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 97% complete. Embankment construction is ongoing. Turnover to Sponsors for OMRRR anticipated in late August 2026.

4 Drain 27 Wetland Mitigation Project Plantings – Mitigation

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 has been completed.

Reach SE-1B: 81% complete. Embankment construction is ongoing. Contract completion date will be extended to August 2026.

Reach SE-2B: 93% 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. Embankment and road up-and-overs construction are ongoing. Contract completion date is 15 October 2026.

6 FY2025 Contract Awards – Construction

SE-3: 46% complete. Embankment construction is ongoing. County Road 81 scheduled to reopen 15 August. Contract completion date is 11 September 2026.

SE-5: 37% complete. Contractor closed Hwy 75 on 15 June; reopening is scheduled for 31 July. Contract completion date is 31 October 2026.

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

7 FY2026 Contract Awards – Mitigation

Forest Mitigation #3: Service contract awarded 27 February 2026. Planting ongoing. Completion date is 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

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:

Current Work

- Reach 1, CR-17 Drain Inlet, Reach 14
- CR-81 Crossing
- CR-16/CR-17 Crossings
- DIS

30 to 60-Day Outlook

- CR-81 Crossing
- 52nd Ave W Crossing
- SE-2B
- AAB
- WRRS
- SE-5

b. Project Safety Update

Mr. Bakkegard provided the safety update for the period May 1 to May 31, 2026. He reported that it as a good month with only two minor recordable events. He also reported that there has been an increase in the near-miss category, and these issues are being addressed.

c. P3 Monthly Update

Mr. Bakkegard highlighted the O&M section in the June P3 monthly update.

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 May. One Certificate was issued to the Developer for the Lower Rush River Inlet on May 13th, and one Certificate was issued to the Developer for the Channel Reach 05, Local Drainage, Dead-End Terminations, MP3 and MP4 on May 13th. Issuance of Certificates Interim Completion prompts 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, CR 10, Lower Rush River Inlet and Channel Reach 05, Local Drainage, Dead-End Terminations are being recorded and managed in 'Cityworks', the Computerized Management and Maintenance System (CMMS).

Bridge Deck Cleaning for CR 20 Crossing, CR 32 Crossing, CR 4/31 Crossing and CR 10 Crossing was completed on May 15, 2026. The annual bridge inspections for the crossings mentioned above are scheduled to be completed in the first week of June. We continue to monitor RRVA's inspections and their inputs in Cityworks. 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 May 2026:

- 856 Daily Observations; 86 Compliance Checks; 12 Issues written (were noted that the Contractor was able to resolve readily) were conducted by the Authority's Construction Management Team.

Testing

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

- Atterberg (12); Hydrometer (20); Proctor (51); Sieve (3); Field Reports (28); Density Tests (32); Concrete (132)

Survey GIS:

- Isight Drone Services performed a quarterly project wide flight along with Lidar survey over the Diversion Outlet.
- HMG surveyed cross sections of the rock weirs at the Diversion Outlet.

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.

d. 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:

- May construction update
- I-29 lane closures

Newsletter:

- Land management
- 48.9% open rate
- 12.3% click rate
- Next issue: leadership

Recognition Event:

- Soliciting sponsors

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 11 parcels / 7 owners in the UMA**
- **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.
 - Scheduled Commissioner Hearings for Minnesota actions.
 - Negotiated many settlements since completing the first trial.
 - 14 pending settlement offers with property owners.
- **Closings are pending for:**
 - MN: 3 parcels / 2 owners
 - ND: 25 parcels / 12 owners
- **21,651 acres of flowage easements have been acquired, and 5,439 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**

Property Acquisition Progress:

- 98.4% completion in the Construction Footprint
- 68.5% completion in the UMA Footprint
- 95.3% of the parcels in the Southern Embankment have been acquired
- 68.5% of the parcels in the Upstream Mitigation Area have been acquired
- 79.8% 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 8.a., b., & c., were approved and the bills payable through June 17, 2026, in the amount of \$2,253,069, were also approved. The current net cash position is \$292,313,797.

Mr. Barthel provided the sales tax update indicating that the last three months have been relatively strong in sales tax receipts from the City of Fargo and Cass County. He reported that approximately a 10% increase year-to-date compared to last year at this time.

11. OTHER BUSINESS

Presentation of Award to Mayor Mahoney

Mr. Benson presented Mayor Mahoney with a plaque acknowledging his years as the chair of the MFDA Board and his valuable work on the Project. Mr. Benson also thanked and recognized Commissioner Piepkorn and Commissioner Kolpack for their time served on the Board as well.

12. PUBLIC COMMENT

There was no public comment.

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 purpose 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.

MOTION PASSED

Mr. Ebinger moved to go into executive session, and Ms. Borgen seconded the motion. On a voice vote, a quorum retreated to the Meadowlark Room at 4:05 PM.

A quorum returned to the Commission Chambers at 4:16 PM.

14. CONSIDER APPROVAL OF NESS CROP LOSS AGREEMENT

MOTION PASSED

Mr. Ebinger moved that the board approve the substantive terms and conditions of the agreements that were discussed during the executive session and authorize the Executive Director to sign the agreement with any changes deemed necessary by the Executive Director and General Counsel. Mr. Kapitan seconded the motion and on a roll call vote, the motion carried.

15. NEXT MEETING

The next meeting will be on July 23, 2026,

16. ADJOURNMENT

The meeting adjourned at 4:20 PM.

	790: FM Diversion Project Fund								770: Budget Fund				773: Excess Capital Fund				
	2011-2020	2021	2022	2023	2024	2025	2026	Total	2021-2024	2025	2026	Total	2025	2026	Total	Grand Total	
Revenues																	
City of Fargo	229,263,214	39,900,525	41,606,950	43,281,539	43,640,465	42,671,612	13,062,986	453,427,291	-	-	-	-	-	-	-	453,427,291	
Cass County	238,074,113	20,605,468	20,077,388	21,720,075	21,906,084	21,841,938	6,842,719	351,067,785	-	-	-	-	-	-	-	351,067,785	
State Water Commission	270,967,976	44,928,872	21,249,909					337,146,758	-	-	-	-	-	-	-	337,146,758	
State of ND - Legacy Fund	-	-	105,992,160	129,134,268	134,294,754	66,078,817		435,500,000	-	-	-	-	-	-	-	435,500,000	
State of ND - SRF	-	-	1,272,652	8,316,726	9,745,091	13,930,939	4,163,925	37,429,333	-	-	-	-	-	-	-	37,429,333	
Cass County Joint Water Resource District	-	28,630,991						28,630,991	-	-	-	-	-	-	-	28,630,991	
WIFIA Loan Proceeds							47,551,060	47,551,060	-	-	-	-	-	-	-	47,551,060	
Other Agencies - Army Corp of Engineers	706,805	-						100,706,805	-	-	-	-	-	-	-	100,706,805	
City of Oxbow MOU Repayment	2,822,634	122,038						2,944,671	-	-	-	-	-	-	-	2,944,671	
Reimbursements	168,602	52,055	18,930	15,735	19,631			274,953	-	-	-	-	-	-	-	274,953	
Lease/Rental Payments	2,951,681	622,459	743,700	744,622	47,300	1,278,033	2,500	6,390,295	-	-	-	-	-	-	-	6,390,295	
Asset Sales	1,235,569	1,802,265	1,348,132	4,125,699	518,843	4,267,039	65,816	13,363,364	-	-	-	-	-	-	-	13,363,364	
Interest Income	4,790,772	1,011,554	1,377,312	7,208,616	11,822,032	12,130,316	4,536,707	42,877,308	-	-	-	-	-	-	-	42,877,308	
Miscellaneous	4,886	7,336	1,987	70,350	76,997	52,290	19,808	233,655	4,986,132	1,672,420	838,746	7,497,298	-	-	-	7,730,953	
Total Revenues	750,986,254	137,683,563	193,689,120	214,617,631	222,071,198	162,250,984	176,245,520	1,857,544,268	4,986,132	1,672,420	838,746	7,497,298	-	-	-	1,865,041,567	
Expenditures																	
7905 Army Corp Payments	53,159,000	-	-	24,800	-	990,600	17,707,997	71,882,397	-	-	-	-	-	-	-	71,882,397	
7910 WIK - Administration	6,125,744	2,650,150	1,994,938	3,221,009	6,053,234	3,818,677	746,874	24,610,626	4,712,715	1,351,490	603,686	6,667,891	-	-	-	31,278,517	
7915 WIK - Project Design	36,316,433	2,261,337	2,491,982	4,347,833	4,375,148	5,542,984	2,410,218	57,745,934	-	-	-	-	-	-	-	57,745,934	
7920 WIK - Project Management	70,718,325	13,629,756	14,935,064	14,936,935	16,269,917	17,233,617	5,642,372	153,365,986	-	-	-	-	-	-	-	153,365,986	
7925 WIK - Recreation	278,223	-	-	-	-	-	-	278,223	-	-	-	-	-	-	-	278,223	
7930 LERRDS - North Dakota	275,657,728	42,321,398	53,946,968	73,284,991	51,715,442	25,310,044	5,991,087	528,227,659	-	-	-	-	-	-	-	528,227,659	
7931 LERRDS - Minnesota	4,982,754	3,832,050	5,722,668	5,714,157	21,930,147	4,782,521	396,438	47,360,734	-	-	-	-	-	-	-	47,360,734	
7940 WIK Mitigation - North Dakota	1,022,658	35,279,546	57,777	1,039,229	166,142	157,285	16,872	37,739,509	-	-	-	-	-	-	-	37,739,509	
7941 WIK Mitigation - Minnesota	-	112,271	357,080	933,799	586,522	3,999,095	225,755	6,214,522	-	-	-	-	-	-	-	6,214,522	
7950 Construction - North Dakota	104,100,296	25,488,649	17,899,069	17,767,981	34,006,877	124,437,492	184,142,487	507,842,850	-	-	-	-	-	-	-	507,842,850	
7951 Construction - Minnesota	-	-	210,000	669,048	182,594	185,873	103	1,247,618	-	-	-	-	-	-	-	1,247,618	
7952 Construction - O/H/B	33,612,243	2,070,541	646,144	118,976	628,480	102,399	6,072	37,185,396	-	-	-	-	-	-	-	37,185,396	
7955 Construction Management	11,598,799	180,481	137,041	1,062	5,322	74,159	15,452	12,012,316	-	-	-	-	-	-	-	12,012,316	
7959 SRF Construction	-	-	5,936,985	7,781,266	16,519,945	7,832,812	1,041,185	39,112,193	-	-	-	-	-	-	-	39,112,193	
7980 Operations & Maintenance	190,811	2,971	138,066	83,898	85,983	90,619		592,348	-	-	-	-	-	-	-	592,348	
7990 Project Financing	48,092,864	14,236,187	9,053,457	9,422,840	12,415,903	15,031,779	9,689,200	117,942,230	-	-	-	-	-	-	-	117,942,230	
7995 Project Eligible - Off Formula Costs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
7999 Non Federal Participating Costs	221,686	-	-	-	-	-	-	221,686	-	-	-	-	-	-	-	221,686	
Total Expenditures	646,077,564	142,065,337	113,527,239	139,347,823	164,941,656	209,590,496	228,032,111	1,643,582,227	4,712,715	1,351,490	603,686	6,667,891	-	-	-	1,650,250,118	
Other Financing Sources (Uses)																	
Transfers From Other Diversion Funds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Transfers to Other Diversion Funds	-	659,566	1,250,000	1,395,000	1,650,000	1,650,000	825,000	7,429,566	-	-	-	-	-	-	-	7,429,566	
Total Other Financing Sources (Uses)	-	659,566	1,250,000	1,395,000	1,650,000	1,650,000	825,000	7,429,566	-	-	-	-	-	-	-	7,429,566	

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

	FM Diversion Project Fund	Budget Fund	Risk Sharing Fund	Grand Total
Assets				
Cash	\$ 157,673,969	\$ 829,407	\$ 10,000,000	\$ 168,503,376
Cash Horace 3.01 MIT	4,667,912	-		4,667,912
Cash BRRWD	9,487,060	-		9,487,060
Cash Held In Trust at BND				
Excess Revenue Fund	745,880	-	-	745,880
Temp Debt Obligation Fund	1,556,408	-	-	1,556,408
Authority Loan Fund	245,033	-		245,033
P3 Reserve Fund	16,692,486	-	-	16,692,486
SRF Loan Reserve Fund	2,364,023			2,364,023
WIFIA Loan Reserve Fund	1,071,249			1,071,249
Revenue Fund	3,915			3,915
Prepaid Expense	2,270,319	-	-	2,270,319
Refundable Deposit	51,000			51,000
Total assets	196,829,254	829,407	10,000,000	207,658,661
Liabilities				
Vouchers payable	144,145	-	-	144,145
Retainage payable	139,379	-	-	139,379
Rent Deposit	13,250	-	-	13,250
Total liabilities	296,773	-	-	296,773
NET POSITION	\$ 196,532,481	\$ 829,407	\$ 10,000,000	\$ 207,361,888

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	\$ 253,980,536
Jul-26	\$ 168,503,367
Aug-26	
Sep-26	
Oct-26	
Nov-26	
Dec-26	

**Summary Of Expenses
EXP-2026-06**

Tuesday, July 14, 2026

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
770-7910-429.11-00	6/25/2026	354616	Cass County Government	\$85,100.08	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Full Time Staff / Salaries				\$85,100.08			
770-7910-429.20-01	6/25/2026	354616	Cass County Government	\$12,467.96	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Health Insurance				\$12,467.96			
770-7910-429.20-03	6/25/2026	354616	Cass County Government	\$200.00	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Dental Insurance				\$200.00			
770-7910-429.20-06	6/25/2026	354616	Cass County Government	\$43.80	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Vision Insurance				\$43.80			
770-7910-429.21-01	6/25/2026	354616	Cass County Government	\$5,051.23	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Social Security				\$5,051.23			
770-7910-429.21-02	6/25/2026	354616	Cass County Government	\$1,181.35	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Employee Benefits / Medicare				\$1,181.35			
770-7910-429.22-07	6/25/2026	354616	Cass County Government	\$11,114.07	MAY'26 PAYROLL DIVERSION	V00106	EXECUTIVE DIRECTOR
Pension Benefits / Retirement				\$11,114.07			
770-7910-429.34-15	6/18/2026	354484	Network Center Inc.	\$662.13	IT SRVS AGRMNT JUNE 2026	V13801	IT SERVICE AGREEMENT
	6/18/2026	354484	Network Center Inc.	\$995.00	IT SRV AGRMNT JUNE 2026	V13801	IT SERVICE AGREEMENT
	6/25/2026	354623	CONSOLIDATED COMMUNI	\$518.58	DIV.STAFF IT SRVS JUN-JUL	V00106	EXECUTIVE DIRECTOR
Technical Services / Computer Services				\$2,175.71			
770-7910-429.38-99	6/25/2026	354616	Cass County Government	\$54.00	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
Other Services / Other Services				\$54.00			
770-7910-429.53-20	6/25/2026	354616	Cass County Government	\$367.44	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
Communications / Cellular Phone Service				\$367.44			
770-7910-429.56-60	6/25/2026	354616	Cass County Government	\$669.17	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
In State Travel / In State Travel Expenses				\$669.17			
770-7910-429.57-60	6/25/2026	354616	Cass County Government	\$967.08	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
Out of State Travel / Out of State Travel Exp				\$967.08			

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770-7910-429.61-10	6/25/2026	354616	Cass County Government	\$75.00	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
General Supplies / Office Supplies				\$75.00			
770-7910-429.68-30	6/25/2026	354616	Cass County Government	\$365.03	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
Miscellaneous / Meeting Incidentals				\$365.03			
770-7910-429.74-12	6/25/2026	354616	Cass County Government	\$84.23	MAY'26 MISC EXP-DIVERSION	V00106	EXECUTIVE DIRECTOR
Capital Outlay / Computer Software				\$84.23			
770 Subtotal				\$119,916.15			
790-0000-206.10-00	6/18/2026	354514	Schmidt and Sons Inc.	\$6,550.00	PAY RETAINAGE	V03830	TO45-WP38C - OIN 1953
Retainage				\$6,550.00			
790-7910-429.33-20	6/11/2026	354201	EIDE BAILLY LLP	\$6,467.48	2025 AUDIT SERVICES	V06408	2025 AUDIT
Other Services / Accounting Services				\$6,467.48			
790-7910-429.33-25	6/5/2026	354055	OHNSTAD TWICHELL PC	\$102,174.51	PROFESSIONAL SRVS	V00102	General & Admin. WIK
	6/25/2026	354700	OHNSTAD TWICHELL PC	\$99,343.60	PROFESSIONAL SRVS 6.2026	V00102	General & Admin. WIK
Other Services / Legal Services				\$201,518.11			
790-7910-429.34-20	6/5/2026	353968	C THREE MEDIA, LLC	\$12,897.24	VIDEOGRAPHY SRVS AGRMT	V08601	VIDEOGRAPHY
	6/25/2026	354694	Neon Loon Communications, LL	\$8,982.46	TO# 3 COMMS SUPPORT	V09601	COMMUNICATIONS SUPPORT
Technical Services / Marketing / Public Relat.				\$21,879.70			
790-7910-429.34-56	7/7/2026	EK06260	City of Fargo	\$18,547.00	FISCAL AGENT FEE-06/2026	V05902	MONTHLY FISCAL AGENT FEE
Technical Services / FMDA Fiscal Agent Fees				\$18,547.00			
790-7910-429.42-05	6/18/2026	354348	Ambassador, Inc.	\$925.00	DA OFFICE CLEANING SRVS	V10501	JANITORIAL SERVICES
Cleaning Services / Custodial Services				\$925.00			
790-7915-429.33-05	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$293,325.20	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$346,288.53	PROJ MGMT,PROF SRVS	V01634	H&H MITIG. & PERMIT SUPPO
	7/2/2026	354766	MOORE ENGINEERING INC	\$2,209.00	FM DIVERSION DESIGN COORD	V01201	Cass Joint Water OHB
Other Services / Engineering Services				\$641,822.73			

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790-7920-429.33-05	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$39,399.26	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$69,463.00	PROJ MGMT,PROF SRVS	V01634	H&H MITIG. & PERMIT SUPPO
Other Services / Engineering Services				\$108,862.26			
790-7920-429.33-79	6/11/2026	354183	CH2M Hill Engineers Inc	\$509,594.29	TO# 5 PROG. MGMT/SRVS '26	V00211	CH2M HILL-6/2019-12/2021
	6/11/2026	354183	CH2M Hill Engineers Inc	\$630,762.88	TO#: 6 P3 SUPPORT SRVS	V00212	P3 PROCUREMENT SUPPORT
Other Services / Construction Management				\$1,140,357.17			
790-7930-429.33-05	6/18/2026	354345	ADVANCED ENGINEERING I	\$151,796.19	AE2S TO #2 2026-2026 SRVS	V00303	TO 02 - CONSULTING SERVICES
	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$114,994.06	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$2,615.50	PROJ MGMT,PROF SRVS	V01634	H&H MITIG. & PERMIT SUPPO
	7/2/2026	354766	SRF Consulting Group	\$29,998.03	TASK ORDER 2	V01201	Cass Joint Water OHB
	7/2/2026	354766	ULTEIG ENGINEERS INC	\$280.50	CONDEMNATION ROW 2/1-3/31	V01201	Cass Joint Water OHB
Other Services / Engineering Services				\$299,684.28			

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790-7930-429.33-25	6/25/2026	354683	Larkin Hoffman Attorneys	\$330.00	PROFESSIONAL SERVICES	V14801	LEGAL SERVICES
	6/25/2026	354700	OHNSTAD TWICHELL PC	\$390.00	PROFESSIONAL SRVS 6.2026	V00103	General & Admin. LERRDS
	7/2/2026	354766	Larkin Hoffman Attorneys	\$1,520.00	NESS FAMILY TRUST FLOWAGE	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$1,360.00	ALLAN & MARY SWENSON	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$474.00	STUART T & LAVERNA YSTEBO	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$1,120.00	OLSON,LEIF & DANELLE FLOW	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$40.00	NELSON,JEFF & CHAR FLOWAG	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$280.00	NELSON TRUST EASEMENT ACQ	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$320.00	KOPP, ALAN & JUNE FLOWAGE	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$160.00	CHRISTIANSON,CHARLIE/SHIR	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$800.00	ISRAELSON, GARY & NANCY	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$600.00	HAYES ED	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$219.25	HANSON FLOWAGE EASEMENT	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$320.00	DALL ISRAELSON	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$1,501.00	COLEHOUR/QUINLAND FARM	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$360.00	JOHNSON,LARRY & JANE FLOW	V01201	Cass Joint Water OHB
	7/2/2026	354766	Larkin Hoffman Attorneys	\$7,880.00	RICHLAND/CASS SOS/PERMIT	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$69.00	EVERT,CHARLES & RUTH	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$69.00	HERTSGAARD FAMILY LLLP	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$616.00	I-29 GRADE RAISE	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$310.50	NESS FAMILY FARM LLP	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$29,024.28	UPSTREAM MITIGATION AREA	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$1,656.00	OLSON, LEIF & DANELLE	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$430.50	SAUNDERS,BECCA OIN 8786 E	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$15,122.94	DUCHSCHERER, BRIAN & KELL	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$3,198.50	ALM,MELVIN & RICKY FLOWAG	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$517.50	RUFER,MICHAEL & DARLA ED	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$19,413.00	DIVERSION RIGHT OF WAY AQ	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$1,989.00	DIV. AUTH AGRMNTS DRAINS	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$1,104.00	COSSETTE LAWRENCE WAYNE	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$10,823.50	COSE, PAUL & MARGARET	V01201	Cass Joint Water OHB

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790-7930-429.33-25	7/2/2026	354766	OHNSTAD TWICHELL PC	\$3,553.50	CARLSON, AARON & KATIE	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$1,828.50	BRAKKE FAM OIN1938,1977/8	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$439.00	ASKEGAARDE ROBERT R. EMIN	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$3,382.48	AALAND LAW OPEN REC REQ	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$3,187.50	2025 CONSOLIDATED ACTION	V01201	Cass Joint Water OHB
	7/2/2026	354766	OHNSTAD TWICHELL PC	\$1,966.50	BOYER, STUART & PAT	V01201	Cass Joint Water OHB
Other Services / Legal Services				\$116,375.45			
790-7930-429.33-32	7/2/2026	354766	Patchin Messner Valuation Coun	\$5,000.00	TASK ORDER 7 AMENDMENT 1	V01201	Cass Joint Water OHB
Other Services / Appraisal Services				\$5,000.00			
790-7930-429.33-47	6/25/2026	354726	Jodi Smith	\$2,860.00	MAY 2026 CNSLTNG J.SMITH	V13701	LAND ACQUISITION CONSULTIN
Other Services / Consulting Services				\$2,860.00			
790-7930-429.33-79	6/11/2026	354183	CH2M Hill Engineers Inc	\$80,839.45	TO#: 6 P3 SUPPORT SRVS	V00212	P3 PROCUREMENT SUPPORT
	6/11/2026	354183	CH2M Hill Engineers Inc	\$7,585.48	TO# 4 PROP ACQ MGMT SRV26	V00210	CH2M HILL-LAND ACQUISITON
Other Services / Construction Management				\$88,424.93			
790-7930-429.38-95	6/25/2026	354669	JT LAWN SERVICE LLC	\$228.00	MOWING-5021 171ST AVE SE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$3,356.00	TO# 3 MOWING/WEED CONTROL	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$266.00	MOWING-5298 174 1/2 AVE S	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$1,502.00	MOWING-317 MAIN AVE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$864.00	MOWING-17456 49TH ST SE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$555.00	MOWING-174 1/2 AVE SE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$533.00	MOWING-17166 49TH ST SE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$696.00	MOWING-170TH AVE SE	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$783.00	MOWING-13689 3RD ST S	V10401	MOWING/WEED CONTROL MGM
	6/25/2026	354669	JT LAWN SERVICE LLC	\$585.00	MOWING-9822 ROBIN RD	V10401	MOWING/WEED CONTROL MGM
Other Services / Mowing Services				\$9,368.00			
790-7930-429.52-70	6/25/2026	354737	Watts and Associates, Inc.	\$18,216.22	CROP INSURANCE PROD DEV S	V06901	CROP INSURANCE DEVELOPMN
Insurance / Crop Insurance				\$18,216.22			

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790-7930-429.62-51	6/25/2026	354612	Cass County Electric Cooperativ	\$113.00	CCEC HORACE ELEVATOR 6.26	V01701	ND LAND PURCH-OUT OF TOWN
Energy / Electricity				\$113.00			
790-7930-429.71-30	7/2/2026	354766	2185 - SIEBELS	(\$3,800.00)	EXCESS LAND SALE LINDEMAN	V01701	ND LAND PURCH-OUT OF TOWN
	6/23/2026	EK06260	2185 - SIEBELS	\$3,800.00	RCLS MFDA LAND SALE PROC.	V01701	ND LAND PURCH-OUT OF TOWN
Land / Land Purchases				\$0.00			
790-7930-429.71-31	7/2/2026	354766	8476 - NELSON, JEFF & CHAR	(\$1,186.31)	OVERAGE ON ATTORNEY FEE	V01701	ND LAND PURCH-OUT OF TOWN
	7/2/2026	354766	9112 - KALINOWSKI, MATTH	(\$3,246.61)	OVERAGE ON ATTORNEY FEES	V01701	ND LAND PURCH-OUT OF TOWN
	7/2/2026	354766	9115 - ISRAELSON LAND PRT	(\$382.67)	OVERAGE ON ATTORNEY FEES	V01701	ND LAND PURCH-OUT OF TOWN
	7/2/2026	354766	9116 - ISRAELSON LAND PRT	(\$382.66)	OVERAGE ON ATTORNEY FEES	V01701	ND LAND PURCH-OUT OF TOWN
Land / Easements				(\$5,198.25)			
790-7930-429.73-20	6/18/2026	354514	Schmidt and Sons Inc.	\$48,487.50	WP-38C PROP STRUCTURE MIG	V03830	TO45-WP38C - OIN 1953
Infrastructure / Site Improvements				\$48,487.50			
790-7931-429.33-05	6/5/2026	353977	SRF Consulting Group	\$5,209.55	PROF SRVS THRU 3.31.2026	V06201	MCCJPA - MN ROE
Other Services / Engineering Services				\$5,209.55			
790-7931-429.33-25	6/5/2026	353977	OHNSTAD TWICHELL PC	\$804.40	GENERAL OHNSTAD TWICHELL	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$8,409.50	UPSTREAM MITIGATION	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$210.00	SOUTHERN EMBANKMENT	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$275.60	LIVDAHL OIN 9307 & 9325	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$4,296.00	GENERAL	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$18.30	ENVIRO MONITOR	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$20,680.50	EMINENT DOMAIN WILKIN	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$420.00	EMINENT DOMAIN CLAY	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$4,814.96	AALAND LAW DATA PRACTICES	V06201	MCCJPA - MN ROE
	6/5/2026	353977	OHNSTAD TWICHELL PC	\$6,617.50	OHNSTAD TWICHELL INV	V06201	MCCJPA - MN ROE
Other Services / Legal Services				\$46,546.76			
790-7931-429.38-99	6/5/2026	353977	Allen Law Office	\$943.20	COMMISSIONER REIMBURSEMEN	V06201	MCCJPA - MN ROE
Other Services / Other Services				\$943.20			

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790-7931-429.54-10	6/5/2026	353977	Clay County Union	\$30.00	CLAY CO UNION MTNG NOTICE	V06201	MCCJPA - MN ROE
Advertising / Legal Publications				\$30.00			
790-7931-429.62-51	6/5/2026	353977	LAKE REGION ELECTRIC CO	\$86.89	SVC 1007 100TH AVE	V02301	MN LAND PURCHASES
Energy / Electricity				\$86.89			
790-7931-429.67-11	6/5/2026	353977	1826 - NESS 5	\$20,613.81	RELOCATE REIMB. OIN 1826	V02301	MN LAND PURCHASES
Relocation / Residential Buildings				\$20,613.81			
790-7931-429.71-30	6/5/2026	353977	1879N - MOORHEAD CLAY C	(\$500.00)	LAND RENT 3348 180TH AVE	V02301	MN LAND PURCHASES
	6/5/2026	353977	1879N - MOORHEAD CLAY C	(\$500.00)	BCSS LAND RENT 3348 180TH	V02301	MN LAND PURCHASES
	6/23/2026	EK06260	1879N - MOORHEAD CLAY C	\$1,000.00	RCLS MFDA LAND RENT PROC	V02301	MN LAND PURCHASES
Land / Land Purchases				\$0.00			
790-7940-429.33-06	6/18/2026	354365	BRAUN INTERTEC CORP	\$2,144.25	BRAUN TO #5 TESTING SRVS	V00407	TASK ORDER #5
Other Services / Quality Testing				\$2,144.25			
790-7940-429.34-50	7/8/2026	JH062600	City of Horace	\$29.59	JUNE 26 DIV/ADMIN FEE	V11602	HORACE-ESCROW PFM FEES
Technical Services / Investment Management Svc				\$29.59			
790-7941-429.33-05	6/5/2026	353974	MOORE ENGINEERING INC	\$19,739.50	COMSTOCK LAGOON PROJECT	V10102	LAGOON
Other Services / Engineering Services				\$19,739.50			
790-7941-429.33-25	6/5/2026	353974	Pemberton Law PLLP	\$39.00	COMSTOCK MOU PEMBRTON LA	V10102	LAGOON
Other Services / Legal Services				\$39.00			
790-7941-429.34-50	7/8/2026	JH062600	BUFFALO-RED RIVER WATE	\$42.92	JUNE 26 INT/ADMIN FEES	V08304	BRRWD-ESCROW PFM FEES
Technical Services / Investment Management Svc				\$42.92			
790-7950-429.33-05	6/5/2026	354081	MOORE ENGINEERING INC	\$1,324.75	REQ #S 27 OHNSTAD/MEI INS	V12201	SE CASS WRD MOU
	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$4,559.50	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
	6/25/2026	354717	MOORE ENGINEERING INC	\$1,960.25	RRWRD REQ #34 OHNSTAD,MEI	V08801	RUSH RIVER-DRAIN EXPENSE
Other Services / Engineering Services				\$7,844.50			
790-7950-429.33-06	6/25/2026	354607	BRAUN INTERTEC CORP	\$48,282.00	TO# 4 P3 OBSERVATION/TEST	V00406	TASK ORDER #4
Other Services / Quality Testing				\$48,282.00			

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790-7950-429.33-25	6/5/2026	354081	OHNSTAD TWICHELL PC	\$1,071.00	REQ #S 27 OHNSTAD/MEI INS	V12201	SE CASS WRD MOU
	6/25/2026	354706	Pleasant Township	\$18,555.12	REIMBURSE AALAND LAW/AL B	V06801	PLEASANT TOWNSHIP MOU
	6/25/2026	354717	OHNSTAD TWICHELL PC	\$1,173.00	RRWRD REQ #34 OHNSTAD,MEI	V08801	RUSH RIVER-DRAIN EXPENSE
	7/2/2026	EK06260	Serkland Law Firm	\$490.00	SERKLAND LAW FIRM	V05418	FLOOD ACQUISITIONS
Other Services / Legal Services				\$21,289.12			
790-7950-429.38-99	6/25/2026	354616	Glacier Dust Control	\$2,593.71	DUST CONTROL SRVS REIMBUR	V04201	DUST/TRAFFIC CONTRL-INLET
	6/25/2026	354707	Pro Landscapers LLC	\$1,800.00	SEEDING REPAIRS	V00105	General & Admin CONSTRCTN
Other Services / Other Services				\$4,393.71			
790-7950-429.41-05	6/5/2026	353971	Cass Rural Water	\$33.37	DIVERSION INLET APR26 BIL	V05006	DIVERSION INLET UTILITY
Utility Services / Water and Sewer				\$33.37			
790-7950-429.73-52	6/10/2026	EK06260	Red River Valley Alliance LLC	\$24,453,164.40	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	6/15/2026	EK06260	Red River Valley Alliance LLC	\$2,830,518.60	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	6/22/2026	EK06260	Red River Valley Alliance LLC	\$18,446,658.00	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	6/22/2026	EK06260	Red River Valley Alliance LLC	\$10,805,470.40	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	7/2/2026	EK06260	Red River Valley Alliance LLC	\$24,552,914.40	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	7/2/2026	EK06260	Red River Valley Alliance LLC	\$5,267,792.00	RECORD WIRE MILESTONE PMT	V11402	MILESTONE PAYMENTS
	7/2/2026	EK06260	Key Contracting Inc	\$475,517.75	KEY CONTRACTING INC	V05405	LEVEE/FLOODWALL - BELMONT
Infrastructure / Flood Control				\$86,832,035.55			
790-7950-429.73-70	6/5/2026	353971	Cass Rural Water	\$6,484.36	CASS RURAL WATER TO #9	V05016	TO 9 - WP38C DISCONNECTS
	6/25/2026	354742	XCEL ENERGY-FARGO	\$9,006.00	ADDT REQ TO#3 SAUVAGEAU	V07706	TO03-SERVICES TO SAUVAGEA
Infrastructure / Utilities				\$15,490.36			
790-7951-429.38-99	6/14/2026	1216	Wilkin County Recorder	\$103.00	WILKIN COUNTY TREASURE	V00105	General & Admin CONSTRCTN
Other Services / Other Services				\$103.00			
790-7952-429.33-05	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$711.00	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$711.00			
790-7959-429.33-05	7/2/2026	EK06260	APEX Engineering Group Inc	\$3,496.40	APEX ENGINEERING GROUP IN	V05439	NR26C-STRM LFT RHAB #40
	7/2/2026	EK06260	HOUSTON ENGINEERING IN	\$5,442.00	HOUSTON ENGINEERING INC	V05439	NR26C-STRM LFT RHAB #40
Other Services / Engineering Services				\$8,938.40			

Summary Of Expenses

EXP-2026-06

Tuesday, July 14, 2026

Account Number	Check Date	Check Number	Vendor Name	Transaction Amount	Description	Project Number	Project Description
790-7990-429.33-05	6/18/2026	354425	HOUSTON-MOORE GROUP L	\$8,717.19	PRJT MGMT,PROF SRVS,PROP	V01633	DESIGN & CONST. SUPPORT
Other Services / Engineering Services				\$8,717.19			
790-7990-429.33-25	6/5/2026	354055	OHNSTAD TWICHELL PC	\$64,184.40	PROFESSIONAL SRVS	V00102	General & Admin. WIK
	6/18/2026	354523	Swanson & Warcup	\$315.00	PROFESSIONAL SRVS	V14501	LEGAL SERVICES
	6/25/2026	354700	OHNSTAD TWICHELL PC	\$51,604.40	PROFESSIONAL SRVS 6.2026	V00102	General & Admin. WIK
Other Services / Legal Services				\$116,103.80			
790-7990-429.33-47	6/18/2026	354501	Program Advisor Services, LLC	\$35,192.00	PROGRAM CNSLT SRVS TO#3	V05801	CONSULTING SERVICES
Other Services / Consulting Services				\$35,192.00			
790-7990-429.34-57	6/25/2026	15588	BANK OF NORTH DAKOTA	\$18,547.00	BND TRUSTEE FEE 06/2026	V08502	MONTHLY TRUSTEE FEE
Technical Services / FMDA Trustee Fees BND				\$18,547.00			
790-7990-429.34-59	6/25/2026	354711	Allegro Construction Services L	\$1,462.50	TECHNICAL SRVS CRB CHAIR	V11403	DISPUTE RESOLUTION BOARDS
Technical Services / Outside Consultant				\$1,462.50			
790-7998-555.90-81	7/7/2026	EK06260	Diversion Admin Budget Transfe	\$0.00	ANNUAL ADMIN BDGR TRF-JUN	VADMIN	Diversion Administration
FMDA Admin. Budget Fund				\$0.00			
790 Subtotal				\$89,944,829.55			

Total Amount Invoiced this period:

\$90,064,745.70

\$6,550.00 Less Paid Retainage

\$90,058,195.70 Total Less Paid Retainage

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
LAND PURCHASE	\$447,424,245.17	\$447,424,245.17	\$0.00	Land Purchase
RED RIVER VALLEY ALLIANCE LLC	\$319,632,332.66	\$319,632,332.66	\$0.00	P3 Developer payments
CH2M HILL ENGINEERS INC	\$170,151,045.01	\$151,548,443.52	\$18,602,601.49	Project & Construction Management
HOUSTON-MOORE GROUP LLC	\$100,116,613.06	\$90,905,447.20	\$9,211,165.86	Engineering Services
ARMY CORP OF ENGINEERS	\$71,882,397.00	\$71,882,397.00	\$0.00	Local Share
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
NORTH DAKOTA PUBLIC FINANCE AUTHORIT	\$55,939,800.00	\$55,939,800.00	\$0.00	Debt Service
KEY CONTRACTING INC	\$41,752,714.00	\$41,752,714.00	\$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	\$30,850,911.98	\$30,850,911.98	\$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	\$18,590,861.61	\$16,022,257.80	\$2,568,603.81	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
CASS COUNTY JOINT WATER RESOURCE DI	\$15,126,609.47	\$15,126,609.47	\$0.00	O/H/B Ring Levee, DPAC, Postage, Miscellaneous
DORSEY & WHITNEY LLP	\$14,025,894.82	\$14,025,894.82	\$0.00	Legal Services
WELLS FARGO	\$11,607,080.05	\$11,607,080.05	\$0.00	Debt Service
DAKOTA UNDERGROUND	\$11,141,625.69	\$11,141,625.69	\$0.00	Utility Relocation
LANDSCAPES UNLIMITED	\$11,007,612.78	\$11,007,612.78	\$0.00	Golf Course Construction - Oxbow Country Club
MOORE ENGINEERING INC	\$10,451,648.44	\$8,579,623.76	\$1,872,024.68	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	\$9,920,069.36	\$9,914,430.61	\$5,638.75	Utility Relocation, Accounting Svcs, Interest on Deficit Funds
RJ ZAVORAL & SONS INC.	\$8,733,300.18	\$572,204.08	\$8,161,096.10	Raymond Township Mobility Improvements
SCHMIDT AND SONS INC.	\$8,270,372.23	\$6,476,737.73	\$1,793,634.50	Residential Demolition in Oxbow
HOUSTON ENGINEERING INC	\$8,019,888.98	\$8,019,888.98	\$0.00	Engineering Services
CASS RURAL WATER	\$7,519,281.43	\$7,460,106.05	\$59,175.38	Utilities and Utility Relocation
CASS COUNTY GOVERNMENT	\$7,389,034.78	\$7,389,034.78	\$0.00	Gravel on County Rd 17 Bypass
CASS COUNTY ELECTRIC COOPERATIVE	\$6,744,655.91	\$5,309,156.84	\$1,435,499.07	Electrical Services

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
ASHURST LLP	\$6,352,853.01	\$6,352,853.01	\$0.00	PPP Legal Counsel
SRF CONSULTING GROUP	\$6,341,707.43	\$4,192,530.83	\$2,149,176.60	Engineering Services
MINNKOTA POWER COOPERATIVE	\$6,071,014.93	\$5,787,498.93	\$283,516.00	Utility Relocation
NUSTAR PIPELINE OPERATING PARTNERSHIP	\$5,867,251.62	\$5,867,251.62	\$0.00	Utility Relocation
BRAUN INTERTEC CORP	\$5,849,652.41	\$4,675,671.31	\$1,173,981.10	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	\$4,055,916.11	\$3,737,064.17	\$318,851.94	Utility Relocation
PROSOURCE TECHNOLOGIES, INC	\$3,873,908.66	\$3,626,663.51	\$247,245.15	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	\$3,544,148.37	\$3,544,148.37	\$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
CROWN APPRAISALS	\$3,467,230.00	\$3,016,225.40	\$451,004.60	Flowage Easements Valuation and Appraisal Services
PROGRAM ADVISOR SERVICES, LLC	\$3,409,228.39	\$3,114,972.62	\$294,255.77	Program Consulting 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	\$2,274,928.88	\$420,153.49	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

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
ACONEX (NORTH AMERICA) INC	\$2,194,655.43	\$2,039,939.46	\$154,715.97	Electronic Data Mgmt and Record Storage System
BANK OF NORTH DAKOTA	\$2,144,425.32	\$2,144,425.32	\$0.00	Legal review fees
MINNESOTA NATIVE LANDSCAPES	\$1,865,706.20	\$0.00	\$1,865,706.20	Sheyenne River Benching
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
BORDER STATES PAVING, INC	\$1,681,811.69	\$762,980.64	\$918,831.05	Street repairs
CASS COUNTY TREASURER	\$1,664,277.58	\$1,664,277.58	\$0.00	Property Taxes
LARKIN HOFFMAN ATTORNEYS	\$1,601,849.57	\$1,601,849.57	\$0.00	Legal Services
REINER CONTRACTING INC	\$1,599,646.21	\$1,599,646.21	\$0.00	El Zagal Flood Risk Management
ULTEIG ENGINEERS INC	\$1,540,037.09	\$1,494,958.09	\$45,079.00	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
LINNCO, INC.	\$1,236,130.77	\$912,828.11	\$323,302.66	House Demo and Removal
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
CC STEEL, LLC	\$1,140,081.29	\$1,140,081.29	\$0.00	Lift Station Improvements
CONSOLIDATED COMMUNICATIONS	\$1,094,622.01	\$1,094,622.01	\$0.00	Utility Relocation
CITY OF HORACE	\$1,080,306.69	\$1,080,306.69	\$0.00	Infrastructure Fund
JT LAWN SERVICE LLC	\$1,035,343.60	\$685,928.00	\$349,415.60	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
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
C THREE MEDIA, LLC	\$839,039.35	\$676,538.82	\$162,500.53	Videography Services
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

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
NEON LOON COMMUNICATIONS, LLC	\$805,681.47	\$660,861.08	\$144,820.39	Communications Support
APEX ENGINEERING GROUP INC	\$765,500.52	\$765,500.52	\$0.00	Engineering
RED RIVER VALLEY COOPERATIVE ASSOC	\$759,735.19	\$692,195.19	\$67,540.00	Electricity - Home Buyouts
DAKOTA CARRIER NETWORK	\$727,348.58	\$727,348.58	\$0.00	Utility Relocation
WATTS AND ASSOCIATES, INC.	\$722,307.44	\$579,937.31	\$142,370.13	Crop insurance product development services
FM ELECTRIC INC.	\$722,273.00	\$0.00	\$722,273.00	Utility Relocation
BEAVER CREEK ARCHAEOLOGY	\$710,970.25	\$396,970.25	\$314,000.00	Engineering Services
ERIK R JOHNSON & ASSOCIATES	\$686,572.23	\$686,572.23	\$0.00	Legal Services
NORTHERN IMPROVEMENT COMPANY	\$682,385.59	\$682,385.59	\$0.00	CR-17 asphalt paving
PATCHIN MESSNER VALUATION COUNSELORS	\$675,462.50	\$539,383.75	\$136,078.75	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	\$617,408.60	\$0.00	\$617,408.60	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
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	\$487,366.09	\$487,366.09	\$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	\$259,600.00	\$184,000.00	Property Appraisal Services
ROBERT TRENT JONES	\$440,431.73	\$440,431.73	\$0.00	Oxbow MOU - Golf Course Consulting Agreement
DAWSON INSURANCE AGENCY	\$423,211.66	\$423,211.66	\$0.00	Property Insurance - Home Buyouts
MOODYS INVESTORS SERVICE, INC.	\$382,375.00	\$382,375.00	\$0.00	WIFIA loan fees
COMSTOCK CONSTRUCTION	\$381,057.70	\$92,751.10	\$288,306.60	Maple River Benching Project

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
MBA	\$380,636.36	\$380,636.36	\$0.00	Golf course and pump house - Oxbow Country Club
MVM CONTRACTING	\$339,448.03	\$339,448.03	\$0.00	Fiber Relocation
SWANSON HEALTH PRODUCTS, INC.	\$337,059.00	\$337,059.00	\$0.00	FM1471 - Storm Lift Stations #55 and #56 - Drain 27
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
PLEASANT TOWNSHIP	\$295,271.86	\$295,271.86	\$0.00	Building Permit Application
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
LYLE WILKENS INC.	\$273,550.00	\$88,262.50	\$185,287.50	Property Structure Mitigation
702 COMMUNICATIONS	\$266,892.07	\$266,892.07	\$0.00	Utility Relocation
INTEGRA REALTY RESOURCES	\$260,725.00	\$260,725.00	\$0.00	Property Appraisal Services
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	\$241,513.21	\$241,513.21	\$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. SCEPANIAK, 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

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
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
EIDE BAILLY LLP	\$180,569.82	\$158,687.30	\$21,882.52	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

Cumulative Vendor Payments Since Inception (Paid Only)

Vendor Name	Approved Contract/Invoiced Amount	Liquidated	Outstanding Encumbrance	Purpose
JODI SMITH	\$106,934.18	\$106,934.18	\$0.00	Consulting 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
WARREN TOWNSHIP	\$101,604.72	\$101,604.72	\$0.00	SEEDING, ROAD REPAIR, DUST CONTROL

166 Vendors Report Totals: \$1,704,427,375.42 \$1,645,567,934.48 \$58,859,440.94

Data Through Date: Friday, June 26, 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	722	502	217	100%	3	\$99,122,854
DA_MOB_HORACE	4	2	0	50%	2	\$0
ENV	1	0	0	0%	1	\$0
HC	273	56	217	100%	0	\$3,568,166
LAP01	109	109	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 Improveme	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

Data Through Date: Friday, June 26, 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
SEAILAND	537	475	52	98%	10	\$102,430,803
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	\$974,121
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	497	376	83%	181	\$148,196,041
HC	380	4	376	100%	0	\$1,283,123
LEGACY	6	6	0	100%	0	\$759,198
UMA	582	477	0	82%	105	\$145,919,317
UMA-C	59	4	0	7%	55	\$38,567
UMA-W	14	6	0	43%	8	\$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

Data Through Date: Friday, June 26, 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
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	3,260	1,937	952	89%	371	\$470,022,792

FM Metropolitan Area Flood Risk Management Project
Lands Expense - Life To Date
As of June 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	(3,800.00)	8,196,119.55
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		326,758,125.97	-	5,109,571.44	(21,470,776.36)	183,664,730.93

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

Property Address	Purchase Date	Purchase Price	Earnest Deposit	Relocation Assistance	Sale Proceeds	Total
Land Purchases		191,498,808.38	-	2,563,701.41	(10,424,778.86)	183,664,730.93
That part of the Northwest Quarter of Section 16, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	1/30/2025	718,704.29				
That part of the NE 1/4 of Section 5 in Township 137 North of Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	1/30/2025	431,999.39				
Part of the Southeast quarter (SE1/4) of Section 26, Township 137 North, Range 49 West of the Fifth Principal Meridian, Cass County, North Dakota	4/24/2025	1,275,344.43				
A certain tract of land situated in the Southwest Quarter (SW1/4) of Section 34 Township 138 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, described as follows: Commencing at a point which is 926 feet East of the Southwest corner of the Southwest Quarter of Section 34, and which point is the true point of beginning of the tract hereinafter described; thence North and parallel to the West section line of Section 34 a distance of 445 feet; thence East and parallel to the South section line of Section 34 a distance of 587 feet; thence South and parallel to the West section line of Section 34 a distance of 445 feet, more or less, to the South section line of Section 34; thence West and along the South section line a distance of 587 feet, more or less, to the point of beginning.	4/24/2025	1,000.00				
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	264,353.72				
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				
		391,593,105.40	-	39,880,699.23	(21,919,934.23)	409,553,870.40
				Property Management Expense		13,097,289.84
				Grand Total	\$	422,651,160.24

FM Metropolitan Area Flood Risk Management Project
In-Town Levee Work
as of June 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	\$ 48,438,215.00	\$ 48,438,215.00
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>\$ 199,616,986.56</u>	<u>\$ 198,399,547.05</u>

State Revolving Fund (SRF) Status Report
As of 06/30/2026

Total Authorized	\$	51,634,000.00
Funds Received to Date	\$	37,429,339.16
Available Balance Remaining	\$	14,204,660.84

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
19	1-Dec 2025 through 30-Apr 2026	\$ 1,048,230.94	12-May-26
		\$ 38,477,570.33	

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
18	1-Oct 2025 through 28-Feb 2026	\$ 2,685,727.00	20-May-26
19			
Total		\$ 37,429,339.16	

Water Infrastructure Finance and Innovation Act (WIFIA)

WIFIA - N19123ND SWDCAI Project

As of 06/30/2026

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 July 2026

Vendor	Description		
Clay County	Comstock Reconstruction – Hwy 2 Reconstruction	\$	1,542,759.29
Buffalo-Red River Watershed District	BRRWD – City of Wolverton Project	\$	477,627.30
City of Fargo	Reimburse complementary in-town flood projects	\$	447,599.70
Cass County Joint Water Resource District	Diversion bills – Request #143 CCJWRD	\$	276,278.18
Ohnstad Twichell, P.C.	Legal services rendered through June 21, 2026	\$	116,074.50
City of Christine	Reimburse legal & engineering costs related to MOU	\$	104,684.30
City of Christine	Reimburse legal & engineering costs related to MOU	\$	47,309.00
City of Comstock	Reimburse legal & engineering costs related to MOU	\$	40,790.25
Clay County	Diversion bills – Request #67 MCCJPA	\$	28,054.60
Raymond Township	Gravel costs related to MOU	\$	6,985.11
Allegro Construction Services	Technical Dispute Review Board (TDRB) – 50% invoice	\$	6,110.36
Jodi Smith	Consulting costs June 2026	\$	3,986.30
Cass County	Reimburse misc expenses from Diversion Authority office	\$	2,543.51
Total Bills Received through July 15, 2026		\$	<u>3,100,802.40</u>

HIGHWAY DEPARTMENT

JUSTIN SORUM, Engineer

ALEX SOYRING, Assistant Engineer

Office: (218) 299-5099

Fax: 1-888-259-8757



City of Fargo

Attn: FM Diversion Authority

225 4 St N

Fargo, ND 58102

BILLING DATE: JULY 6, 2026

Acct # 90

ACCOUNT CHARGES	AMOUNT
County State Aid Highway 2 Reconstruction (SAP 14-602-031)	
Contractor Services through July 01, 2026	
Sellin Brothers Inc. - Total work certified as of 07/01/26	4,321,808.81
Less: Retainage Withheld @ 5%	(216,090.44)
Total Contractor Services	\$ 4,105,718.37
10/28/2025 Payment (Receipt # 150752)	(1,894,830.44)
12/01/2025 Payment (Receipt # 150981)	(579,037.10)
02/03/2026 Payment (Receipt # 151469)	(89,091.54)
<i>* Partial Payment Documents attached</i>	
BALANCE DUE	\$ 1,542,759.29

Approved: _____

Justin P. Sorum
Clay County Highway Engineer

Please make check payable to: CLAY COUNTY HIGHWAY DEPARTMENT

Please send remittance to: Clay County Auditor
 3510 12th Ave S
 PO Box 280
 Moorhead, Minnesota 56560

Invoice # 2026-0003

Billing Period - 1/13/2026-6/2/2026

[illegible]



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

July 13, 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 #57 for reimbursement of invoices paid totaling \$447,559.70. These costs are for work on complementary in-town flood protection projects for costs paid in June 2026.

Project Narrative, this request:

Project Number	Project Description	Amount
FLDBUY	Flood Buyouts - Property Acquisition Expense	740.00
FM15J	Belmont Flood Risk Management Project	11,297.50
NR24A	Storm Lift Rehab - #27	435,562.20
	Total Expense for Period	\$447,599.70

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

Sincerely,

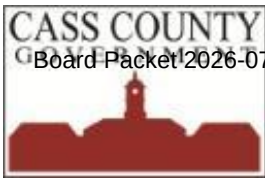
A handwritten signature in black ink, appearing to read "Wyatt Papenfuss", is written over a light blue horizontal line.

Wyatt Papenfuss
Assistant Finance Director

City of Fargo, North Dakota
Schedule of Complementary In-Town Flood Protection Costs
June 1, 2026 - June 30, 2026

Project Number	AP Project Description	Account Number	Description	AP Transaction Amount	Payment Number	AP Invoice Number	Payment Date	Vendor Name	Inting Per	ounting Per	Bookmarked Invoice
FLDBUY	FLOOD ACQUISITION	46035305103325	3440-250266M	665.00	354721	332165	06/25/2026	SERKLAND LAW FIRM	6	2026	3
FLDBUY	FLOOD ACQUISITION	46035305103325	3440-350037M	75.00	354721	332164	06/25/2026	SERKLAND LAW FIRM	6	2026	3
460-3530-510.33-25 - Total				740.00							
FLDBUY - Total				740.00							
FM15J0	FLOOD MIT-Belmont Park	46035305103305	PROF SERV 1.25-2.21.2026	2,610.00	354226	1200804530	06/11/2026	HDR ENGINEERING INC	6	2026	1
FM15J0	FLOOD MIT-Belmont Park	46035305103305	FLOOD MITIGATION BELMONT	8,687.50	354226	1200820400	06/11/2026	HDR ENGINEERING INC	6	2026	1
460-3530-510.33-05 - Total				11,297.50							
FM15J0 - Total				11,297.50							
NR24A1	STRM LFT RHAB-#27	46000002062000	Retainage and Retainage R	267,398.20	354670	NR24A1 #12 049	06/25/2026	KEY CONTRACTING INC	6	2026	2
460-0000-206.20-00 - Total				267,398.20							
NR24A1	STRM LFT RHAB-#27	46035305107358	Electrical	60,000.00	354670	NR24A1 #12 001	06/25/2026	KEY CONTRACTING INC	6	2026	2
NR24A1	STRM LFT RHAB-#27	46035305107358	Storm Sewer	104,300.00	354670	NR24A1 #12 002	06/25/2026	KEY CONTRACTING INC	6	2026	2
460-3530-510.73-58 - Total				164,300.00							
NR24A1	STRM LFT RHAB-#27	46035305107366	Storm Sewer	3,864.00	354670	NR24A1 #12 003	06/25/2026	KEY CONTRACTING INC	6	2026	2
460-3530-510.73-66 - Total				3,864.00							
NR24A1 - Total				435,562.20							
Overall - Total				447,599.70							

Jul 10, 2026



SENT VIA EMAIL

**Cass County
Joint Water
Resource
District**

July 9, 2026

Ken Loughheed
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 \$276,278.18 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.

Melissa Hinkemeyer
Director, Secretary

Thank you.

Amy Hepper
Treasurer

Sincerely,

CASS COUNTY JOINT WATER RESOURCE DISTRICT

1201 Main Avenue West
West Fargo, ND 58078-1301

Melissa Hinkemeyer

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

Melissa Hinkemeyer
Director

Board Packet 2026-07-23 Page 41 of 184

METRO FLOOD DIVERSION RIGHT OF ENTRY/LAND ACQUISITION COST SHARE INVOICES							7/9/2026
Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description	
		286115		(5,159.37)	The Title Company	Overage on Attorney Fees OIN 8782	
		285112		(2,937.50)	The Title Company	Overage on Attorney Fees OIN 1950, 1963, 1966	
7/2/2026	6/18/2026	217452	22103	3,174.00	Ohnstad Twichell, PC	Brakke Family OIN 1938, 1977 & 1978	
7/2/2026	6/18/2026	217453	22104	2,173.50	Ohnstad Twichell, PC	Cossette Lawrence Wayne OIN 1946	
7/2/2026	6/18/2026	217454	23122	537.00	Ohnstad Twichell, PC	Evert, Charles & Ruth OIN 1985, 1991	
7/2/2026	6/18/2026	217455	23140	12,627.50	Ohnstad Twichell, PC	Duchscherer, Brian & Kelly OIN 9416 & 1885) ED	
7/2/2026	6/18/2026	217459	23150	5,071.50	Ohnstad Twichell, PC	Boyer, Stuart & Pat OIN 1967	
7/2/2026	6/18/2026	217462	24160	3,382.48	Ohnstad Twichell, PC	Aaland Law Open Records Reqeust	
7/2/2026	6/18/2026	217463	24163	5,849.50	Ohnstad Twichell, PC	Cose, Paul & Margaret (OIN 2044, 2045) Eminent Domain Action	
7/2/2026	6/18/2026	217464	24164	3,277.50	Ohnstad Twichell, PC	Carlson, Aaron & Katie J. ED OIN 2040, 2184	
7/2/2026	6/18/2026	217456	23144	246.00	Ohnstad Twichell, PC	2023 Consolidated ED Actions	
7/2/2026	6/18/2026	217457	23147	966.00	Ohnstad Twichell, PC	Turner, Scott & Vicki OIN 5028	
7/2/2026	6/18/2026	217460	23151	310.50	Ohnstad Twichell, PC	Richard, George & Sharon Leo & Shirley (OINs 1903, 1905, 1907, 1908, 1910, 1914, 1957 & 1960) ED	
7/2/2026	6/18/2026	217461	23154	1,062.00	Ohnstad Twichell, PC	Rupp, Tyler & Kim OIN 9231, 9232	
7/2/2026	6/18/2026	217465	25170	1,621.50	Ohnstad Twichell, PC	2025 Consolidated Action	
7/2/2026	6/18/2026	217466	26003	1,567.00	Ohnstad Twichell, PC	Alm, Melvin (John) and Ricky Flowage Easement Acquisition OIN 8782	
7/2/2026	6/18/2026	217470	26007	1,173.00	Ohnstad Twichell, PC	Ness Family Farm LLP (OIN 1584, 1585) Ed Action	
7/2/2026	6/18/2026	217467	26004	1,970.50	Ohnstad Twichell, PC	Israelson Land Partnership LLLP OIN 9115, 9116	
7/2/2026	6/18/2026	217468	26005	2,068.50	Ohnstad Twichell, PC	Kalinowski, Matthew & Stephanie OIN 9112 Eminent Domain	
7/2/2026	6/18/2026	217469	26006	1,072.50	Ohnstad Twichell, PC	Nelson, Jeff & Char OIN 8476 ED Action	
7/2/2026	6/18/2026	217471	26008	793.50	Ohnstad Twichell, PC	Olson, Leif & Danelle OIN 7110 ED Action	
7/2/2026	6/18/2026	217472	26017	655.50	Ohnstad Twichell, PC	Heesch, Ronald & Melissa OIN 1411, 1880, 1892 ED Action	
7/2/2026	6/18/2026	217473	26018	517.50	Ohnstad Twichell, PC	High Plains Properties, LLC OIN 176 ED Action	
7/2/2026	6/18/2026	217474	26019	1,552.50	Ohnstad Twichell, PC	Michelle K. Johnson RLT (OIN 1491, 1545) ED Action	
7/2/2026	6/18/2026	217475	26020	1,552.50	Ohnstad Twichell, PC	Rufer, Michael & Darla (OIN 1328 & 1245) ED Action	
7/2/2026	6/18/2026	217476	26021	1,380.00	Ohnstad Twichell, PC	Granholt, Joshua & Suzanne (OIN 1329) ED Action	
7/2/2026	6/18/2026	217477	26022	103.50	Ohnstad Twichell, PC	Granholt, Craig & Lavonne (OIN 1336, 1348, 1356, 1599, 8774) ED Action	
6/26/2026	6/8/2026	877163	38810.00063	360.00	Larkin Hoffman	Hayes ED	
6/26/2026	6/8/2026	877170	38810.00029	320.00	Larkin Hoffman	Christianson, Charlie/Shirley/Douglas/Darlene Flowage Easement Acquisition	
6/26/2026	6/8/2026	877175	38810.00022	2,120.00	Larkin Hoffman	Nelson Trust (Curtis and Ellen, Trustees_ Flowagw Easement Acquisition	
6/26/2026	6/8/2026	877173	38810.00024	2,600.00	Larkin Hoffman	Ness Family Trust Flowage Easement Acquisition	
6/26/2026	6/8/2026	877168	38810.00035	520.00	Larkin Hoffman	Patrick Anderson and Lori Propp-Anderson	
6/26/2026	6/8/2026	877169	38810.00032	480.00	Larkin Hoffman	Dall Israelson	
6/26/2026	6/8/2026	877165	38810.00049	720.00	Larkin Hoffman	Allan and Mary Swenson	
6/26/2026	6/8/2026	877166	38810.00045	160.00	Larkin Hoffman	Becca Saunders	
6/26/2026	6/8/2026	877162	38810.00065	1,343.00	Larkin Hoffman	Colehour/The Quinland Farm (OINs 2031-+33; 2035; 0866-67; and 8063	
6/26/2026	6/8/2026	877167	38810.00044	160.00	Larkin Hoffman	Timothy and Sharon Schultz	
6/26/2026	6/8/2026	877164	38810.00056	440.00	Larkin Hoffman	Ron and Melissa Heesch	
6/26/2026	6/8/2026	877171	38810.00028	240.00	Larkin Hoffman	Alm, Melvin (John) and Ricky Flowage Easement Acquisition OIN 8782	
6/26/2026	6/8/2026	877172	38810.00025	80.00	Larkin Hoffman	Olson, Leif & Danelle OIN 7110 Flowage Easement	
6/26/2026	6/8/2026	877174	38810.00023	400.00	Larkin Hoffman	Nelson, Jeff & Char OIN 8476 Flowage Easement	
6/26/2026	6/8/2026	877176	38810.00020	320.00	Larkin Hoffman	Kopp, Alan & June Flowage Easement Acquisition	
6/26/2026	6/8/2026	877177	38810.00018	400.00	Larkin Hoffman	Kalinowski, Matthew & Stephanie OIN 9112 Flowage Easement	
6/26/2026	6/8/2026	877178	38810.00017	1,880.00	Larkin Hoffman	Johnson, Larry & Jane Flowage Easement Acquisition	
6/26/2026	6/8/2026	877179	38810.00016	1,720.00	Larkin Hoffman	Israelson, Gary and Nancy, Flowage Easement Acquisition	
6/26/2026	6/8/2026	877180	38810.00015	240.00	Larkin Hoffman	Israelson Land Partnership LLLP OIN 9115, 9116 Flowage Easement Acquisition	
6/26/2026	6/8/2026	877181	38810.00004	5,920.00	Larkin Hoffman	Richland/Cass Cos./Applications for Permit to Enter Land	
6/26/2026	6/11/2026	SIN009676	19706	2,201.00	Moore Engineering	FM Diversion - Design Coordination	
6/26/2026	5/31/2026	13783.02-3		13,115.77	SRF Consulting Group, Inc.	Task Order 2	
6/12/2026	5/25/2026	1200829411		949.65	HDR Engineering Inc.	Task Order 2 Property Acquisition Services - Booke Josephina Davis, Leew W Kaffar, Wade G Whitworth, Molly Ann Donohue	
6/26/2026	5/26/2026	1200835455		3,107.65	HDR Engineering Inc.	Task Order 3 Property Acquisition Services - Booke Josephina Davis, Leew W Kaffar, Wade G Whitworth, Olafsonc Stefan H (Oly)	
6/12/2026	6/1/2026	5365		93,000.00	Crown Appraisals, Inc	FM Diversion Project, Colehour Family; OIN 866, 867, 2031, 2032, 2033, 2035, 8360 Israelson OIN 8783 5J Farms OIN 1471, 1475, 1479, 1496 Nelson OIN 1335, 1338, 1351, 1355, 1360, 1363, 1512 Task Order 7 Amendment 1	
6/26/2026	6/3/2026	ARIV1091950		394.00	Ulteig Operations, LLC	Condemnation ROW 4/1/2026-4/30/2026 -Task Order #3	
6/12/2026	3/31/2025	4977	3775	2,654.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 3/29/2025 - Attend CCJWRD board meeting	
6/12/2026	4/30/2025	5212	3775	1,327.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 5/3/2025 - Attend CCJWRD board meeting	
6/12/2026	5/31/2025	5381	3775	3989.34	ProSource Technologies, LLC	Comdemnation of ROW Services Through 5/13/2025 - Attend CCJWRD board meeting	

Invoice Paid	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
6/12/2026	6/30/2025	5466	3775	10,767.08	ProSource Technologies, LLC	Comdemnation of ROW Services Through 6/28/2025 - Attend CCJWRD board meeting
6/12/2026	7/31/2025	5733	3775	977.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 8/2/2025 -Attend CCJWRD board meeting
6/12/2026	8/31/2025	5888	3775	576.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 8/30/2025 -Attend CCJWRD board meeting
6/12/2026	9/30/2025	6014	3775	747.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 9/30/2025 -Attend CCJWRD board meeting
6/12/2026	10/31/2025	6219	3775	2,736.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 11/1/2025 -Attend CCJWRD board meeting
6/12/2026	11/30/2025	6353	3775	228.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 11/29/2025 -Attend CCJWRD board meeting
6/12/2026	5/31/2026	7341	3775	1,197.00	ProSource Technologies, LLC	Comdemnation of ROW Services Through 5/30/2026 -Attend CCJWRD board meeting
6/25/2026	5/26/2026	2026-001		18,730.00	Dakota Underground Co. Inc.	Reimbursement for Field Approach Installation OIN 1075X2 (Dakota Underground)
6/26/2026	6/26/2026	287207		51,979.51	The Title Company	Buyer's Settlement Statement - OIN 7110
6/25/2026	6/11/2026	1167478		70.57	Cass County Electric Cooperative	Location: 139-160-0331 - Address 17132 50 ST SE OIN 1948 Home
7/1/2026	6/25/2026			250.00	DCR, Inc.	Soil Boring Compensation for OIN 7219 -Sheyenne River Mitigation Projctct
7/1/2026	6/25/2026			250.00	Sheyenne North Real Estate, LLC	Soil Boring Compensation for OIN 7256 -Sheyenne River Mitigation Projctct
			Total	276,278.18		
OXBOW - HICKSON - BAKKE RING LEVEE PROJECT						
	Invoice Date	Invoice No.	Project No.	Amount	Vendor	Description
			Total	0.00		
			Grand Total	276,278.18		

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 : 7/7/2026

Consolidated Bill # : 00092

Consolidated Summary

Bill #	Matter	Fees	Expenses	New Charges	Prior Balance	Payments	Balance Due
218095	15-1395.001 - GENERAL TOPICS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-001	\$47,408.40	\$0.00	\$47,408.40	\$66,009.80	\$66,009.80	\$47,408.40
218096	15-1395.004 - PUBLIC FINANCE ISSUES - DIVERSION AUTH- LOCAL COUNSEL 15-1395-004	\$1,018.10	\$0.00	\$1,018.10	\$2,417.40	\$2,417.40	\$1,018.10
218097	15-1395.005 - CONSULTANT CONTRACT REVIEW/DEV - DIVERSION AUTH- LOCAL COUNSEL 15-1395-005	\$1,396.40	\$0.00	\$1,396.40	\$11,190.80	\$11,190.80	\$1,396.40
218098	15-1395.006 - SUPPORT OF EXTERNAL LITIGATION COUNSEL - DIVERSION AUTH- LOCAL COUNSEL 15-1395-006	\$210.00	\$0.00	\$210.00	\$390.00	\$390.00	\$210.00
218099	15-1395.009 - ENVIR PERMITTING ISSUES/EPA - DIVERSION AUTH- LOCAL COUNSEL 15-1395-009	\$0.00	\$8,750.00	\$8,750.00	\$8,375.00	\$8,375.00	\$8,750.00
218101	15-1395.012 - USACE INTERFACE/QUESTIONS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-012	\$1,473.00	\$0.00	\$1,473.00	\$840.00	\$840.00	\$1,473.00
218102	15-1395.013 - THIRD PARTY UTILITY MOUS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-013	\$11,053.90	\$0.00	\$11,053.90	\$10,776.40	\$10,776.40	\$11,053.90
218104	15-1395.023 - PRAM - DIVERSION AUTH-	\$115.60	\$0.00	\$115.60	\$754.00	\$754.00	\$115.60

218105	15-1395.024 - P3 IMPLEMENTATION - DIVERSION AUTH- LOCAL COUNSEL 15- 1395-024	\$37,322.40	\$0.00	\$37,322.40	\$47,268.60	\$47,268.60	\$37,322.40
218106	15-1395.027 - UMA/UTILITY REVIEW - DIVERSION AUTH- LOCAL COUNSEL 15- 1395-027	\$462.00	\$0.00	\$462.00	\$546.00	\$546.00	\$462.00
218108	15-1395.030 - DISPUTE REVIEW BOARD MATTERS - DIVERSION AUTH- LOCAL COUNSEL 15-1395-030	\$599.20	\$0.00	\$599.20	\$1,155.60	\$1,155.60	\$599.20
218110	15-1395.032 - 2027 SUBORD SALES TAX BOND - DIVERSION AUTH- LOCAL COUNSEL 15-1395-032	\$6,265.50	\$0.00	\$6,265.50	\$736.40	\$736.40	\$6,265.50
		\$107,324.50	\$8,750.00	\$116,074.50	\$150,460.00	\$150,460.00	\$116,074.50

City of Christine - SUMMARY OF INVOICING**Reimbursement Request #24****June 23, 2026**

<u>Vendor</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Invoice Amount</u>
Moore Engineering, Inc.	5/11/2026	SIN009222	\$69,249.55
Moore Engineering, Inc.	6/5/2026	SIN009808	\$33,949.75
Total Moore Engineering, Inc.			\$103,199.30
Swanson & Warcup	4/30/2026	4228	\$797.50
Swanson & Warcup	5/31/2026	4325	\$687.50
Total Swanson & Warcup			\$1,485.00
Total Invoiced This Reimbursement Request			\$104,684.30

City of Christine - SUMMARY OF INVOICING**Reimbursement Request #25****Revised - July 15, 2026**

<u>Vendor</u>	<u>Invoice Date</u>	<u>Invoice #</u>	<u>Invoice Amount</u>
Moore Engineering, Inc.	7/8/2026	SIN010460	\$47,049.00
Total Moore Engineering, Inc.			\$47,049.00
Lies, Bullis & Hatting, PLLP	2/23/2026	72326	\$200.00
Lies, Bullis & Hatting, PLLP	3/27/2026	72506	\$60.00
Total Lies, Bullis & Hatting, PLLP			\$260.00
Total Invoiced This Reimbursement Request			\$47,309.00

City of Comstock, MN - SUMMARY OF INVOICING
Comstock Lagoon Project **Reimbursement Request #24**
June 9, 2026

<u>Item No.</u>	<u>Vendor</u>	<u>Invoice Date</u>	Invoice #/	<u>Invoice Amount</u>
			<u>Document Name</u>	
<u>1.</u>	<u>Engineering Fees</u>			
1.1	Moore Engineering, Inc.	5/26/2026	SIN009462	\$10,008.00
1.2	Moore Engineering, Inc.	6/8/2026	SIN009863	\$29,969.00
Total Moore Engineering, Inc.				\$39,977.00
<u>2.</u>	<u>Attorney Fees</u>			
2.1	Pemberton Law, P.L.L.P.	4/30/2026	Statement No. 17	\$813.25
Total Pemberton Law, P.L.L.P.				\$813.25
Total Invoiced This Reimbursement Request				\$40,790.25



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

July 13, 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. All requests were approved or authorized by the Diversion Authority. The current invoice/expense reimbursement request is as follows:

Metro Flood Diversion Expense	\$28,054.60
Total Reimbursement Request	\$28,054.60

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

Vendor	Invoice Date		Invoice Amount	Invoice #	Date Approved	Date Paid	Check #	Reimb Request
Clay County Union	5/18/26	joint powers meeting	\$36.00	3278	6/12/26	6/24/26	574883	7/14/2026
Larkin Hoffman	6/8/26	prof svc thru 5/31/26	\$197.50	877159	6/22/26	6/24/26	131326	7/14/2026
SRF Consulting Group	5/31/26	prof svc thru 5/31/26	\$8,294.10	13820.02-3	6/17/26	6/24/26	574916	7/14/2026
Larkin Hoffman	6/8/26	prof svc thru 5/31/26	\$240.00	877158	6/24/26	7/8/26	131452	7/14/2026
Kenneth & Tina Bye		relocation & property cleaning oin 250	\$18,316.00		6/30/26	6/24/26	131301	7/14/2026
William Bye		relocation & property cleaning oin 250	\$971.00		6/30/26	6/24/26	131302	7/14/2026
			\$28,054.60					

CAMAS SAND AND GRAVEL14376 41st. St. SE, Wheatland ND 58079
Bus. (701) 633-5528 • Mobile (701) 261-5531DATE 4-5-26 TRUCK NO. 6 TRAILER NO. _____
BILL TO: Raymond Trip JOB _____LOCATION AND DESCRIPTION TOTAL LOADS
FROM Bay 1st
TO Raymond Trip
TYPE OF MAT: CL-5

SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT	MOSE RETO	PAID OUT
LOAD TIME	DESCRIPTION				PRICE	AMOUNT
6:03	S&G 14/22					26.75
8:46	S&G 20/21					26.50
11:27	S&G 33/24					26.80
	1 per ton					
	S&G 14/22					

AUTHORIZED SIGNATURE _____

OPERATOR Cal Rayner ATO CO. _____

MILEAGE START _____ FUEL _____

STOP _____ 45568

WHITE - CUSTOMER • CANARY - OFFICE • PINK - OFFICE

13 loads 335.5 TONS @ an
average of 20.82/TON = \$6925.11



Allegro Construction Services LLC
11 Chestnut Square
Jamaica Plain, MA 02130
(617)504-1735
jjallegro.ja@gmail.com
jjallegro@comcast.net

July 13, 2026

Ms. Maria Sanchez, RRVA

SUBJECT: Fargo Moorhead Flood Risk Management Project
Dispute Resolution Board
Invoice No. 4 for Services from 5/01/26 through 7/08/26
Submittal via Email

Note: Invoice costs split 50/50
between RRVA and Diversion
Authority

Dear Ms. Sanchez;

In am submitting this invoice number 4 for Dispute Resolution Board services on the Fargo Moorhead Flood Risk Management Project. These services were provided from May 1, 2026 to July 8, 2026. The invoice total is \$ 12,220.72 in accordance with the agreement. The invoice includes professional services associated with the DRB program including document review, coordination, and attendance at the recent quarterly meeting, including applicable expenses.

Please process this invoice at your earliest convenience. If you have any questions, please contact me.

Sincerely,

Joseph J. Allegro, Jr., P.E.
President

INVOICE

DATE:
7/01/2026

TO:

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

INVOICE #
17

	JOB	PAYMENT TERMS	DUE DATE
Jodi Smith	MFDA Consulting	Due on receipt	07/31/2026

DATE	DESCRIPTION	UNIT PRICE	LINE TOTAL
June	June MFDA Consulting 28.5 Hours	\$130/HR	\$3,705
06/28/26	Travel from Bismarck to Fargo	194 miles	\$140.65
06/28/26	Travel from Fargo to Bismarck	194 miles	\$140.65
		SUBTOTAL	\$3,986.30
		SALES TAX	0
		TOTAL	\$3,986.30

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

**INVOICE: INV012970**

Date 07/06/2026
 Invoice account 198

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

Description	Quantity	Unit price	Amount
DIVERSION- PAYROLL JUNE26	1.00	115,547.29	115,547.29
DIVERSION - MISCELLANEOUS JUNE26	1.00	2,543.51	2,543.51

Sales subtotal amount	Total discount	Total charges	Net amount	Sales tax	Round-off	Currency	Total
118,090.80	0.00	0.00	118,090.80	0.00	0.00	USD	118,090.80

Due date 08/05/2026

Please detach and send this copy with remittance.

MAKE CHECKInvoice: **INV012970**

Name: CITY OF FARGO

PAYABLE TO:

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

Date: 07/06/2026

Account #: 198

Total: 118,090.80**Due date** 08/05/2026



Diversion Board of Authority Meeting

July 23, 2026

Contracting Actions

DA Board Approval Contract Actions

(ACTION)



Description	Company	Budget/Estimate (\$)
Professional Services Agreement 2026 – Risk Management Advisory Services - Provide risk advisory services to the Diversion Authority for insurance, performance security requirements and risk management services in Conjunction with the Metro Flood Diversion Authority's portion of the project from July 1, 2026 through December 31, 2027.	AON Risk Services Central, Inc	\$5,000.00
Task Order 11, Amendment 0 – Retirement of existing Oxbow Substation – A qualified contractor will provide services to retire the existing Oxbow substation located at 4953 CR 81 S, Horace ND and located in the Upstream Mitigation Area. It was previously determined the existing substation would be impacted by the FM Diversion Project and therefore a new substation was constructed.	Minnkota Power Cooperative, Inc	\$202,162.50
Task Order 49 – Amendment 0 – WP38C – OIN 1412 & 1485 & 1486 – Property Structure Mitigation - Perform property mitigation services for OIN 1412, 1485 and 1486.	LinnCo, Inc	\$271, 397.50
Services Agreement, Amendment 0 – Hickson Gaging Station – Set up a new gaging station on CR 16 that will eventually replace the current gage station at Hickson, ND.	United State Geological Survey	\$34,760.00

Executive Director

Contracting Recommendation



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

AON Risk Services Central, Inc Profession Service Agreement 2026 Risk Management Advisory Services	\$5,000.00
• Professional services agreement 2026 to 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 Metro Flood Diversion Authority on November 10, 2016 and amended December 16, 2021, the Owner's Program Management Consultant (PMC) or Engineer of Record (EOR) is directed to prepare task orders and task order amendments for existing Professional Services Agreements (PSA) and submit them to the Executive Director and Member Entity Technical Representative (METR) for review. The METR will provide comments to the PMC who will combine the comments for the Director of Engineering. The Director of Engineering (DOR) will review and provide recommendations to Executive Director for review and action.

3 Reason why it is required

Provide risk management advisory services to the Diversion Authority for insurance, performance security requirements and risk management services in conjunction with the Metro Flood Diversion Authority's portion of the project. Aon shall furnish all services and labor necessary to conduct and complete the services described herein. AON's items of work may include, but are not limited to, the following items, as appropriate for the Project:

- Provide insurance, performance security, and risk management advice as requested regarding matters affecting, or that potentially affect, the Project.
- Participate in presentations, briefings, and reporting to the Metro Flood Diversion Authority Board and other decision-making bodies.
- Work and liaise with other Metro Flood Diversion Authority service providers and state, local, and federal agencies regarding the Project.
- Attend Meetings or participate in conference calls with the Metro Flood Diversion Authority's personnel and/or consultants and other interested parties to discuss the details of the Project.
- Assist in identification, assessment and allocation of project risks.
- Participate in the Project implementation process, including workshops, meetings, and evaluations.

The Services to be provided by AON are not of a legal nature, and AON shall in no event give, or be required to give, a legal opinion or provide any legal representation to the Metro Flood Diversion Authority.

4 Background and discussion

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

In accordance with Section 1 of the PROFESSIONAL SERVICES AGREEMENT ("Agreement"), between the Diversion Board of Authority ("OWNER") and , AON Risk Services Central, Inc. ("AON"), dated July 1, 2026 (the "Agreement"), the OWNER and AON agree to engage in the above-described 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	Budget Change \$	Original or Revised Budget \$	Agreement Execution Date	Project Completion	Comments
A0	0.00	5000.00	7/1/2026	12/31/2027	Budget for July 1, 2026 to December 31, 2027

5 Financial considerations:

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

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

Table 2 - Summary of Annual Budget Allocation – Per Year

Original Agreement or Amendment	Cost account code	Estimated Cost (\$)	Budget Allocated (\$)	Actual Paid to date (\$)	Budget Remaining (\$)	Comments
2026	SW-1340	2,500.00	2,500.00	0.00	2,500.00	
2027	SW-1340	2,500.00	2,500.00	0.00	2,500.00	

6 Attachments:

- Time Extension Only

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

Approved by: Jason Benson, Executive Director

Date: 7/7/2026

Executive Director

Contracting Recommendation



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

Minnkota Power Cooperative, Inc TO11 Amendment 0 Retirement of Existing Oxbow Substation	\$202,162.50
• Retirement of existing Oxbow Substation	

1 Recommendation for action:

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

2 Summary of Contracting action:

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

3 Reason why it is required

Minnkota Power Cooperative, Inc (MPC) is hiring a qualified contractor to provide services to retire the existing Oxbow Substation. The Oxbow Substation is located at 4953 County Road 81 S, Horace, ND, and is located in the Upstream Mitigation Area (UMA). It was determined that this substation would be impacted when the FM Area Diversion Project operates and therefore a new substation was constructed within the protected area of the Project.

Retirement of the existing Oxbow Substation includes removing the regulators, station service transformer, power transformer and some electrical items in the control house. Cass County Electric Cooperative (CCEC) will remove their electrical equipment in the substation and the control house under a separate contract. MPC will conduct soil testing to rule out any possible soil contamination. If soil contamination is found, MPC will consider adding soil remediation to this work as an amendment. A more detailed Scope of Work is attached to the Task Order.

4 Background and discussion

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

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

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

Table 1 - Summary of Contracting History and Current Contract Action

Original Agreement or Amendment	Contract Change \$	Original or Revised Contract \$	Agreement Execution Date	Project Completion	Comments
TO11-A0	0.00	202,162.50	7/24/2026	12/30/2026	Initial scope of work
Total		202,162.50			

5 Financial considerations:

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

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

Table 2 - Summary of Annual Budget Allocation – Per Year

Original Agreement or Amendment	Cost Account Code	Estimated Cost (\$)	Budget Allocated (\$)	Actual paid to date (\$)	Budget Remaining (\$)	Comments
2026	CN-4010	202,162.50	202,162.50	0.00	202,162.50	Within allocated budget

6 Attachments:

- Task Order 11 Amendment 0

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

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

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

Approved by: Jason Benson, Executive Director

Date: 7/13/2026

Executive Director

Contracting Recommendation



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

LinnCo, Inc. TO49 Amendment 0 WP38C – OIN 1412 & 1485 & 1486 – Property Structure Mitigation	\$271,397.50
• Perform Property Mitigation Services for WP38C – OIN 1412 & 1485 & 1486.	

1 Recommendation for action:

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

2 Summary of Contracting action:

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

3 Reason why it is required:

Assist the OWNER in performing structural demolition and/or removal of services of residential, commercial, and agricultural structures, including but not limited to houses, out buildings such as barns, silos, garages, and workshops; foundations; walkways; driveways; landscaping; associated utilities; and other components as identified in the Site Plans.

4 Background and discussion:

Three Task Order Bid Proposals were received on June 26, 2026, and the Bid Tabulation results are attached.

The Diversion Authority has awarded WP38C Task Order 49 OIN 1412 & 1485 & 1486 – Property Structure Mitigation to LinnCo, Inc. (Contractor) as the lowest bidder.

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	Budget Change \$	Original or Revised Budget \$	Agreement Execution Date	Project Completion	Comments
TO49-A0	0.00	\$271,397.50	07/10/2026	05/14/2027	Scope of Work.

5 Financial considerations:

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

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

Table 2 - Summary of Annual Budget Allocation – Per Year

Year	Original Agreement or Amendment	Cost Account Code	Estimated Cost (\$)	Budget Allocated (\$)	Actual paid to date (\$)	Budget Remaining (\$)	Comments
2026	TO49-A0	PA-1360	271,397.50	271,397.50	0.00	271,397.50	Scope of Work.

6 Attachments:

- Task Order 49 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: 07/06/2026

Executive Director

Contracting Recommendation



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

United States Geological Survey Service Agreement – Amendment 0 Hickson Gaging Station	\$34, 760.00
• Hickson Gaging Station	

1 Recommendation for action:

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

2 Summary of Contracting action:

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

3 Reason why it is required

USGS will set up a new gage station on County Road 16 that will eventually replace the current gage station at Hickson ND.

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 FM 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.

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
Services Agreement	0.00	34,760.00	5/1/2026	9/30/2026	Initial authorization of All Work

5 Financial considerations:

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

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

Table 2 - Summary of Annual Budget Allocation – Per Year

Year	Cost account code	Estimated Cost (\$)	Budget Allocated (\$)	Actual Paid to date (\$)	Budget Remaining (\$)	Comments
2026	DE-2070	34,760.00	34,760.00	0.00	34,760.00	Estimated cost & budget.

6 Attachments:

- Services Agreement – Amendment 0

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

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

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

Approved by: Jason Benson, Executive Director

Date: 7/13/2026

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: July 22, 2026
Re: OIN 9053N and 9992Y Excess Land Recommendation

RECOMMENDATION/ACTIONS NEEDED:

Approve OIN 9053N and 9992Y (8.01 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 9053N and 9992Y



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 13, 2026

RE: Excess Lands Recommendation – OINs 9053N and 9992Y

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 OINs 9053N and 9992Y as Excess Land and begin the process to dispose of the property following the Policy.

2. Pertinent Facts Regarding OINs 9053N and 9992Y

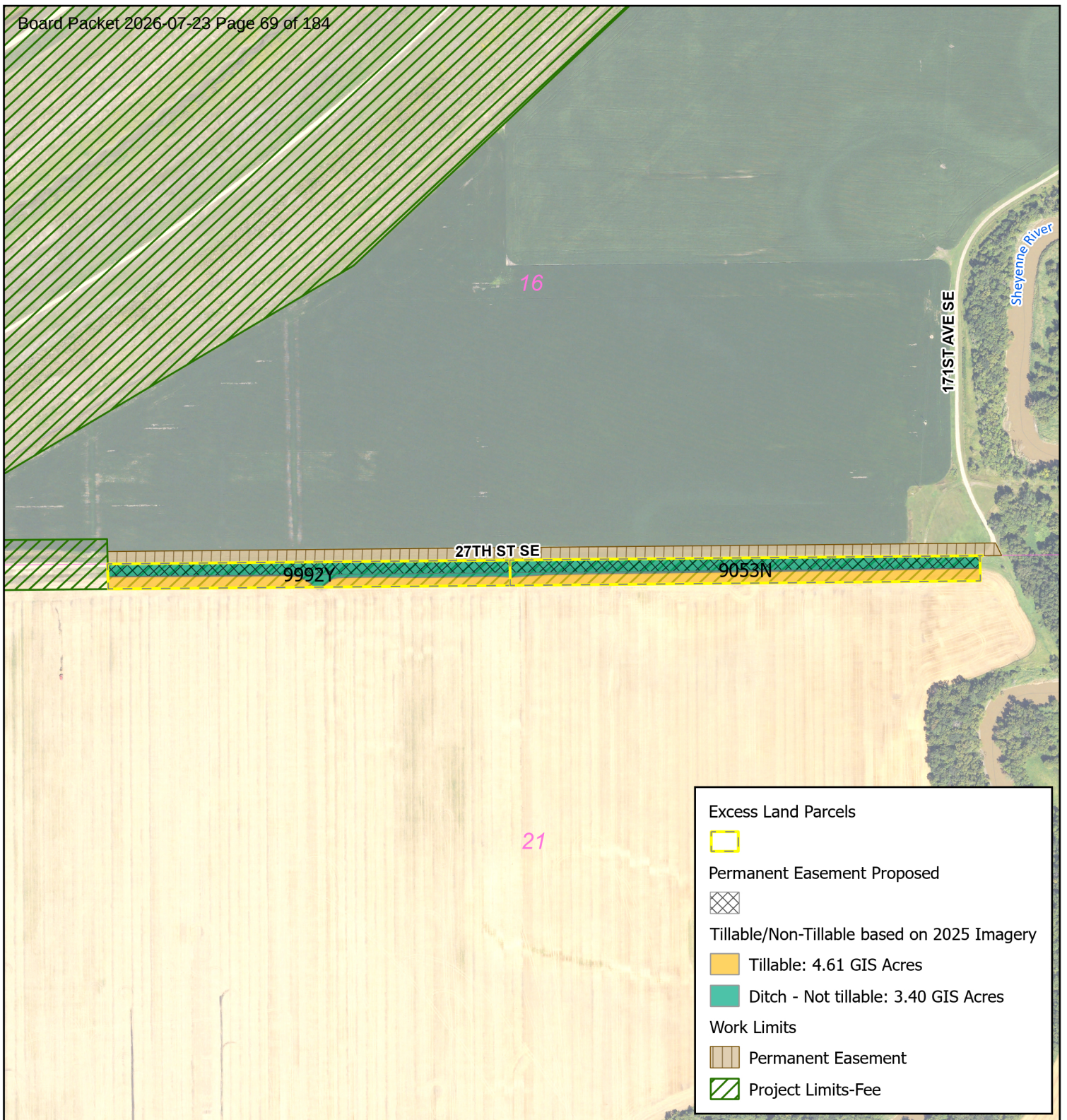
Description of Parcel(s)	See Exhibit A for a map showing the parcel recommended as excess land.
Legal Description	See Exhibit B for legal description for the parcel recommended as excess land.
Asset Parcel(s) Size	OIN 9053N = 4.32 acres OIN 9992Y = 3.69 acres Total = 8.01 acres

Narrative Description of Parcel(s)	OINs 9053N and 9992Y are narrow strips of land located north of Harwood, North Dakota along the south side of 27 th St SE. These properties were originally purchased to accommodate roadway improvements extending from the Diversion Channel, but the actual roadway connection was accomplished without affecting these properties.
Purchase Date	August 13, 2020
Purchase Price	\$282,620 *Purchase price includes the Fee Title and TCE acreage associated with OINs 2364, 9053, and 9992. This breaks down to approximately \$6,600/acre for the Fee Title and \$250/acre for 5 years on the TCE acreage.
Proposed Sale Price	\$20,000 Based on \$5,000 per tillable acre
Former Owner	Herman Rabanus
Adjacent Owners	OINs 9053X and 9992X – Rhoda Rabanus OINs 2366X and 2367X – Lars and Helen Nygren
Property Management Approach	These two parcels have been part of the Diversion Channel work limits with property management handled by the P3 Developer. These parcels were recently released from the P3 Developer’s work limits via an Authority Change Request (ACR).
Property Taxes	There were no property taxes associated with these parcels in 2025.
Relation to Construction	These parcels are located right along the Diversion Channel, in close proximity to where the Channel crosses I-29. Since the time of purchase these parcels have been maintained by the P3 Developer. Recent conversations have determined these land rights are no longer needed and therefore a release of these work limits was issued. The parcels are no longer needed for the Diversion Channel or for the Comprehensive Project.
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 OINs 9053N and 9992Y 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).

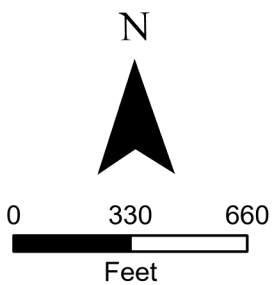
Exhibit A: Map Exhibit of Parcels Recommended as Excess Lands



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

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

Path: C:\Data\Projects\GIS Projects\FM Area Diversion\012 Lands Program\Property Acquisition\Project Wide\Special Exhibits.aprx | OIN 9053N 9992Y Excess Land | Edited by: cwickenheiser



Excess Land
OINs: 9053N, 9992Y
Owner: Cass County Joint Water Resource District
Harwood Township Section 21
Cass County, ND

FM AREA DIVERSION
 Map Date: 6/2/2026



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

9053N *Sourced from the legal description dated February 4, 2020

That part of the Northeast Quarter (NE1/4) of Section 21, Township 141 North, Range 49 West of the 5th Principal Meridian, Cass County, North Dakota, further described as follows:

The West 1879.88 feet of the North 100.00 feet of the NE1/4.

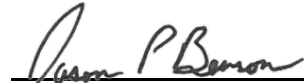
Said parcel contains 4.32 acres, more or less, and is subject to all prior easements, reservations, restrictions, and conveyances of record.

9992Y *Sourced from the Cass County GIS Database

FMD-HARWOOD SUB LT 1 BLK 8 **5-29-24 PLATTED PER DOC# 1711509 FOR 2024

Exhibit C: Declaration of Excess Land Form

I hereby declare that _____ OINs 9053N and 9992Y 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

July 14, 2026

Date

Memorandum



To: Metro Flood Diversion Authority Lands Committee
From: Jason Benson, Executive Director
Cc: John Shockley, MFDA Legal Counsel
Date: July 22, 2026
Re: OIN 9403, 9404, and 9411 Excess Land Recommendation

RECOMMENDATION/ACTIONS NEEDED:

Approve OINs 9403, 9404, and 9411 and 9992Y (9 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 9403, 9404, and 9411



Memorandum

TO: Jason Benson, Executive Director

FROM: Justin Fisher, Director of Lands and Compliance

DATE: July 13, 2026

RE: Excess Lands Recommendation – OINs 9403, 9404, and 9411, subject to a Flowage Easement

1. Introduction

The Metro Flood Diversion Authority (Authority) adopted the Policy on the Disposition and Management of Comprehensive Project Lands (Policy) in March 2021. Per the Policy Preamble, the Authority will periodically review its inventory of real property to determine if its land ownership exceeds its foreseeable needs for the Fargo-Moorhead Area Flood Diversion Project (Comprehensive Project). Land that is no longer needed, not expected to be needed in the future for the Comprehensive Project and declared “Excess Land” by 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 OINs 9403, 9404, and 9411 as Excess Land and begin the process to dispose of these properties following the Policy. Note that these parcels are in the Upstream Mitigation Area (UMA) and therefore the Authority (via the Cass County Joint Water Resource District (CCJWRD)) shall reserve a flowage easement on these parcels as part of the sale.

2. Pertinent Facts Regarding OINs 9403, 9404, and 9411

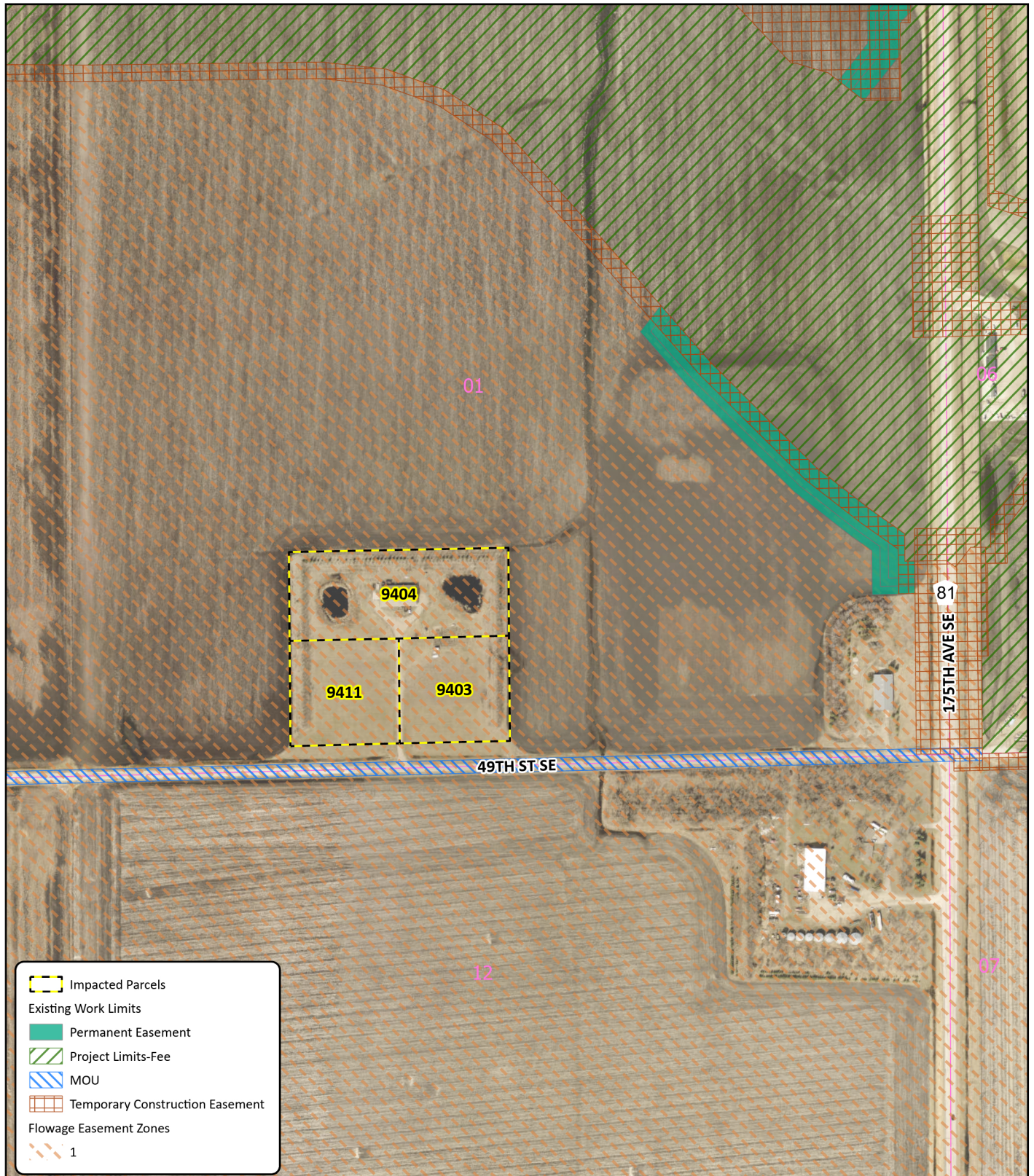
Description of Parcel(s)	See Exhibit A for a map showing the parcels recommended as excess land.	
Legal Description	See Exhibit B for legal descriptions for the parcels recommended as excess land.	
Asset Parcel(s) Size	OIN 9403: 2.45 acres OIN 9404: 4.11 acres OIN 9411: 2.44 acres	TOTAL = 9.00 acres

Narrative Description of Parcel(s)	OINs 9403, 9404, and 9411 are located just south of the Southern Embankment Reach 3 (SE-3) and west of the Red River Control Structure along 49 th St SE in Cass County, North Dakota.
Purchase Date	OIN 9403: February 1, 2017 OIN 9404: August 22, 2024 OIN 9411: February 20, 2017
Purchase Price	OIN 9403: \$883,400 OIN 9404: \$615,000 OIN 9411: \$828,380 Note: When acquired, the properties had improvements including homes and outbuildings.
Proposed Sale Price	\$40,000 Based on \$4,500 per acre
Former Owner	OIN 9403: David & Shannon Campbell OIN 9404: JRD Campbell Family Investment LLP OIN 9411: Rodger & Melissa Campbell
Adjacent Owners	Terry & Kay Compson (OIN 9412 & 9363) Vincent Ulstad RLT (OIN 8919X) Larry Brandt RLT Residuary Trust (OIN 846)
Property Management Approach	The Project has spent roughly \$31,000 in maintenance fees over the years that the property has been under Project ownership.
Property Taxes	There were no property taxes in 2025.
Relation to Construction	The Comprehensive Project does not have any construction impacts on these parcels. OINs 9403, 9404, and 9411 are fully encumbered by a Flowage Easement and the prior owners did not wish to retain the underlying land. All structures have been removed, and the sites have been restored. The Project wishes to sell these parcels as one with a Flowage Easement retained.
Right of First Refusal	OIN 9403: No OIN 9404: No OIN 9411: No

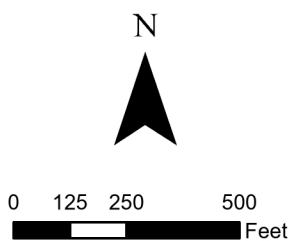
3. Conclusion and Recommendation

Based on the pertinent facts presented above, it is recommended to declare OINs 9403, 9404, and 9411 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: hrecords, 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



Locator Map Not to Scale

OINs: 9403, 9304, 9411
Parcel IDs: 57-0340-00010-000,
57-0340-00040-000,
57-0340-00020-000

Cass County, ND

FM AREA DIVERSION

Date: 12/4/2025



Exhibit B: Legal Description for Parcel Recommended as Excess Lands

Since these parcels are fully encumbered by a Flowage Easement a legal description was not created for the acquisition of the properties. The following legal descriptions are from the online Cass County interactive WebMap application.

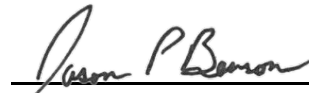
OIN 9403: CAMPBELL ESTATES SUB LT 1 BLK 1

OIN 9404: CAMPBELL ESTATES SUB LT 4 BLK 1

OIN 9411: CAMPBELL ESTATES SUB LT 2 BLK 1

Exhibit C: Declaration of Excess Land Form

I hearby declare that OINs 9403, 9404, and 9411 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

July 14, 2026

Date

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION AMENDING THE APPOINTMENT OF MEMBERS TO THE
DIVERSION AUTHORITY BOARD, AND TO THE PLANNING COMMITTEE,
THE FINANCE COMMITTEE, AND THE LAND MANAGEMENT
COMMITTEE OF THE METRO FLOOD DIVERSION AUTHORITY**

WHEREAS, Section 5.01 of the Joint Powers Agreement dated June 1, 2016, (“JPA”), establishes the governing body of the Metro Flood Diversion Authority (the “Authority”), the Diversion Authority Board, and sets forth its member composition; and

WHEREAS, such member composition consists of individuals appointed by the member entities, as well as two (2) other entities, to the Diversion Authority Board; and

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 must appoint the members of the Planning Committee in accordance with the RESOLUTION TO ESTABLISH THE PLANNING COMMITTEE OF THE METRO FLOOD DIVERSION AUTHORITY adopted September 22, 2022 (the “Planning Committee Resolution”); and

WHEREAS, the Diversion Authority Board must appoint the members of the Finance Committee in accordance with Section 6.11 of the JPA; and

WHEREAS, the Diversion Authority Board must appoint the members of the Land Management Committee in accordance with Section 6.04 of the JPA; and

WHEREAS, the City of Fargo held an election on June 9, 2026, and Mayor Timothy Mahoney did not seek re-election, creating vacant positions on the Diversion Authority Board, the Planning Committee, and the Finance Committee; therefore, the City of Fargo may appoint one (1) member to fill these vacant positions; and

WHEREAS, the City of Fargo election on June 9, 2026, also changed the City Commission membership, unseating Dave Piepkorn and Denise Kolpack, creating vacant positions from Mr. Piepkorn on the Diversion Authority Board and the Finance Committee, and Ms. Kolpack was a member of the Diversion Authority Board; therefore, the City of Fargo may appoint two (2) members to fill these vacant positions; and

WHEREAS, at its regular meeting on July 8, 2026, the City of Fargo appointed the new Mayor of Fargo, Josh Boschée, City Commissioner Chad Peterson, and City Commissioner Michelle Turnberg to serve on the Diversion Authority Board on behalf of the City of Fargo; and

WHEREAS, at its regular meeting on July 8, 2026, the City of Fargo appointed Commissioner Peterson to serve on the Finance Committee and Commissioner Turnberg to continue serving on the Land Management Committee on behalf of the City of Fargo; and

WHEREAS, the City of West Fargo held an election on June 9, 2026, and Mayor Bernie Dardis did not seek re-election, creating vacant positions on the Diversion Authority Board, the Planning Committee, and the Finance Committee; therefore, the City of West Fargo may appoint one (1) member to fill these vacant positions; and

WHEREAS, at its regular meeting on July 6, 2026, the City of West Fargo appointed the new Mayor of West Fargo, Eric Gjerdevig, to serve on the Diversion Authority Board on behalf of the City of West Fargo; and

WHEREAS, at its regular meeting on July 6, 2026, the City of West Fargo appointed Mayor Eric Gjerdevig to serve on the Planning Committee and the Finance Committee; and

WHEREAS, pursuant to Sections 5.01, 6.11, and 6.04 of the JPA and the Planning Committee Resolution, the Diversion Authority Board desires to amend and confirm members of the Diversion Authority Board and appoint the new Diversion Authority Board members to the Planning Committee, the Finance Committee, and/or the Land Management Committee.

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

1. The Authority hereby appoints and confirms the appointment of Josh Boschee, the Mayor of the City of Fargo, as a member of the Diversion Authority Board of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Diversion Authority Board meets the requirements of Section 5.01 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
2. The Authority hereby appoints and confirms the nomination of Josh Boschee, the Mayor of the City of Fargo, as a member of the Planning Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Planning Committee meets the requirements of the Planning Committee Resolution. This appointment shall take effect immediately upon adoption of this Resolution.
3. The Authority hereby appoints and confirms the appointment of Josh Boschee, the Mayor of the City of Fargo, as a member of the Finance Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Finance Committee meets the requirements of Section 6.11 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
4. The Authority hereby appoints and confirms the appointment of Chad Peterson, a Fargo City Commissioner, as a member of the Diversion Authority Board of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Diversion Authority Board meets the requirements of Section 5.01 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.

5. The Authority hereby appoints and confirms the nomination of Chad Peterson, a Fargo City Commissioner, as a member of the Finance Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Finance Committee meets the requirements of Section 6.11 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
6. The Authority hereby appoints and confirms the appointment of Michelle Turnberg a Fargo City Commissioner, as a member of the Diversion Authority Board of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Diversion Authority Board meets the requirements of Section 5.01 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
7. The Authority hereby appoints and confirms the appointment of Michelle Turnberg a Fargo City Commissioner, as a member of 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 Land Management Committee meets the requirements of Section 6.04 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
8. The Authority hereby appoints and confirms the appointment of Eric Gjerdevig, the Mayor of the City of West Fargo, as a member of the Diversion Authority Board of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Diversion Authority Board meets the requirements of Section 5.01 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.
9. The Authority hereby appoints and confirms the appointment of Eric Gjerdevig, the Mayor of the City of West Fargo, as a member of the Planning Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Planning Committee meets the requirements of the Planning Committee Resolution. This appointment shall take effect immediately upon adoption of this Resolution.
10. The Authority hereby appoints and confirms the appointment of Eric Gjerdevig, the Mayor of the City of West Fargo, as a member of the Finance Committee of the Metro Flood Diversion Authority, as reflected on the attached Exhibit A, and further, states that the membership of the Finance Committee meets the requirements of Section 6.11 of the JPA. This appointment shall take effect immediately upon adoption of this Resolution.

(Remainder of page intentionally left blank.)

Dated: July 23, 2026

APPROVED:

Josh Boschee, 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 members were absent and not voting: _____. The following members voted against the same: _____. A majority of the members having voted aye, the resolution was declared duly passed and adopted.

EXHIBIT A

Diversion Authority Board

Lisa Borgen	Moorhead City Council Member
Duane Breitling	Cass County Commissioner
Kevin Campbell	Clay County Commissioner
Shelly Carlson	Mayor, City of Moorhead
Bernie Dardis <u>Eric Gjerdevig</u>	Mayor, City of West Fargo
David Ebinger	Clay County Commissioner
Tony Grindberg	Cass County Commissioner
Chuck Hendrickson	Moorhead City Council Member
James Kapitan	Cass County Commissioner
Denise Kolpack <u>Michelle Turnberg</u>	Fargo City Commissioner
Tim Mahoney <u>Josh Bosch</u>	Mayor, City of Fargo
Dave Piepkorn <u>Chad Peterson</u>	Fargo City Commissioner
Rick Steen	Cass County Joint Water Resource District

Land Management Committee

Nathan Boerboom	Engineer, City of Fargo
Duane Breitling	Cass County Commissioner
Kevin Campbell	Clay County Commissioner
Brenda Derrig	Assistant City Administrator, City of Fargo
Tim Flakoll	Cass County Commissioner
Jake Gust	Cass County Joint Water Resource District
Jenny Mongeau	Clay County Commissioner
Matt Stamness	Assistant Engineer, Cass County
Michelle Turnberg	Fargo City Commissioner
Deb White	Moorhead City Council Member
Bob Zimmerman	Engineer, City of Moorhead

Finance Committee

Shelly Carlson	Mayor, City of Moorhead
Bernie Dardis <u>Eric Gjerdevig</u>	Mayor, City of West Fargo
Tony Grindberg	Cass County Commissioner
Sarah Heinle	Finance Director, Cass County
Lori J. Johnson	Clay County Auditor
James Kapitan	Cass County Commissioner
Tim Mahoney <u>Josh Boschee</u>	Mayor, City of Fargo
Dave Piepkorn <u>Chad Peterson</u>	Fargo City Commissioner
Mike Redlinger	City Administrator, City of Fargo
Mike Rietz	Assistant City Manager, City of Moorhead
Rick Steen	Cass County Joint Water Resource District
Susan Thompson	Finance Director, City of Fargo

Planning Committee

Kevin Campbell	Clay County Commissioner
Shelly Carlson	Mayor, City of Moorhead
Bernie Dardis <u>Eric Gjerdevig</u>	Mayor, City of West Fargo
Tony Grindberg	Cass County Commissioner
Tim Mahoney <u>Josh Boschee</u>	Mayor, City of Fargo
Rick Steen	Cass County Joint Water Resource District

Memorandum



To: Metro Flood Diversion Finance Committee

From: Jason Benson, Executive Director

Cc: Justin Fisher, Director of Lands & Compliance
John Shockley, MFDA Legal Counsel

Date: July 22, 2026

Re: Crop Loss Program Overview, Establishment of Crop Loss Fund Reserve Oversight Sub-Committee, and Authorizing Executive Director Permission to Issue a Request for Qualifications for a Financial Manager

Background:

Farmland in the upstream mitigation area (UMA) will be available for crop production after completion of the FM Area Diversion Project (the "Project"). The Metro Flood Diversion Authority (MFDA) recognizes that the potential impact of additional flooding caused by operation of the Project could present added risk to agricultural producers who operate in the UMA. While much of the UMA is subject to flooding today (the UMA is approximately 29,000 acres, of which approximately 18,000 acres would flood in a 100-Year Flood Event without the Project), there is risk that Project induced flooding may limit the coverage of federal crop insurance in a year in which the Project Operates. Per the Settlement Agreement with the Richland-Wilkin JPA, Buffalo Red River Watershed District, the City of Comstock, the MFDA will provide a crop loss program for preventive planting and for growing season crop loss caused by operation of the Project across the UMA. This is in accordance with the Minnesota Department of Natural Resources Dam and Safety Permit and noted in the Property Rights Acquisition and Mitigation Plan. The MFDA is required to have the crop loss program in place prior to substantial completion of the last segment of the southern embankment.

Preventative Planting Crop Program	Growing Season Supplemental Crop Loss Program
- The MFDA will implement and fund, at no cost to agricultural producers, a Prevent Plant Crop Program that will provide prevent plant crop funds for producers in the UMA in the event of Project operation and federal Prevent Plant Crop Insurance does not cover the prevent plant claim. - The Prevent Plant Crop Program will provide the same coverage level that producers purchase themselves through the federal crop insurance.	- The MFDA will implement and fund, at no cost to agricultural producers, a Growing Season Supplemental Crop Loss Program that will provide producers in the UMA coverage for loss from Project Operation induced flooding on growing crops during the unlikely event of summer operation of the Project, and the producer's Multi-Peril Crop Insurance does not cover the crop insurance claim. - If a producer covers their crops in the UMA with Multi-Peril Crop Insurance, and the Project is operated after crops are planted, the Growing Season Supplemental Crop Loss Program will provide 100% coverage for insured crops

	actually damaged by operation of the Project during the growing season.
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The estimated total maximum probable crop loss for a growing season within the 29,000-acre UMA is approximately \$25 million. This total maximum probable loss was estimated through contracted expert consultation, based on modeled impacts, past cropping histories of the UMA, and projected commodity pricing. The MN DNR D&SP requires the MFDA to fund the crop loss programs. The MFDA staff requests that \$25 million from the recent \$100 million from the U.S. Army Corps of Engineers' underspend to be set aside as initial seed funds placed into a Crop Loss Reserve Fund to be managed by financial consultants to ensure that any near future crop loss program payments could be made timely. Once set aside, the MFDA staff recommend soliciting proposals and hiring a financial manager. It is estimated that the Crop Loss Reserve Fund will be self-sustaining after 20 years, including any post-operations payments. The Planning Committee reviewed a draft resolution language creating the Crop Loss Reserve Fund (the "Draft Resolution"), which will be updated based upon recommendations from the financial manager, MFDA Staff and the Crop Loss Reserve Fund Sub-Committee.

With funds allocated, the MFDA staff recommend that the Finance Committee review the scope of solicitation and the financial manager proposals through a request for qualifications (RFQ) process. The MFDA staff also recommend establishing a Crop Loss Reserve Fund subcommittee composed of three members appointed by the Diversion Authority Board to include: (i) Chair of the Diversion Authority Board; (ii) Vice Chair of the Diversion Authority Board; and (iii) the Chair or Vice Chair of the Finance Committee. The subcommittee will initially meet on an as needed basis to review responses to the RFQ and provide input into the Draft Resolution to provide oversight by reviewing the financial status and approving future investment strategies for the Crop Loss Reserve Fund. Attached to this memo are the resolutions authorizing the Executive Director to issue a request for qualifications for a financial manager and establishing the Crop Loss Reserve Fund Sub-Committee.

**RESOLUTION ESTABLISHING THE CROP LOSS RESERVE FUND
OVERSIGHT SUB-COMMITTEE OF THE
METRO FLOOD DIVERSION AUTHORITY**

of the

METRO FLOOD DIVERSION AUTHORITY

Adopted on July 23, 2026

Drafted by:
Ohnstad Twichell, P.C.
P.O. Box 458
West Fargo, North Dakota 58078

Member _____ introduced the following resolution and moved for its adoption:

**RESOLUTION TO ESTABLISH THE CROP LOSS RESERVE FUND
OVERSIGHT SUB-COMMITTEE OF THE
METRO FLOOD DIVERSION AUTHORITY**

WHEREAS, the Metro Flood Diversion Authority (the “Diversion Authority”) was established by five Member Entities through the execution of the Joint Powers Agreement (the “JPA”) dated June 1, 2016, for the purpose of executing the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (the “Comprehensive Project”); and

WHEREAS, Section 20.01 of the Settlement Agreement dated February 1, 2021 (“Settlement Agreement”), between the Diversion Authority and Richland-Wilkin Joint Powers Authority (“RWJPA”), provides that the Diversion Authority will implement and fund a program that will compensate agricultural producers for actual crop losses caused by the operation of the Comprehensive Project (“Crop Loss Program”) prior to the Comprehensive Project Substantial Completion; and

WHEREAS, pursuant to Section 7.01(gg) of the JPA, the Diversion Authority may purchase private insurance policies or create individual reserve funds for crop loss, agricultural production revenue insurance, and liability insurance, in the amounts and upon the terms and conditions the Diversion Authority deems necessary in connection with the construction, operation, and maintenance of the Comprehensive Project, including such policies, funds, or programs intended to benefit third parties such as property and areas affected by the Comprehensive Project; and pursuant to Section 7.01(ii) of the JPA, the Diversion Authority holds all powers implicitly necessary to carry out the powers expressly enumerated in Section 7.01 of the JPA; and

WHEREAS, on July 23, 2026, the Diversion Authority Board adopted a resolution establishing the Crop Loss Reserve Fund as a self-insurance reserve fund of the Diversion Authority for its own crop-loss liabilities arising from the operation of the Upstream Mitigation Area (the “UMA”) which damages growing crops or triggers a prevent-plant claim; and

WHEREAS, pursuant to Section 6.01 of the JPA, the Diversion Authority Board may establish boards or committees to advise the Diversion Authority Board with respect to a Comprehensive Project function or activity, to investigate a subject of interest to the Diversion Authority, to perform quasi-judicial functions, or to perform any other task; and

WHEREAS, pursuant to Section 5.16 of the JPA, the Diversion Authority may provide for sub-committees, and Section 7.01(v) of the JPA authorizes the Diversion Authority to establish committees to provide technical, financial, and legal assistance; and

WHEREAS, the Diversion Authority Board has determined that it is necessary and appropriate to establish the Crop Loss Reserve Fund Oversight Sub-Committee under the Finance Committee to oversee the Crop Loss Reserve Fund and the investment manager retained to manage the Crop Loss Reserve Fund (the “Investment Manager”).

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

1. Crop Loss Reserve Fund Oversight Sub-Committee Established. The Diversion Authority Board hereby creates the Crop Loss Reserve Fund Oversight Sub-Committee of the Metro Flood Diversion Authority pursuant to Sections 6.01, 5.16, and 6.10 of the JPA.

2. Finance Committee. The Crop Loss Reserve Fund Oversight Sub-Committee is established as a sub-committee of the Finance Committee of the Diversion Authority Board and shall report to the Finance Committee of the Diversion Authority Board.

3. Advisory Capacity; No Final Authority. The Crop Loss Reserve Fund Oversight Sub-Committee is advisory only. It reviews, monitors, and makes recommendations, and possesses no final decision-making authority. All final action concerning the Crop Loss Reserve Fund rests with the Diversion Authority Board.

4. Crop Loss Reserve Fund Oversight Sub-Committee Jurisdiction. The Crop Loss Reserve Fund Oversight Sub-Committee is responsible for making recommendations to the Finance Committee of the Diversion Authority Board regarding the management, investment, and growth of the Crop Loss Reserve Fund. The duties of the Crop Loss Reserve Fund Oversight Sub-Committee shall include, but are not limited to, the performance of the following tasks: (a) review and recommend to the Finance Committee and the Diversion Authority Board a Crop Loss Investment Policy governing the Crop Loss Reserve Fund (the “CLIP”) and any amendments thereto; (b) monitor the Investment Manager’s compliance with the CLIP; (c) monitor the adequacy of the Minimum Liquidity Reserve maintained for the Crop Loss Reserve Fund; (d) review the performance of the Crop Loss Reserve Fund and of the Investment Manager against the objectives and benchmarks stated in the CLIP; (e) participate in the solicitation and selection of the Investment Manager and recommend the engagement, retention, or removal of the Investment Manager to the Finance Committee; (f) recommend reporting metrics and the cadence of reporting; (g) receive and review the reports of the Investment Manager; and (h) report to the Finance Committee and the Diversion Authority Board not less than quarterly.

5. Investment Manager. The Investment Manager shall be a financial or investment advisory firm, or a qualified representative of such firm, separately retained by the Diversion Authority as an independent professional services provider, engaged pursuant to a contract approved by the Diversion Authority Board, and is not a member or employee of the Crop Loss Reserve Fund Oversight Sub-Committee. The Investment Manager shall report to the Crop Loss Reserve Fund Oversight Sub-Committee and shall, in accordance with the CLIP and the terms of its engagement: (a) advise and recommend strategies for the prudent management and investment of the assets of the Crop Loss Reserve Fund consistent with the prudent-investor standard, the preservation of principal, and the Minimum Liquidity Reserve; (b) seek to maximize the investment growth and return of the Crop Loss Reserve Fund consistent with that standard and that reserve; (c) develop, recommend, and periodically update the CLIP for review by the Crop Loss Reserve Fund Oversight Sub-Committee and adoption by the Diversion Authority Board; (d) direct the investment of the assets of the Crop Loss Reserve Fund held in custody by the Trustee; (e) ensure the maintenance of the Minimum Liquidity Reserve; and (f) report to the Crop Loss Reserve Fund Oversight Sub-Committee on the performance, allocation, and liquidity of the Crop Loss Reserve Fund not less than quarterly.

6. Crop Loss Reserve Fund Oversight Sub-Committee Membership. The Crop Loss Reserve Fund Oversight Sub-Committee shall consist of three (3) members, to be appointed by the Diversion Authority Board:

- (a) the Chair of the Diversion Authority Board;
- (b) the Vice Chair of the Diversion Authority Board; and
- (c) the Chair or Vice Chair of the Finance Committee.

7. Crop Loss Reserve Fund Oversight Sub-Committee Member Terms. The terms of the members of the Crop Loss Reserve Fund Oversight Sub-Committee shall commence on January 1 and end on December 31 of each year, with no term limits.

8. Organizational Meeting. An organizational meeting of the Crop Loss Reserve Fund Oversight Sub-Committee shall be held within ninety (90) days of the Effective Date of this Resolution and shall be called at a time determined by the Secretary of the Diversion Authority Board. The Secretary of the Diversion Authority Board shall ensure that proper notice of the meeting is given.

9. Crop Loss Reserve Fund Oversight Sub-Committee Chair. The Crop Loss Reserve Fund Oversight Sub-Committee shall select a Crop Loss Reserve Fund Oversight Sub-Committee Chair by majority vote of its members. The term of the chair shall commence on January 1 and end on December 31 of each year, with no term limits.

10. Member Entity Staff. Member Entities may provide support staff and services for the Crop Loss Reserve Fund Oversight Sub-Committee, but Member Entity staff may not serve as members of the Crop Loss Reserve Fund Oversight Sub-Committee.

11. Open Meetings. All meetings of the Crop Loss Reserve Fund Oversight Sub-Committee are subject to the North Dakota open meetings law, N.D.C.C. ch. 44-04.

12. Sunset on Crop Loss Reserve Fund Oversight Sub-Committee. In the event the Diversion Authority Board determines, by an affirmative vote of a majority of all Diversion Authority Board Members, that the Crop Loss Reserve Fund Oversight Sub-Committee is no longer needed, the Diversion Authority Board may vote to suspend regular meetings of the Crop Loss Reserve Fund Oversight Sub-Committee and allow it to meet only on an as-needed basis.

13. Dissolution of Crop Loss Reserve Fund Oversight Sub-Committee. In the event the Diversion Authority Board determines, by an affirmative vote of a majority of all Diversion Authority Board Members, that the Crop Loss Reserve Fund Oversight Sub-Committee is no longer needed, the Diversion Authority Board may dissolve the Crop Loss Reserve Fund Oversight Sub-Committee and may re-establish the Crop Loss Reserve Fund Oversight Sub-Committee by a subsequent resolution.

14. Dissolution of Finance Committee. In the event the Diversion Authority Board determines, by an affirmative vote of a majority of all Diversion Authority Board Members, that the Finance Committee is no longer needed, the Diversion Authority Board may re-establish the Crop Loss Reserve Fund Oversight Sub-Committee or the Finance Committee by a resolution of the Diversion Authority Board.

15. Effective Date. This Resolution shall take effect immediately upon adoption.

Dated: July 23, 2026

**METRO FLOOD DIVERSION
AUTHORITY**

APPROVED:

Josh Boschee, Chair

ATTEST:

Dawn Lindblom, Secretary

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon roll call vote, the following Members voted in favor thereof: _____. The following were absent and not voting: _____. The following voted against the same: _____. A majority of the Members having voted aye, the resolution was declared duly passed and adopted.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE METRO
FLOOD DIVERSION AUTHORITY TO ISSUE A REQUEST FOR QUALIFICATIONS
FOR INVESTMENT MANAGEMENT AND ADVISORY SERVICES
FOR THE CROP LOSS RESERVE FUND**

of the

METRO FLOOD DIVERSION AUTHORITY

Adopted on July 23, 2026

Drafted by:
Ohnstad Twichell, P.C.
P.O. Box 458
West Fargo, North Dakota 58078

Member _____ introduced the following resolution and moved for its adoption:

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE METRO
FLOOD DIVERSION AUTHORITY TO ISSUE A REQUEST FOR QUALIFICATIONS
FOR INVESTMENT MANAGEMENT AND ADVISORY SERVICES
FOR THE CROP LOSS RESERVE FUND**

WHEREAS, the Metro Flood Diversion Authority (the “Authority”) was established by five Member Entities through the execution of the Joint Powers Agreement (the “JPA”) dated June 1, 2016, for the purpose of executing the Fargo-Moorhead Metropolitan Area Flood Risk Management Project (the “Comprehensive Project”); and

WHEREAS, pursuant to Section 7.01(gg) of the JPA, the Authority may purchase private insurance policies or create individual reserve funds for crop loss, in the amounts and upon the terms and conditions the Authority deems necessary in connection with the construction, operation, and maintenance of the Comprehensive Project, including such policies, funds, or programs intended to benefit third parties such as property and areas affected by the Comprehensive Project; and

WHEREAS, on July 23, 2026, the Diversion Authority Board established by resolution the Crop Loss Reserve Fund Oversight Sub-Committee to oversee the Crop Loss Reserve Fund and the investment manager retained to manage the Crop Loss Reserve Fund (the “Investment Manager”); and

WHEREAS, pursuant to Section 7.01(w) of the JPA, the Authority may procure the services of engineers, attorneys, contractors, consultants, and other persons or entities for the planning, development, financing, construction, operation, and maintenance of the Comprehensive Project; and

WHEREAS, the Authority requires professional investment management and advisory services in connection with the management and investment of the Crop Loss Reserve Fund; and

WHEREAS, the Diversion Authority Board finds that soliciting qualifications of professional investment management and advisory services through a request for qualifications process performed by the Executive Director is in the best interests of the Authority.

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

1. **Authorization to Solicit.** The Executive Director is hereby directed and authorized to issue a request for qualifications for investment management and advisory services for the management and investment of the Crop Loss Reserve Fund.

2. **Scope of Services.** The selected Investment Manager will manage and direct the investment of the Crop Loss Reserve Fund in accordance with the Crop Loss Investment Policy, maintain the Minimum Liquidity Reserve, and report to the Crop Loss Reserve Fund Oversight Sub-Committee.

3. **Proposals.** The Executive Director is authorized to establish evaluation criteria, evaluate responses and qualifications, conduct interviews, and negotiate terms, and shall return to the Finance Committee and Diversion Authority Board with a recommendation for a particular firm and such firm's proposal for award and contract authorization.

4. **Necessary Actions Authorization.** The Executive Director is authorized to take any other actions necessary or appropriate to accomplish the directives of this Resolution.

5. **Continuation.** This Resolution shall continue in full force and effect until amended or rescinded by the Diversion Authority Board.

6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Dated: July 23, 2026

**METRO FLOOD DIVERSION
AUTHORITY**

APPROVED:

Josh Boschee, Chair

ATTEST:

Dawn Lindblom, Secretary

The motion for the adoption of the foregoing resolution was duly seconded by Member _____ and upon roll call vote, the following Members voted in favor thereof: _____. The following were absent and not voting: _____. The following voted against the same: _____. A majority of the Members having voted aye, the resolution was declared duly passed and adopted.



FARGO MOORHEAD DIVERSION PROJECT

MONTHLY UPDATE

15 July 2026

1 Diversion Inlet Structure (DIS) – Construction

Structure includes 3-50 ft. wide Tainter gates. Turnover to Sponsors for OMRRR occurred 15 June 2026.

2 Wild Rice River Structure (WRRS) – Construction

Structure includes 2-40 ft. wide Tainter gates. Turnover to Sponsors for OMRRR occurring week of 13 July 2026.

3 Red River Structure (RRS) - Construction

Structure includes 3-50 ft. wide Tainter gates. Construction is 97% complete. Contract completion date is 20 August 2026. Embankment construction and prefinal inspections ongoing. Turnover to Sponsors for OMRRR anticipated in late August 2026

4 Drain 27 Wetland Mitigation Project Plantings - Mitigation

Native plantings 5-year contract for wetland establishment. Completion date is 2 December 2027.

5 FY2024 Contract Awards - Construction:

OHB Ring Levee: Turnover to Sponsors for O&M occurred on 29 December 2025. Turf maintenance ongoing.

Reach SE-1B: 85% complete. Embankment construction complete; topsoil placement ongoing. Contract completion date will be extended into early August 2026.

Reach SE-2B: 93% complete. TRM and turf establishment continue. 45th Street up and over completed and open. Contract completion date is 23 October 2026.

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

Reach SE-4: 37% complete. Embankment, topsoiling, and 160th up-and-over construction ongoing. Contract completion date is 15 October 2026.

6 FY2025 Contract Awards - Construction:

SE-3: 48% complete. Embankment construction ongoing. County Road 81 scheduled to reopen 15 August. Contract completion date is 19 October 2026.

SE-5: 40% complete. Contractor closed Hwy 75 on 15 June; reopening is scheduled for 31 July. Working to get Wolverton Creek crossing open. Contract completion date is 31 October 2026.

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

7 FY2026 Contract Awards - Mitigation:

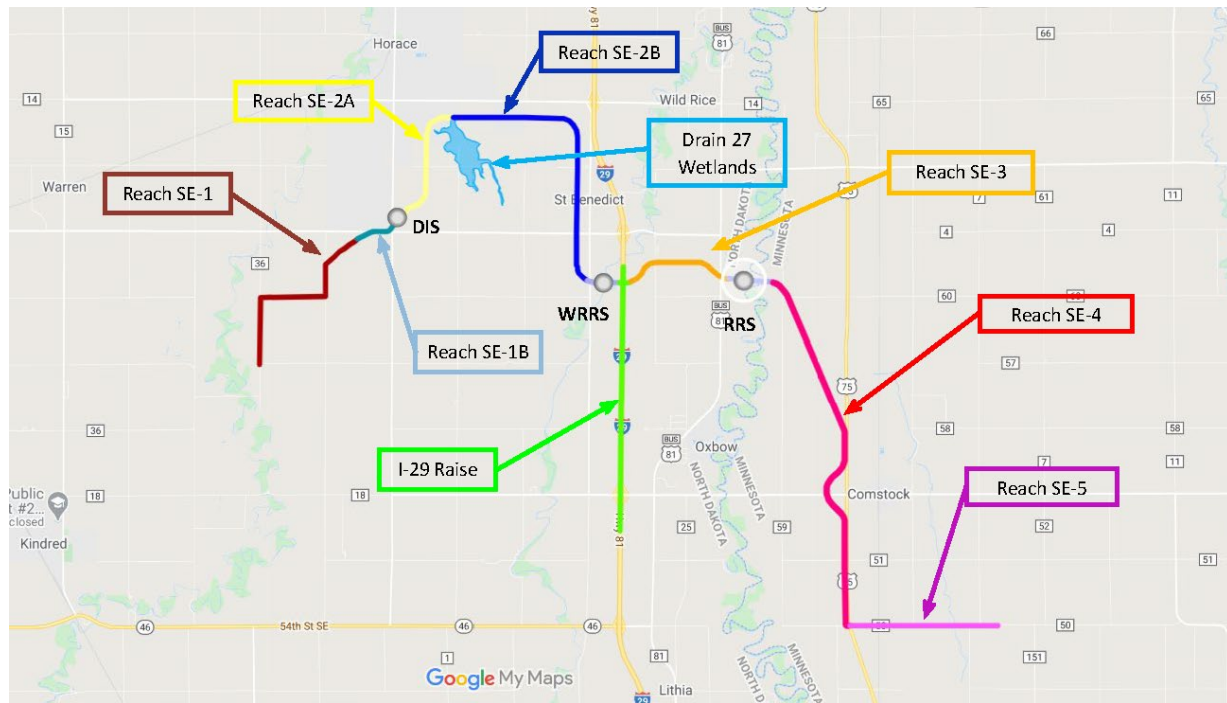
Forest Mitigation #3: Service contract awarded 27 February 2026. Planting preparation ongoing. Completion date is December 2028.

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.

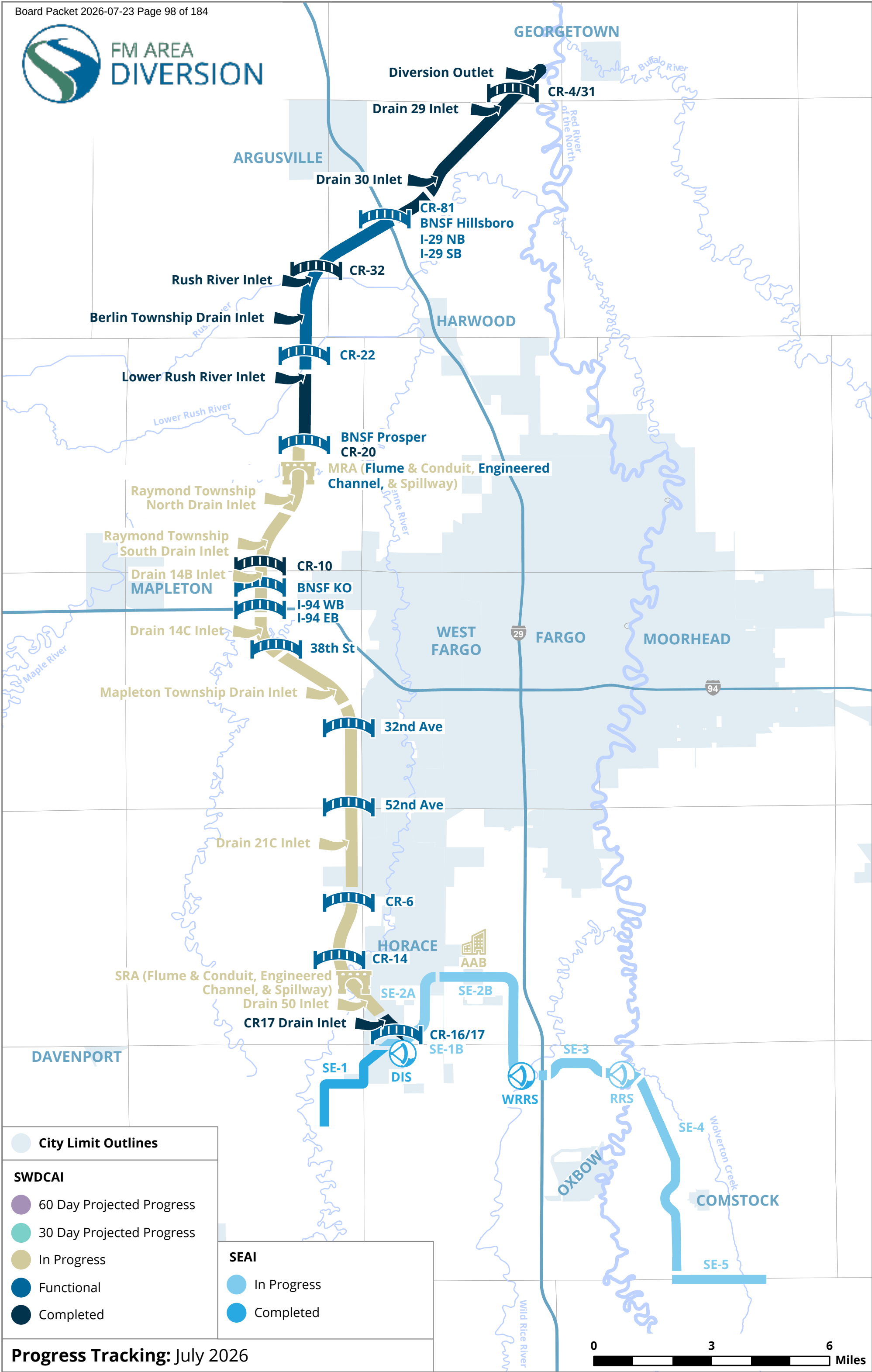


Fargo-Moorhead Metro FRM – Federal Work/Southern Embankment and Control Structures

DIS = Diversion Inlet Control Structure

WRRS = Wild Rice River Control Structure

RRS = Red River Control Structure



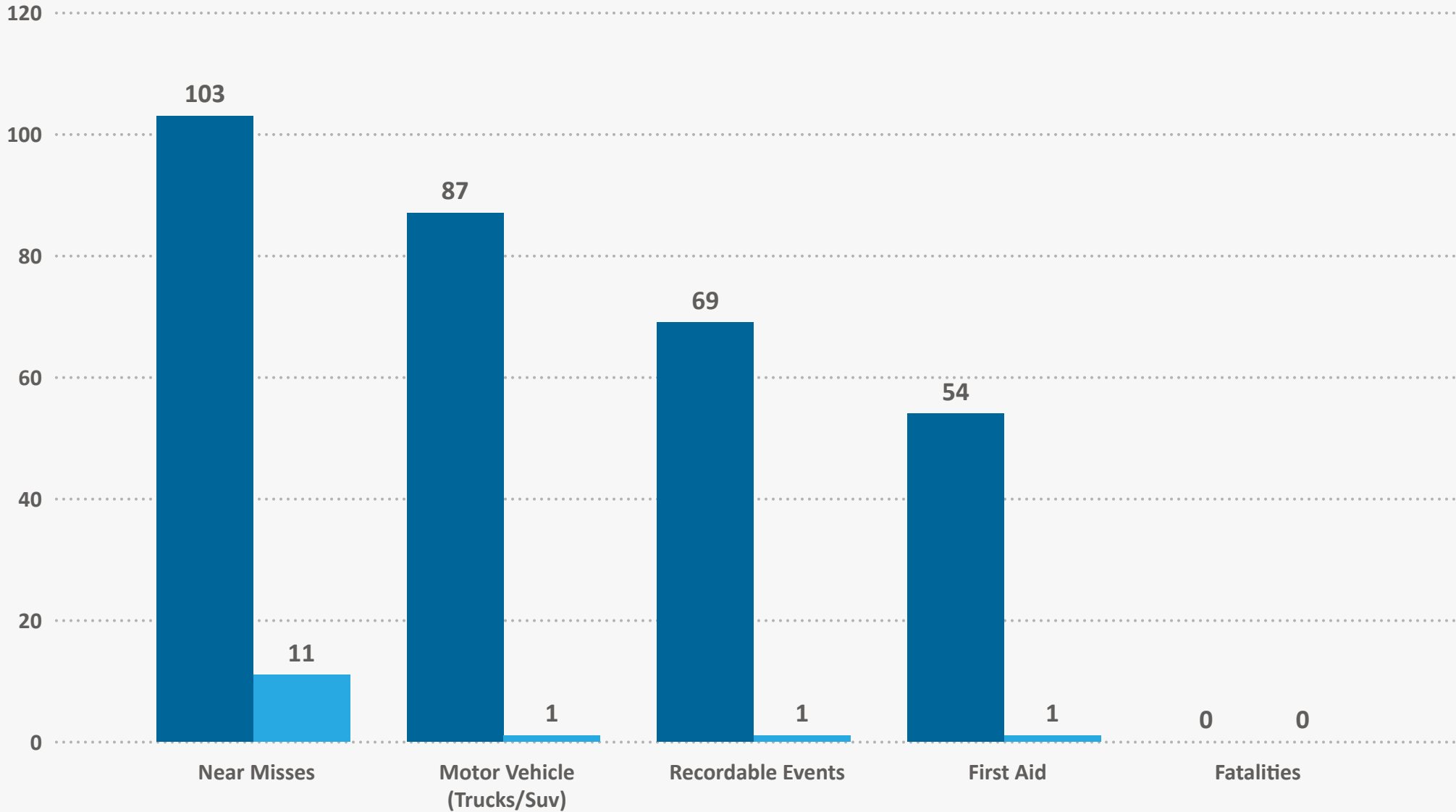
Progress Tracking: July 2026

FM Area Diversion Safety Statistics - June 2026

Current Reporting Period: June 1 - June 30

Developer Led Projects

● Sum to Date ● Sum of Current Reporting Period



City of Fargo Led Projects

Sum of Current Reporting Period	Sum to Date
0	2
Incident	Incidents

Authority Led Projects

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

PMC P3 SUMMARY REPORT JUNE 2026

Issue Date – July 16, 2026

PROGRESS

Construction of the SWDCAI is approximately 87.9%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. It is likely to be challenging for the Developer to meet the Project Substantial Completion Date of the end of September.
- **Aqueducts:** Maple River Aqueduct: Electrical and plumbing work continues in the Compressor and Electrical Buildings. The vertical lift gate was raised and work continued on the permanent roller installation. Dewatering of the channel under the flume continued, to assess leakage. Repairs to the cracks in wingwalls 2 and 8 continued and Texcote was applied. Epoxy coated rebar was installed for the north wingwalls, the bridge deck and the south abutments of the maintenance road/trail bridge; and concrete was placed for north and south wingwall approaches. Epoxy coated rebar was installed, and concrete was placed for the spillway north wall caps, and concrete finishes were prepared. Holes were cored, and concrete was placed around the bolts, for the pneumatic gates. Excavation continued downstream of the spillway, and drain rock and riprap were placed. Piling bracing was installed for the spillway north approach. A temporary coffer dam was driven for the maintenance bypass sump, three runs of 24" reinforced concrete pipe were placed, and concrete was placed for the foundations of the upstream and downstream foundations. Sheyenne River Aqueduct: Epoxy coated rebar was installed for the vehicle barriers on all wingwalls and for the west maintenance road/trail bridge. Formwork was erected for wingwalls #1 and #5 Section 5 wall facing and cap beam. Concrete was placed for the upstream section of the north and south side walls that hold the abutment plates for the pneumatic weir assembly; wingwalls #2 and #5 section 5; over the airlines at the spillway; barriers on wingwalls #3, #7 and #8; wingwalls #4 and #6 section 4; and the final lifts where the guide rails meet the west abutment. CLSM was placed for a void under the footing of section 1 of wingwalls #5 and #6, and for the manhole. Piles were driven for the maintenance road bridge at the spillway. Conduits were installed and cables pulled between the electrical house and the compressor house. Controls and components continued to be installed in the compressor house. Cold weather control cabinets and controls were installed on the walkway. Stainless steel tubing was installed for the pneumatic weirs. The generator was installed on its pad. Repairs were made to the waterstop on the south side wall. Surfaces throughout continued to be prepared for Texcote, and Texcote was applied to all bays for the main channel under-passage and to wingwalls #7 and #8. Texcote was removed from around the expansion joints in preparation for special membrane sealant. Trials were prepared for using a proprietary product for filling a void in Bay 8 of the underpassage. The bypass conduit gates were installed. Guide rail assemblies and the vertical gate sections continued to be welded. Steel components for the lift structure continued to be installed. Granular fill was placed and compacted for all wingwalls. Excavation to the north side engineered channel continued in preparation for riprap. Bedding was placed and boulders installed for the boulder field, along with riprap. Topsoil was placed in the west engineered channel. The sand lenses continued to weep water, and a plan was developed to remediate these. Mussel relocation recommenced in the Sheyenne River. General site clearance commenced in preparation for diversion of the river.

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

- **Stormwater Diversion Channel:** Reach 01: Foundations were installed for the Flow and Water Level Monitoring System. Reach 02: Monitoring stations were installed for the Levee Monitoring System. French drains were installed to the maintenance road/trail. Reach 03: Foundations were installed for the Flow and Water Level Monitoring System. Trees were planted on the right EMB. Topsoil was placed and regraded in the right local drainage ditch. Reach 04: Seeding and straw mulching were carried out and trees were planted on the right EMB. Reach 06: Excavation of the main channel and placement on the right and left EMBs continued. A sand lens continued to be monitored. Hardware was installed for the Flow and Water Level Monitoring System. Gravel continued to be placed on the left maintenance road/trail. Reach 07: A shaft was drilled for the Flow and Water Level Monitoring System. Excavation of the main channel and placement in the left EMB continued. Reach 08: Excavation of the main channel and placement in the left EMB continued. Excavation of the main channel beneath the shoofly commenced and placement on the left EMB. A concrete foundation was installed for the Flow and Water Level Monitoring System. Reach 09: Topsoil stockpiles were excavated and hauled to the right EMB for placement. Reach 10: The levee stockpile was excavated and hauled to the levee for placement. Reach 11: The main channel excavation and placement on the EMBs continued. Reach 12: The main channel excavation and placement on the right EMB continued. The first lift of gravel was placed on the maintenance road/trail. The parking lot was graded, and the vault restroom was excavated. Reach 13: The main channel excavation and placement on the levee and right and left EMBs continued. The first lift of gravel was placed on the maintenance road/trail.
- **Interstate Crossing:** I-29 and I-94: Lane closures were in place northbound and southbound for inspection and repairs to slabs. Slab repairs were carried out, profilograph testing was carried out, and grinding commenced on both interstates.
- **County and Township Road Crossings:** CR 81 Crossing: Concrete sections were removed on the north and south approaches and asphalt paving commenced. CR 22 Crossing: Fill material was placed to the box culverts. 38th St Crossing: Cass Rural Water line was lowered to facilitate ditch excavation. 32nd Avenue Crossing: Levee was tied-in to the north end. 52nd Avenue Crossing: Surface preparation was carried out for Texcote to all surfaces. Repairs were carried out to a diaphragm void. Formwork and temporary work were removed. CR 6 Crossing: The Crossing was opened to traffic. CR 14 Crossing: Remedial work was carried out to sections of curb and gutter and to the EB travel lane and embankment. CR 16/17 Crossing: Aggregate base was prepared and asphalt paving was completed. The Crossing was reopened to traffic.
- **Diversion Outlet:** punch list items continued to be remediated.
- **Hydraulic Structures:** Drain 29 Drain Inlet: Base hardware was installed for the Flow and Water Level Monitoring System. Drain 30 Drain Inlet: Surface preparation and Texcote continued to the headwalls. Berlin Drain Inlet: Texcote was applied to both upstream and downstream headwalls. Raymond North Drain Inlet: Texcote was applied to both upstream and downstream headwalls. The approach channel was excavated. The expansion joints were excavated and exposed to install Thermoplastic Elastomeric Rubber cover to the joints. Foundations were installed for the Flow and Water Level Monitoring System. Raymond South Drain Inlet: Texcote was applied to both upstream and downstream headwalls. Foundations were installed for the Flow and Water Level Monitoring System. Drain 14B Drain Inlet: Texcote was applied to both upstream and downstream headwalls. Remedial work was carried out to the cracks in the reinforced concrete pipes. Mapleton Section 24 Drain Inlet: The reinforced concrete pipes were grouted. Riprap was placed in the downstream area. New weep drains were cored. Remedial work was carried out to the misaligned reinforced concrete collar. Drain 21C Drain Inlet: Texcote was applied to the upstream and downstream headwalls. Backfill was placed behind the downstream headwall. Drain 50 Drain Inlet: Remedial work was carried out to the temporary diversion geotextile and culverts. Flap gates, guard rails and trash racks were installed. CR17 Drain Inlet: Texcote was applied to both the upstream and downstream headwalls.
- **Local Drainage:** Reach 05: Clean-up of drains continued.

- **Railroad Crossings:** BNSF Prosper: Clean-up and dewatering continued. Excavation and placement of riprap continued in the channel. BNSF K.O. Railroad Crossing: Potentially contaminated material was hauled from treatment area 3 to treatment area 6. Concrete patching was completed. Remedial work was completed to undermining at piers 2 and 7.
- **Access and Security:** Reach 03: Concrete for the security gates was placed. Reach 03: aggregate was placed on the maintenance road/trail. Placement of aggregate to the maintenance road/trail continued in most reaches.
- **Authority Administration Building (AAB):** Office building: Installation continued of: doors, hardware and casework; trim-out of light fixtures wall plates etc.; control wires for HVAC; piping and trims; window frames and glass; carpet tile and flooring; ceiling grid and tiles; the elevator; mineral wool insulation; garage doors and brickwork. Touchups were completed to drywall and paintwork. Maintenance Building: Trim pieces were installed. External: Soft spots in the parking lot were remediated and striping applied. Exterior earthwork continued.

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

Dispute	Description	Date Referred	Status
CE-026 - Hazardous Environmental Conditions Reach 13	RRVA maintains that it Encountered Hazardous Environmental Conditions on Reach 33	June 20, 2025,	Dispute resolved via the Definitive Settlement Agreement
Noncompliance Points Assessed for RRVA_LL-NCR-00207 and RRVA_LL-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 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 continue to explore 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 June 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 32 (thirty-two) Authority-initiated change requests (ACRs) through the end of the reporting period. 19 (nineteen) 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. A summary of the ACRs is in *Attachment C – Authority Change Requests*.

There were 63 (sixty-three) 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. One DCR is currently in negotiation with the Developer and will likely be executed prior to the next reporting period. A summary of the DCRs is in *Attachment D – Developer Change Requests*.

PROJECT CONTROLS

Schedule

The Developer submitted the forty-fourth Project Status Schedule (PSSU) update on June 15, 2026, for the month of May 2026 (01-Jun-26 Data Date). The submittal was accepted for review. To create the PSSU, the Developer reported making approximately 4,427 changes from the PSSU 2026 April submitted on May 15, 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 was accepted contingent upon all the stated conditions being satisfied in the SOP.

Invoicing and Payment

BNSF submitted 179 invoices through the month of June 2026 totaling \$21,762,580.35. 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 June, 169 of the 179 were paid for a total of \$21,578,415.50. 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 according to Section 7 of the C&M Agreement. Future invoices received will be handled in a like manner. There are no overdue amounts as of the end of 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	198,924,060.00	See Table 1 Below
Series B Interim Completion Payments	\$29,509,956.80	See Table 2 Below
Full ICE Payments	\$49,690,752.00	See Table 3 Below
Contingency SoP Section 22 Payments	\$ 32,000,000.00	\$5,000,000 was paid 14-May for Design Certificate and Construction Certificate for Buildable Units M35, Y35, G35, and R36 for the NDDOT Bridges
Contingency ACRs	\$7,956,760.06	(see Attachment C)
Contingency DCRs	\$3,712,553.80	(See Attachment D)
DRB Members (50% share)	\$146,847.48	Includes Polsinelli PC cost share.
Grand Total	\$321,940,930.14	

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
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

Table 1 - Series A - Additional Milestone <u>Advance</u> Payments				
Description	Pay Unit	Amount	Status	Date Paid
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
Removal of the BNSF KO Eastbound Shoofly	37	\$1,109,491.20	Paid	14-May-26
(32ND AVE CROSSING)	56	\$5,187,908.00	Paid	19-May-26
Removal of the BNSF KO Westbound Shoofly	40	\$1,109,491.20	Paid	20-May-26
I-29 Northbound Bridge	21	\$8,898,979.20	Paid	10-Jun-26
I-29 Southbound Bridge	22	\$8,898,979.20	Paid	22-Jun-26
CR6 Crossing	53	\$5,187,908.00	Paid	10-Jun-26
CR14 Crossing	60	\$5,751,408.00	Paid	10-Jun-26
(I-94 EASTBOUND)	23	\$8,801,344.00	Paid	26-Jun-26
(I-94 WESTBOUND)	24	\$8,801,344.00	Paid	26-Jun-26
Drain Inlet associated with Legal Drain for Raymond Township north	16	\$2,554,404.80	Paid	26-Jun-26
(CR 16/17 CROSSING)	48	\$5,267,792.00	Paid	30-Jun-26
(52ND AVE. CROSSING)	59	\$4,395,821.60	Paid	26-Jun-26
Total		198,924,060.00		

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
Diversion Channel Reach 5	7	\$7,518,474.60	Paid	22-May-26
Diversion Channel Reach 1	3	\$4,614,869.20	Paid	10-Jun-26
Diversion Channel Reach 1	2	\$2,830,518.60	Paid	15-Jun-26

Table 2 - Series B – Interim Completions				
Description	Pay Unit	Amount	Status	Date Paid
Diversion Inlet Structure Tie-In	47	\$1,906,491.20	Paid	22-Jun-26
Total		\$ 29,509,956.80		
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
Lower Rush River Inlet	15	\$8,862,507.00	Paid	22-May-26
Rush River Inlet	13	\$7,991,484.00	Paid	22-May-26
Diversion Channel Reach 14	46	\$18,446,658.00	Paid	22-June-26
Total		\$ \$49,690,752.00		

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
38th Street W Interim Connection (roadway connection south of I-94) - Construction	ACR023-2024 - 2	Aug-2026	\$51,750
Cass County Drain 14C	ACR006-2022	Aug-2026	-\$950,000
Raymond Township North Drain Inlet	16	Sep-2026	\$3,193,006
CR 22 Crossing	25	Sep-2026	\$5,986,779
Raymond Township South Drain Inlet	17	Sep-2026	\$3,181,911
CR 81 Crossing	27	Sep-2026	\$14,706,217
52nd Avenue W Crossing	59	Sep-2026	\$5,494,777
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
CR 14 Crossing	60	Sep-2026	\$7,189,260
BNSF Hillsboro crossing – BU5 – Removal of Shoofly	31	Sep-2026	\$1,697,522
BNSF Prosper crossing – BU5 – Removal of Shoofly	34	Sep-2026	\$1,275,915
Channel Reach 06 Pay Unit	8	Sep-2026	\$17,553,406
Channel Reach 04 Pay Unit	6	Sep-2026	\$16,380,341
Drain 14C Inlet	19	Sep-2026	\$8,940,172
CR 6 Crossing	53	Sep-2026	\$6,484,885
BNSF Prosper Subdivision Line Crossing	33	Sep-2026	\$8,416,565
32nd Avenue West Crossing	56	Sep-2026	\$6,484,885
Drain 14B Inlet	18	Sep-2026	\$3,581,328
I-94 Eastbound Crossing	23	Sep-2026	\$11,001,680

Invoice Name	Pay Unit #	Forecasted Payment Date	Pay Unit /ACR DCR Amount
I-94 Westbound Crossing	24	Sep-2026	\$11,001,680
Channel Reach 09 Pay Unit	41	Sep-2026	\$42,263,110
BNSF KO Subdivision Line Eastbound Crossing	36	Sep-2026	\$9,126,639
BNSF KO Subdivision Line Westbound Crossing	39	Sep-2026	\$9,126,639
Channel Reach 12 Pay Unit	44	Sep-2026	\$22,676,150
Channel Reach 07 Pay Unit	9	Sep-2026	\$22,568,529
CR 16/17 Crossing	48	Sep-2026	\$6,584,740
Drain 21C Inlet include 15th St. SW Improvements CR8 – 32nd Ave.	50	Sep-2026	\$3,193,006
Channel Reach 10 Pay Unit	42	Sep-2026	\$29,499,300
Mapleton Township Drain Inlet	49	Oct-2026	\$3,193,006
Channel Reach 08 Pay Unit	10	Oct-2026	\$25,280,570
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	Oct-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	Oct-2026	\$1,386,864
I-29 Northbound Crossing	21	Oct-2026	\$11,123,724
I-29 Southbound Crossing	22	Oct-2026	\$11,123,724
Channel Reach 11 Pay Unit	43	Oct-2026	\$36,903,602
38th Street West Crossing	57	Oct-2026	\$6,507,075
BNSF Hillsboro Subdivision Line Crossing	30	Oct-2026	\$11,134,819
Channel Reach 03 Pay Unit	5	Oct-2026	\$26,733,448
Authority Administration Building	58	Oct-2026	\$8,631,843
Drain 50 Inlet	51	Oct-2026	\$3,193,006
Maple River Aqueduct	20	Oct-2026	\$41,248,560
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	Nov-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	Nov-2026	\$141,970
Total			\$674,976,731

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	14-May-26	
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 June 2026 is as follows:

- 6/5/2026 ASN - Sheyenne River Aqueduct; while doing pre-work inspection, an employee slipped on a step of the equipment and cut his leg.
- 6/5/2026 ASN - Reach 06; operator backed a haul truck up on uneven terrain causing the loaded bed to rollover.
- 6/5/2026 Labor Masters - Reach 06; employee had a medical emergency on site. Employee was taken to the hospital for treatment.
- 6/5/2026 Park Construction - CR 6 Crossing; subcontractor was removing dirt with an excavator when they struck a fiber optics line.

- 6/8/2026 Veit & Company, Inc. - Reach 09; a tractor with a pan had just finished being fueled by the Kotaco fuel truck. After fueling was completed, the Veit operator began backing up to position the equipment for a forward turn. While backing up, the operator made contact with the rear door of the fuel truck, causing the door to be ripped off
- 6/9/2026 ASN - Reach 04; employee was operating a tractor when the dirt got soft, causing the tractor to get stuck and minor damage to the front toolbox. No injuries occurred
- 6/12/2026 ASN - All Hand Safety Meeting.
- 6/12/2026 ASN - Reach 10; employee was backing up to check out some crane mats when he made contact with the sign in the middle of the road. No damage to the sign or post. Minor damage to the rear back driver side of the pick up truck.
- 6/17/2026 IBI - Drain 14B Inlet; dozer backed over a flow meter foundation.
- 6/24/2026 Park Construction - BNSF Prosper; employee was working on BNSF property without all the needed credentials.
- 6/25/2026 ASN & Magnum Contracting Inc. - Maple River Aqueduct; ASN employee backed into a Magnum Contracting Inc. DC Welder that was left in the middle of the road. No injuries. No damage to ASN truck.
- 6/25/2026 S&B - Maple River Aqueduct; employee was passing a table where wood was being cut and saw dust blew in his eye.
- 6/29/2026 Jet Black Industries - Sheyenne River Aqueduct; Side dump gravel truck turned too sharp, causing trailer axles to go off of the driveway into the ditch.
- 6/29/2026 Veit & Company, Inc. - Reach 11; while traveling down a slope with a loaded pan, the tractor turned at an angle as a large clump of dirt was pushed from the pan. The pan tire then rolled over the clump while the equipment was still angled, causing the pan to tip over onto its side. The pan was returned to an upright position. No injuries

Road Closures for Bridge Construction

Temporary Road Closures	Anticipated Mainline Opening Date
County Road 81 – Partially demolished	Open
32nd Ave – Traffic Detoured to CR 8 and CR 31	Open
52nd Ave – Traffic Detoured to CR 8 and CR 31	July 2026
County Road 6 -	Open 2026
County Road 16/17 Temporary Closure for Paving	Opened June 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 closed July 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
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, CR 6.
166th Ave. SE – Closed 5/24/2024	<u>ACTIVE DETOURS</u>

Roadways are currently closed.	Upcoming Permanent Road Closures (Tentative Schedule)
43rd St. SE Closed 10/7/2024	
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 June. One Certificate was issued to the Developer for the Channel Reach 01 and 21 associated BUs (CR1, F01, F02, F03, F04, F05, MP1, MP2, P01, P02, P03, R18, R19, R25, R26, R3A, R74, W01, W02, W03, W04) on June 4th, and one Certificate was issued to the Developer for the Channel Reach 14, Local Drainage, Dead-End Terminations, Drain Inlet associated with CR 17 on June 8th. Issuance of Certificates Interim Completion prompts 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, CR 4/31 Crossing and Roadway Improvements, Channel Reach 02, 170th Ave Crossing Drain 13 & 30, Berlin Township Drain Inlet, CR 10 Crossing, Diversion Outlet, Rush River Inlet, Lower Rush River Inlet Channel Reach 05, Channel Reach 01, and Channel Reach 14 are being recorded and managed in 'Cityworks', the Computerized Management and Maintenance System (CMMS). As items are noted during those inspections, RRVA initiates Service Requests and Work Orders within Cityworks to ensure that the items are being taken care of per the required timelines.

The annual bridge inspections for CR 20 Crossing, CR 32 Crossing, CR 4/31 Crossing and CR 10 Crossing were completed on June 2, 2026. The Maintenance Review Reports for the annual bridge inspections were reviewed by Cass County and the Diversion Authority and returned with no comments to RRVA on June 29, 2026. RRVA started mowing operations within Reaches 1, 2 and 5. They have also been completing road grading when required. 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 June 2026:

- 1053 Daily Observations; 36 Compliance Checks; 41 Issues written, and 21 Punch List items were noted 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 (19); Hydrometer (27); Proctor (27); Sieve (3); Field Reports (25); Density Tests (140); Concrete (247)

Survey GIS:

- Pipe invert for DET in Reach 3 verification and compliance check.

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).
 - 63 Shop Drawing submittals.
- Overall, 104 of 108 identified utility conflicts (~96%) 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 92 Utility BUs.
- 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 14 of the 14 overhead electric transmission lines crossing the channel ROW are complete.
- During the second half of June, Ellingson fused and installed a 10" waterline via HDD for Cass Rural Water (BU-W15) at the south end of 38th St W Bridge to address the waterline that was installed shallower than the design
- ASN finished backfilling the abandoned structure holes with CLSM for Moorhead Public Service (BU-MH1) in early June.

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)	126	5,691
Reviews carried out*	146	5,314
Submittals returned with no comment	106	2,136
Submittals in review with the Authority as at end of reporting period	111	n/a
Submittals back with RRVA for resubmission as at end of reporting period		205
rejected as incomplete at end of reporting period	4	35
rejected with comments at end of reporting period	22	153
number of comments at end of reporting period	981	4,096
CDS returned with no comments	0	198
RFC documents (includes minor updates that are not redesigns)	5	190
Relating to utility relocations (some BUs combined into a single RFC)	0	81
RFCs back in redesign	0	9

Submittal	Reporting Period	To Date
Redesigned once (RFC1)	0	32
Redesigned twice (RFC2)	0	8
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.

- No Interim Completion Element (ICE) Notices were certified in June 2026.
- 3 Notices were received on June 29, 2026, and are currently in review, CR 22 Crossing, BNSF Hillsboro - Shoofly Removal, and BNSF Prosper - Shoofly removal. 6 ICE Notices due to be received by the Authority by the end of June 2026 remain undelivered by the Developer. These are Drain Inlet associated with Legal Drain for Mapleton Township Section 24, Drain Inlet associated with Legal Drain for Raymond Township South, BNSF Hillsboro – Crossing, CR 81 Crossing, CR 14 Crossing, BNSF KO - Shoofly Removal. These are now delayed, on average, by 287 days between their notified date of expected Notice and latest expected date.
- 2 15-business-day notices were received in June 2026: Combined CR 16 and CR 17 Crossing and 32nd Avenue W Crossing.
- 2 60-day notices were received in June 2026: Sheyenne River Aqueduct and Diversion Channel Reach 13.

Nine Advance Payment requests were received and agreed during June 2026: Pay Unit 16 (Drain Inlet associated with Legal Drain for Raymond Township North), Pay Unit 21/22 (Interstate 29 (I-29) Northbound and Southbound Crossings), Pay Unit 48 (Combined CR 16 and CR 17 Crossing), Pay Unit 53 (CR 6 Crossing), Pay Unit 23/24 (Interstate 94 (I-94) Eastbound and Westbound Crossings), and Pay Unit 59 (52nd Avenue W Crossing).

TECHNICAL

• Design Review

- Overall Project design is complete. Revisions to the originally submitted Released for Construction (RFC) documents will continue as required through project completion. Revisions to the RFC documents are required when there is a change which impacts the functionality, performance or structural integrity of the Buildable Unit. Minor changes to the RFC documents are addressed through other methods. Current revisions include the Access and Security Plans and improved geometry for support vehicles adjacent to the Aqueducts.
- H&H Model meetings, reviews and discussions continue this reporting period. The Developer has submitted their “final” Design Model. The Authority has reviewed this submittal and has returned comments. Extensive discussion between all parties is ongoing on steps to bring the design model to closure so that efforts may be shifted to development of the As-Built model.
- Minor changes continue to be reviewed, and comments provided by the Authority. This is accomplished through the Request for Information (RFI) process. The Developer submitted RFI is submitted to the Authority for evaluation and if appropriate comment. The resulting RFI is used as the historical record of Developer proposed and Engineer of Record accepted modifications to minor items. The resulting change, based on the content of the RFI is then used as the source document when As-Built plans are developed.
- Modifications and corrective actions continue on the Maple and Sheyenne Aqueducts both to address deficiencies in the work and to provide and end product which meets targeted performance criteria. Review of the modification both before and after incorporation of the work is conducted by the Authority.
- Delayed Developer submittal of final versions of the H&H Model has hampered Authority efforts related to FEMA re-mapping and certification efforts. Task specific meetings have been scheduled to elevate focus and concentration on the needed data.

- Delayed Developer submittal of Record Drawing Deliverable packages again this month observed. No direct negative impact on the overall functionality of project will be incurred due to the delay but the likelihood of a significant number of packages submitted in a much shorter period of time will increase strain on Authority resources.
- Delayed Developer resolution of outstanding comments for the Flow and Water Level measuring system continues this reporting period. In addition, the Developer has not yet provided an acceptable Supervisory Control and Data Acquisition (SCADA) system.
- 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 19 (nineteen) 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	99	1,523

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.

Although 53 (fifty three) Nonconformance Reports were closed out this month, a large number of open Nonconformance Reports still remain, and the total percentage of Nonconformance Reports closed to date is 77%.

Audits

The Authority conducted a technical audit associated with as-built data in Reach 2. Due to the information available, the objective of the audit was not fully met and a continuation of the audit is expected once a revised Record Drawing Deliverable package is issued for Reach 2. The partial outcome of the audit included 1 (one) Nonconformance, 6 (six) Opportunities of Improvement and 11 (eleven) Observations

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 approved by USACE on 15-May-26.

Permanent Native Vegetation

Permanent seeding was conducted throughout June 2026.

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)
2026	TBD	1, 3, 4, & 12	601	4, 5, 11, & 14
Total to Date	6,084 Trees		3,021 Acres	

Audits

No environmental audits occurred this month.

Permits

Open/Applied For	Closed	Total
94	680	774

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. A new Sovereign Lands Permit Application was submitted on 1-May-26. USACE, NDDEQ, NDDWR, and the Authority provided comments on 28-May-26. Following discussions the ND DWR agreed on 15-June-26 to circulate the application for a 30-day review by resources agencies and the public. The review period will be complete around 15-July-26.

Cultural Monitoring

Cultural excavation/monitoring occurred at Site 5 and Site 14 this month. The D&C Contractor performed excavation throughout June 2026 at multiple areas inside Site 5 and Site 14.

Mussel Salvage

In preparation of diverting the river through the flume, mussel exclusion activities commenced on May 27, 2026, and was completed on June 14, 2026, which resulted in 11,139 mussels with a species richness of 11, of which seven species are listed by ND Game & Fish as species of greatest conservation.

Spills, Contamination and Hazardous Materials

No spills were reported this month.

Environmental Nonconformances (NCRs)

This month there were 4 new NCR opened, 4 were closed, 22 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 25, 2026, and is awaiting resubmittal.
- The Resilience 2025 Annual Report was submitted on January 30th and returned "rejected incomplete" to the Developer on February 20, 2026. It was resubmitted on June 22, 2026 and was under review at the end of the month.

The Resilience Program Plan was resubmitted on 03-Jul-25, returned, and rejected incomplete on 04-Aug-25, resubmitted on 26-Nov-25, and returned "rejected incomplete" to the Developer 18-Dec-25, ; resubmitted on April 2, 2026 and was returned rejected incomplete on April 21, 2026.

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 due to be submitted by RRVA by January 31, 2026, but an extension was granted until February 16, 2026, as some data is not available in the first month of the year. The 2025 Annual Report was received on February 16, 2026 and returned rejected incomplete on March 16, 2026. It was resubmitted by the Developer on April 9, 2026 and returned rejected incomplete on May 1, 2026. It was resubmitted by the Developer on May 26, 2026 and returned rejected incomplete on June 11, 2026, and was resubmitted July 3, 2026 and is currently under review.

The FRC Plan 2026 Update was submitted 31-Mar-26 and returned rejected incomplete on 21-Apr-26.

EMPLOYEE APPRENTICESHIP PROGRAM

The Q4 EAP Report was accepted January 30, 2026. The 2025 EAP Annual Report was received in January and returned with compliance comments on 2-Feb-26; resubmitted on February 4, 2026 and approved on February 5, 2026. The Q1 2026 EAP Report was accepted on May 5, 2026.

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 footnote²	Developer's assessment of BU % complete – see footnote³
Buildable Unit Group - Aqueducts					
A51	Maple River Aqueduct Flume/Conduit Structure	710+17	Active	Continued Welding Vertical Gate Completed Welding the Vertical Gate Tower Bridge Installed Stairs and Ladders in the Vertical Gate Towers Installed the maintenance crane Installed the hoist	90.71%
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	80.23%
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 Vegetation planted.	98.53%
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 Formwork and Rebar, Concrete pours for Spillway baffle blocks	69.71%

² Status and progress are as observed by the PMC at the end of June 2026.

³ Note: Buildable Unit Percent Complete is based on the RRVA May PSSU submitted on or around June 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 ²	Developer's assessment of BU % complete – see footnote ³
				Formwork and rebar, concrete pours for spillway sheet pile facing and cap beam Engineered Channel excavation Tower stairs installed Tower flooring installed Tower erected. Spillway finishes work.	
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	99.44%
CR3	Local Drainage in Rush River WRD – Reach C03	302+00 to 428+53	Active	No work during reporting period	95.87%
CR4	Local Drainage in Rush River WRD - Reach C04	428+53 to 576+00	Active	No work during reporting period but schedule to address in July.	94.20%
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	91.24%
CM3	Local Drainage in Maple River WRD – Reach C07	762+77 to 859+53	Active	No work during reporting period	93.67%
CM4	Local Drainage in Maple River WRD – Reach C08	859+53 to 912+00	Active	No work during the reporting period	81.66%
CM5	Local Drainage in Maple River WRD – Reach C09	912+00 to 968+00	Active	No work during the reporting period	89.89%
CS1	Local Drainage in Southeast Cass WRD - Reach C10	968+00 to 1080+28	Active	No work during the reporting period	93.04%
CS3	Local Drainage in Southeast Cass WRD - Reach C12	1235+72 to 1327+00	Active	No work during the reporting period	83.67%
CS4	Local Drainage in Southeast Cass WRD - Reach C13	1327+00 to 1554+59	Active	No work during reporting period	93.81%
CS5	Local Drainage in Southeast Cass WRD – Reach C14	1554+59 to 1571+70	Complete	Complete	93.33%
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	219+29 to 302+00	Complete	Complete	99.95%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote²	Developer's assessment of BU % complete – see footnote³
	Line of Protection in Reach-02				
C03	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-03	302+00 to 428+53	Active	Additional density testing was requested by the EoR and was conducted.	96.64%
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.	93.86%
C05	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-05	576+00 to 655+00	Complete	Complete	99.71%
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	79.14%
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.	67.94%
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.	86.77%
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,	82.56%
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	67.60%
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	82.37%
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	68.31%
C14	Diversion Channel, LFC, EMBs, Diversion Channel Line of Protection in Reach-14	1554+59 to 1571+70	Complete	Complete Seeding complete	97.11%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ²	Developer's assessment of BU % complete – see footnote ³
Buildable Unit Group - Hydraulic Structures					
S08	Drain 29 Inlet	27+63	Complete	Complete	99.93%
S16	Drain 30 Inlet	213+75	Complete	Complete	99.85%
S09	Rush River Inlet	431+75	Complete	Completed	99.51%
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	97.49%
S32	Raymond Township South Drain Inlet	793+00	Active	No work during reporting period	97.16%
S33	Drain 14B Inlet	856+00	Active	Addressing punch list items. RCP cracking issue is pending.	94.78%
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	94.25%
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	64.52%
S69	Drain 50		Active	Headwall texturing U/S Headwall texturing; backfill operations ongoing.	76.17%
S74	Drain Inlet associated with CR17	1548+00	Complete	Complete	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. No punch work has been performed.	99.77%
Buildable Unit Group - Roadways					
R19	25th St. Connection Parcel 2368	160+00 LT	Complete	Complete	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.	93.94%
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%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote²	Developer's assessment of BU % complete – see footnote³
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	Active	Work began is almost complete.	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, corrective haul route work will be paved in the first week of July.	94.75%
Z11	County Road 4/31 Crossing (Roadways)	86+91	Complete	Complete	99.68%
R25	171st Ave. SE Crossing at Drain 30	215+00 LT	Complete	Complete	94.40%
Y12	County Road 81 Crossing (Bypass)	310+20	Complete	Complete	99.47%
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	Complete	Saw cutting, Grading and Sealing concrete. Shoulder gravel work and topsoil placement All lanes open to traffic on November 24	97.13%
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	100.14%
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	96.90%
R15	CR 20 Crossing	679+37	Complete	Complete	100.00%
R27	CR10 (12th Ave. NW Connection to multiple parcels)	870+00 RT	Not Started	No work during reporting period	30.50%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote²	Developer's assessment of BU % complete – see footnote³
R17	CR 10 Crossing	852+46	Complete	No working during reporting period	100.00%
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	97.33%
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	96.28%
R59	32nd Avenue W Crossing (Township Road)	1119+06	Active	Guardrail installation Traffic opening walk/inspection completed	89.27%
R60	52nd Avenue W Crossing (Township Road)	1224+92	Active	Form and Rebar at barrier walls	85.44%
R61	County Road 6 Crossing	1330+41	Active	Bedding and riprap installation Tex-Cote still needs to be completed	89.24%
R62	County Road 14 Crossing	1438+97	Active	Embankment construction	87.00%
R73	County Road 16/17 Crossing	1558+40	Active	Crossing open to traffic November 24	95.83%
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	93.46%
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	84.43%
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%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ²	Developer's assessment of BU % complete – see footnote ³
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%
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	64.62%
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.	1.46%
RG6	Security and Access Reach 7	762+77 to 859+53	Active	No work during the reporting period.	4.39%
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	5.96%
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	100.00%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ²	Developer's assessment of BU % complete – see footnote ³
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.	99.58%
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.	99.42%
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	100.00%
X95	BNSF K.O. crossing – BU5 – Removal of Shoofly	870+87	Not Started	No work during reporting period	72.11%
Utility Adjustments					
AT1	AT&T Reach 8 @ Design (COM-ATT-871+00)	871+00	Active	Partial removal of abandoned utility	99.65%
DC1	Dakota Carrier - Reach 7 @ Design (COM-DCN-851+00)	851+00	Active	Utility removal at the levee footprint	99.25%
DC2	Dakota Carrier - Reach 11 @ Design (COM-DCN-1171+00)	1171+00	Active	Utility removal at the east side of the channel	99.69%
F09	CenturyLink - Reach 4 @ Design (COM-CLN-571+50)	571+50	Active	Utility removal at the levee footprint	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	99.18%
F13	CenturyLink - Reach 7 @ Design (COM-CLN-851+00 (1))	851+00	Active	Utility removal at the levee footprint	99.05%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote²	Developer's assessment of BU % complete – see footnote³
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	98.52%
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%

Buildable Unit	Description	Station	Status observed by the PMC	Progress during reporting period as observed by the PMC – see footnote ²	Developer's assessment of BU % complete – see footnote ³
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	99.70%
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 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.	69.61%

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

CE-#/RE-#	Description	Date Initial CE Notice Submitted	Cost / Relief Submitted ⁴	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-Undisclosed 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
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

⁴ 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 ⁴	Cost / Relief Agreed	Status
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

ACR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
					Settlement Agreement
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 TR Section 3.3.3.5 - NDDOT Fencing	May 21, 2026	No Cost	No Cost	Executed

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

DCR Number	Description	Date Initiated	RRVA Estimate	Agreed Amount	Status
DCR2022-026	Cultural Resources OIN 936	December 16, 2022	N/A	N/A	Withdrawn
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
DCR2026-060	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 2.2.6.5.1 - Alternative to PSSU Submittals between PSC and PFC	N/A	N/A	N/A	Pending/rejected prior to formal submittal *
DCR2026-061	Amendment to Project Agreement, TR Section 2.2.6.1.(c), 2.2.6.2.2, 2.2.6.2.6, 2.2.6.9, and others related to PBS-4	N/A	N/A	N/A	Pending/rejected prior to formal submittal *
DCR2026-062	Amendment to Project Agreement, Exhibit 5 Technical Requirements, Volume 3, Section 2.2.1.3. Operation and Maintenance Period Authority Office Space and Facilities Requirement	N/A	N/A	N/A	Pending/rejected prior to formal submittal *
DCR2026-063	Maple River Aqueduct Storage Building	July 9, 2026	No Cost	No Cost	In negotiation

*The Developer may revise and resubmit these as DCRs under the same references at a later date.

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 Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
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-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 Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
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-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 Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
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-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	Nonconformance Report is closed
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	1	N/A	1	Nonconformance Report is closed
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. Nonconformance Report is closed
NCR-00477	A51 (Vertical Lift Gate) - Starting Construction without Approved Inspection and Test Plan	60	N/A	60	Notification of rectification is pending
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	60	N/A	60	Notification of rectification is pending
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	132	N/A	132	Notification of rectification is pending
NCR-00522	A53 - Start of Construction of Bypass Sump without Inspection & Test Plan	132	N/A	132	Notification of rectification is pending
NCR-00524	A52 (Rebar) - Starting Construction without Approved Shop Drawing	39	N/A	39	Notification of rectification was issued
NCR-00525	A51 (Tower Anchor Bolts) - Starting Construction without Approved Shop Drawing	0	N/A	0	Nonconformance Report is closed
NCR-00526	A56 (H-Piles Wing Walls 1-8) - Starting Construction without Approved Shop Drawing	30	N/A	30	Notification of rectification is pending
NCR-00527	A56 (H-Piles Flume) - Starting Construction without Approved Shop Drawing	30	N/A	30	Notification of rectification is pending

NCR Number	Title/Description	Accrued NCPs	Accepted to waive NCPs	Assessed NCPs	Status
NCR-00528	A56 (Sheet Piles Flume) - Starting Construction without Approved Shop Drawing	30	N/A	30	Notification of rectification is pending
NCR-00529	A56 (Spillway Rebar) - Starting Construction without Approved Shop Drawing	18	N/A	18	Notification of rectification is pending
NCR-00530	A51 (Compressor Building) - Starting Construction without Approved Shop Drawing	0	N/A	0	Nonconformance Report is closed
NCR-0536	R15 - County Road 20 Punch List Not Completed Within 90 Days of Interim Completion Certification	216	N/A	216	Notification of rectification is pending
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
NCR-0551	A56 - Start of Construction on Vertical Lift Gate without Inspection and Test Plan	30	N/A	55	Notification of rectification is pending
NCR-0552	A56 - Starting Construction without Approved Vertical Lift Gate Shop Drawing	30	N/A	55	Notification of rectification is pending
NCR-0555	Late Issuance of April 2026 Monthly Performance Report	0	N/A	0	Notification of rectification was issued
NCR-0558	C57 (Flow and Water Level Measurement System) - Start of Construction without Approved Shop Drawing	12	N/A	12	Notification of rectification is pending
Total		1788	265	1523	



METRO
FLOOD
DIVERSION
AUTHORITY

Lands Status Report

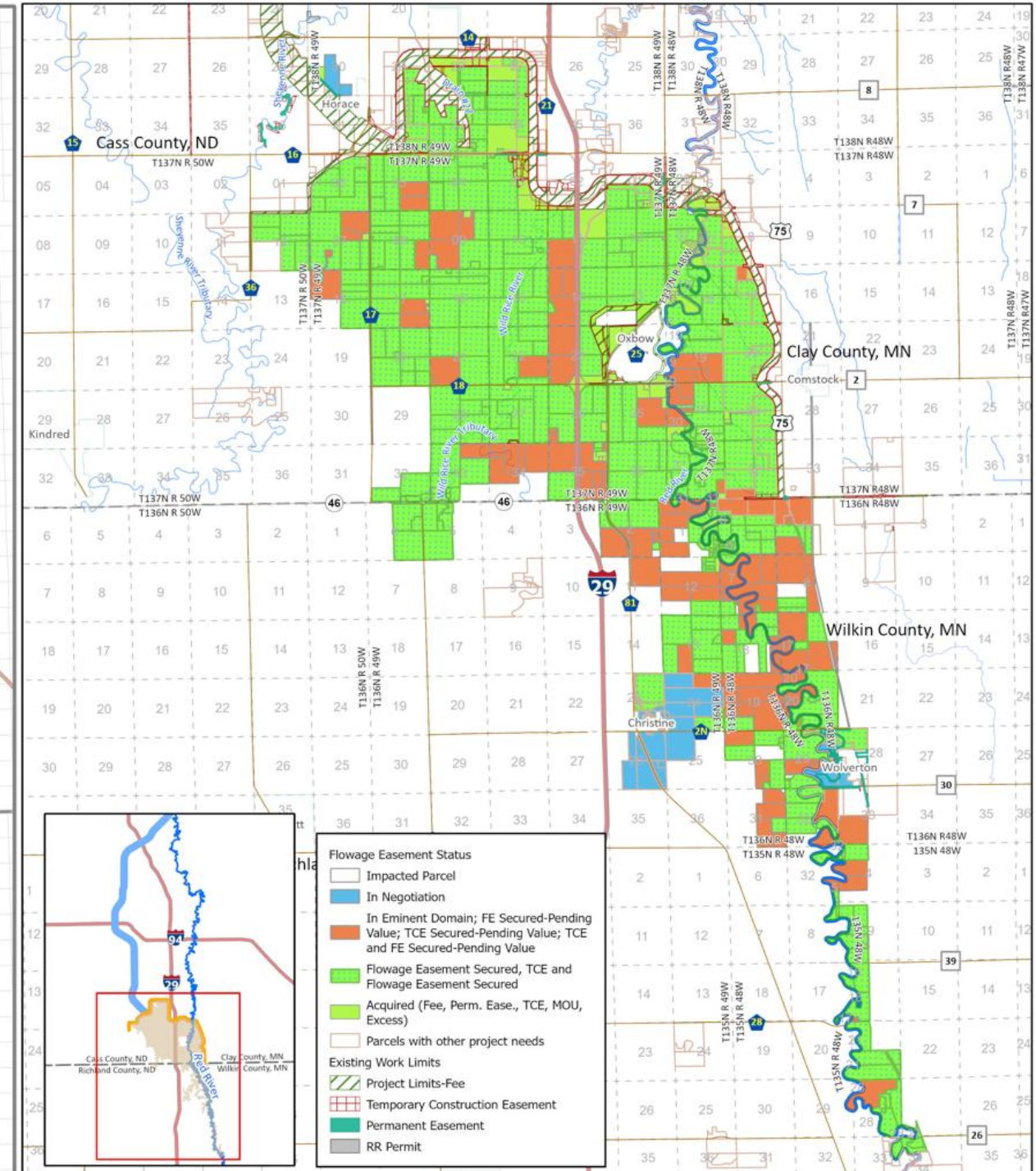
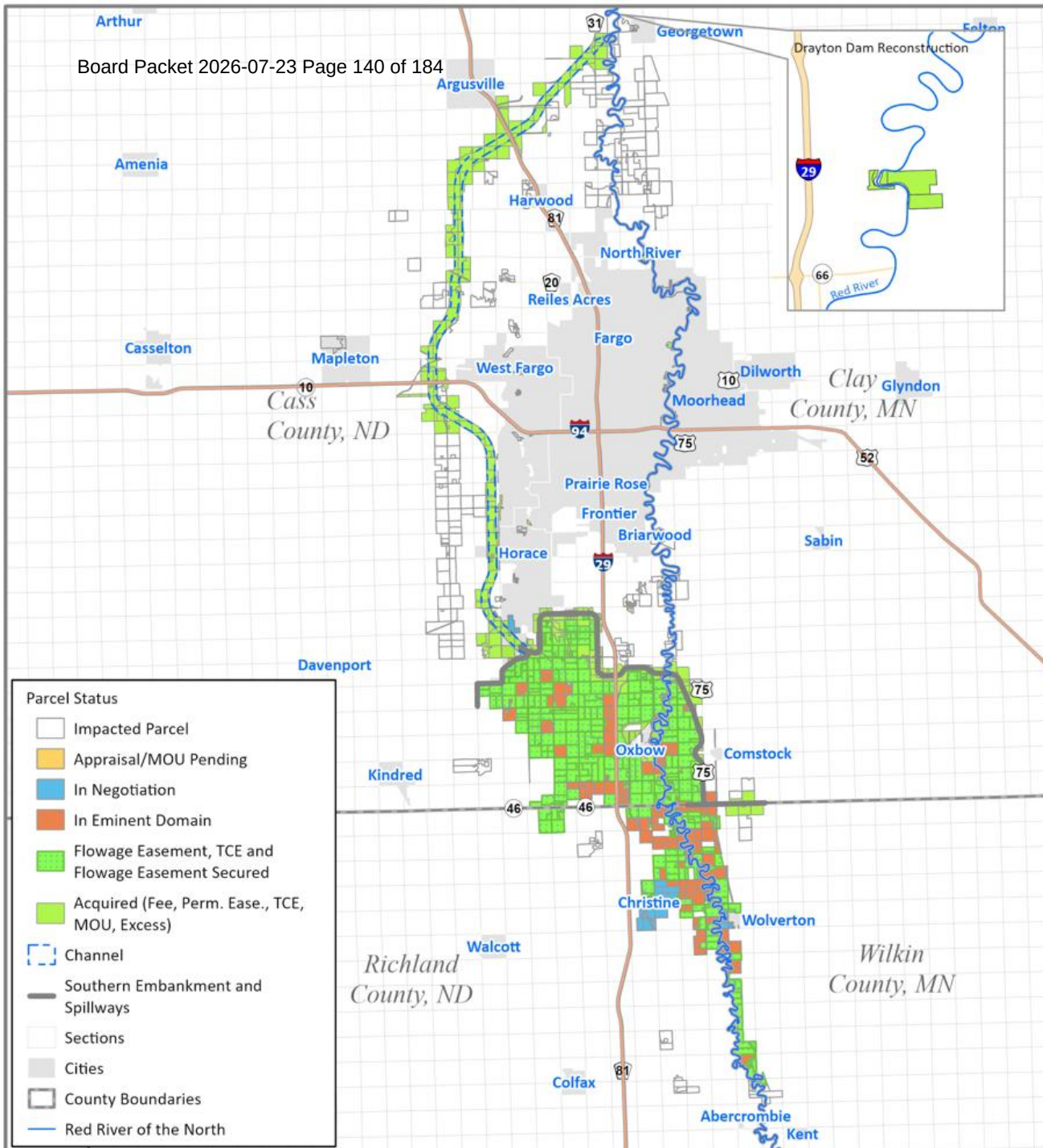
July 2026



Key Activities



- **In the last month, successfully closed 1 parcel / 1 owner in the UMA**
- **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.
 - Scheduled Commissioner Hearings for Minnesota actions.
 - Negotiated many settlements since completing the first trial.
 - 11 pending settlement offers with property owners.
- **Closings are pending for:**
 - MN: 3 parcels / 2 owners
 - ND: 28 parcels / 13 owners
- **21,691 acres of flowage easements have been acquired, and 5,399 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**



Property Acquisition Progress

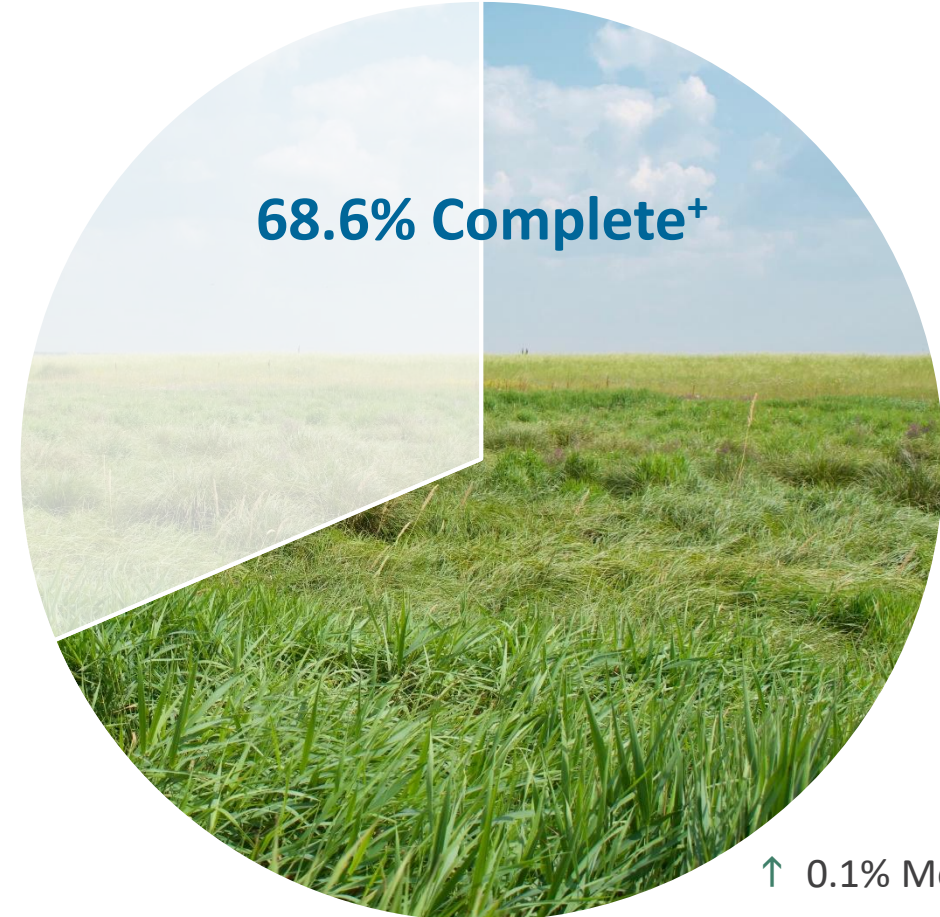


Construction Footprint^{*}



No Change

UMA Footprint^{**}

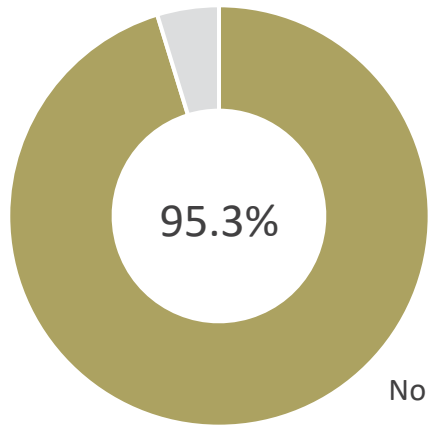


↑ 0.1% MoM

^{*} Includes SWDCAI, SEAI, In-Town, Oxbow and Drayton

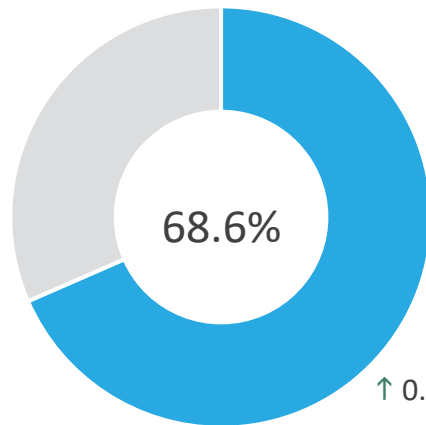
^{**} Includes parcels for Christine and Wolverton
As of July 14, 2026

Property Acquisition Progress by Location



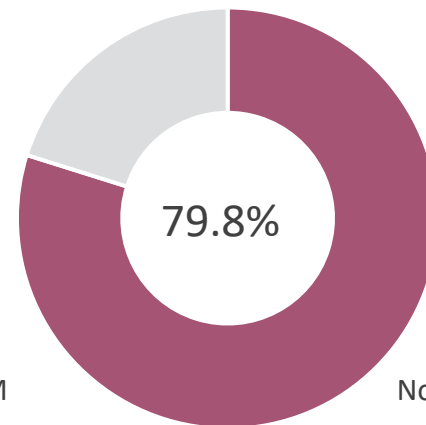
No Change

Southern Embankment &
Associated Infrastructure



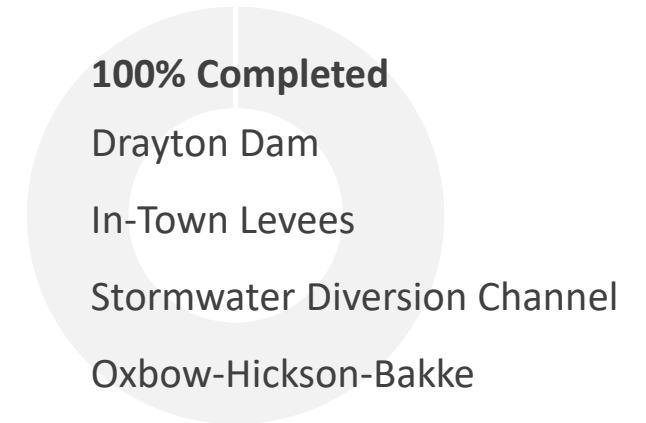
↑ 0.1% MoM

Upstream Mitigation
Area



No Change

Environmental
Monitoring Easements

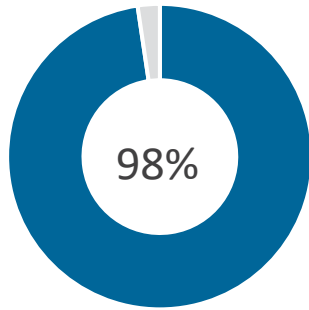


Landowner Overview

Construction Footprint*



Landowners



298 Owner Groups

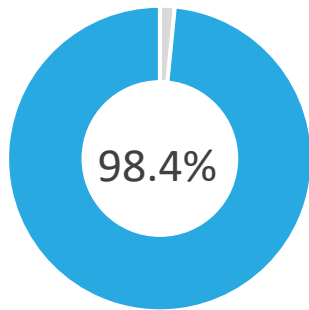
264 in ND & 35 in MN⁺

292 settlements achieved
7 in litigation

98% of owner groups have settled



Parcels

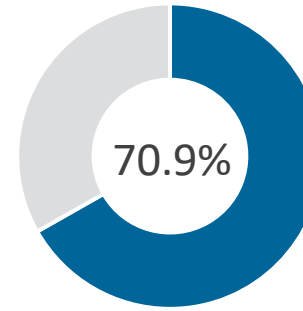


576 Parcels

567 settlements achieved
9 in litigation

98.4% of parcels have been acquired

UMA Footprint**

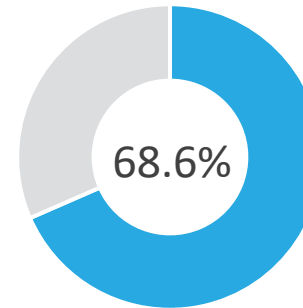


292 Owner Groups

223 in ND & 71 in MN⁺

207 settlements achieved
40 ongoing negotiations
52 in litigation

70.9% of owner groups have settled



653 Parcels

448 settlements achieved
67 ongoing negotiations
138 in litigation

68.6% 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 7/14/2026

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 <i>Infra & FC</i> 62.5 % MFDA	
			7,279,487.96	12.23%	6,842,719			20,900,777.48	23,513,374.65	5.29%	13,062,986	19,905,705
	Dec-26	-				-	-					
	Nov-26	-				-	-					
	Oct-26	-				-	-					
	Sep-26	-				-	-					
	Aug-26	-				-	-					
	Jul-26	-				-	-					
	Jun-26	-				-	-					
	May-26	-				-	-					
6/22/2026	Apr-26	1,624,663.49				568,289.22	4,546,313.81					
5/21/2026	Mar-26	2,106,649.76				753,481.55	6,027,852.45					
4/22/2026	Feb-26	1,991,327.23				736,819.60	5,894,556.81					
3/21/2026	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		\$ 172,111,743					\$ 516,770,184					



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**TO: METRO FLOOD DIVERSION AUTHORITY
FINANCE COMMITTEE**

FROM: CITY OF FARGO, FISCAL AGENT

**RE: 2025 FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S
REPORT**

DATE: JULY 22, 2026

The City of Fargo, as fiscal agent for the Metro Flood Diversion Authority has completed the annual financial statement audit for the year ending December 31, 2025. This includes the Independent Auditor report on our general purpose financial statements in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States (Government Auditing Standards). The independent auditing firm of Eide Bailly LLP completed the audit. An unmodified (clean) opinion was provided reflecting adherence to financial requirements and standards. This means that the Authority is following generally accepted accounting principles and has an appropriate level of internal controls in place to safeguard its assets.

The City would like to express appreciation to the Authority and staff that work with our financial systems throughout the year with a high degree of attention to detail and adherence to accounting policies and procedures.

City staff will provide an overview of the 2025 audit results.

Sincerely,

Wyatt Papenfuss
Assistant Finance Director



Diversion Authority Finance Committee Meeting

July 22, 2026

2025 Financial Statement Audit Presentation

Wyatt Papenfuss, Assistant Finance Director
City of Fargo, Fiscal Agent

Audit Timeline



- **Planning – December – March**
 - Continuation of completion of Interim Completion Elements (ICE) Milestone Payments, these were continued to be recognized as CIP assets in 2025
 - Staff worked with Eide Bailly to ensure capital assets are properly reflected; summarized in Note 4
- **Fieldwork – April – May**
 - Mixture of onsite and remote work
 - Ongoing correspondence with City of Fargo and Jacobs staff
- **Reporting – June 22, 2026**
 - Unmodified opinion on financial statements and no internal control findings

Audit Scope



- **Objectives**

- Audit performed in accordance with Generally accepted auditing standards (GAAS) and Government Auditing Standards
- Designed to obtain reasonable, not absolute, assurance about whether the financial statements are free of material misstatement

- **Management's Responsibilities**

- Preparation and fair presentation of the financial statements in accordance with GAAP
- Design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error

- **Auditor's Responsibilities**

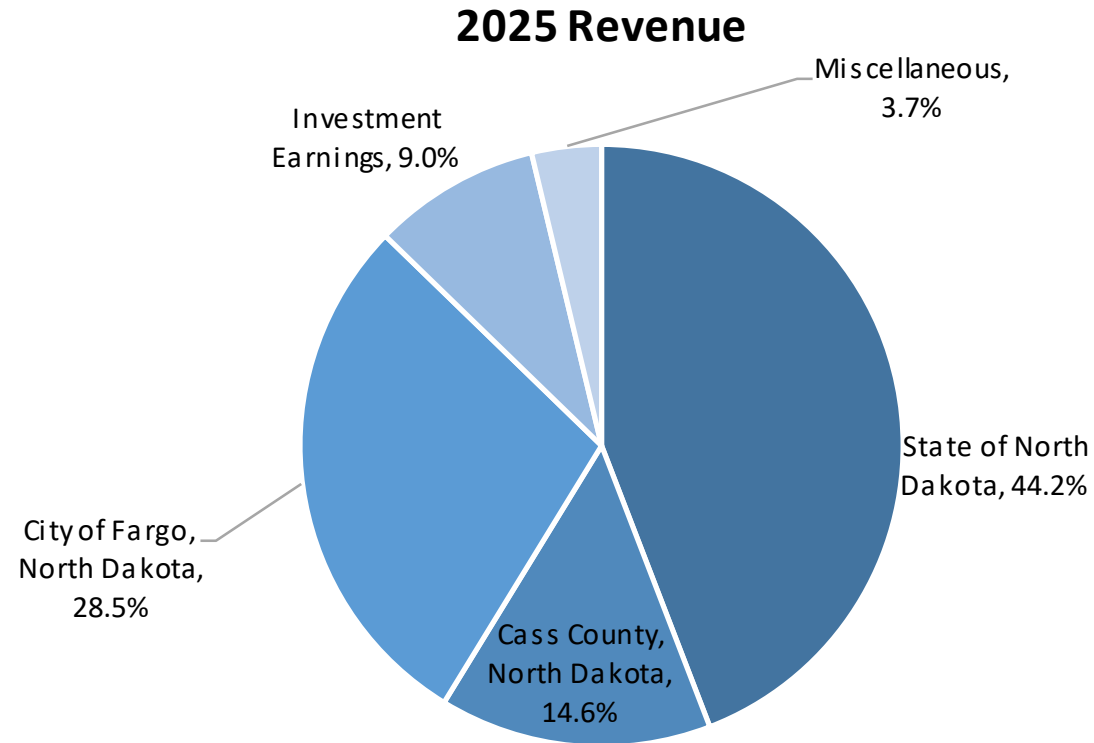
- Obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions

Net Position



Metro Flood Diversion Authority's Net Position (In Thousands)		
	2025	2024
Assets		
Cash	\$ 1,403	\$ 21,591
Equity in pooled investments	239,702	279,738
Restricted Cash	20,932	-
Intergovernmental receivables	13,101	34,619
Interest receivable	1,003	1,120
Prepaid Items	2,354	3,444
Capital assets		
Construction in progress	112,851	17,583
Total assets	391,346	358,095
Liabilities		
Vouchers payable	17,204	30,966
Accrued Interest on Note Payable	166	-
Retainage payable	116	18
Deposits payable	13	18
Accrued interest on settlement	4,002	3,202
Bond payable	33,265	19,335
Settlement payable	40,000	40,000
Total liabilities	94,766	93,539
Net position		
Net investment in capital assets	70,494	17,583
Restricted	226,086	246,973
Total net position	\$ 296,580	\$ 264,556

Revenue Sources



Long-term debt



Metro Flood Diversion Authority's Outstanding Debt (In Thousands)		
	Governmental Activities	
	2025	2024
Notes payable	\$ 33,265	\$ 19,334
Settlement payable	40,000	40,000
Total long-term liabilities	<u>\$ 73,265</u>	<u>\$ 59,334</u>



Questions?

Financial Statements
December 31, 2025

Metro Flood Diversion Authority

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Metro Flood Diversion Authority

Board of Authority (Unaudited)

December 31, 2025

<u>Name</u>	<u>Title</u>	<u>Appointed By:</u>
Dr. Tim Mahoney	Fargo Mayor	City of Fargo
Denise Kolpack	Fargo Commissioner	City of Fargo
Dave Piepkorn	Fargo Commissioner	City of Fargo
Shelly Carlson	Moorhead Mayor	City of Moorhead
Chuck Hendrickson	Moorhead Councilor	City of Moorhead
Lisa Borgen	Moorhead Councilor	City of Moorhead
Duane Breitling	Cass County Commissioner	Cass County
Tony Grindberg	Cass County Commissioner	Cass County
James Kapitan	Clay County Commissioner	Clay County
Kevin Campbell	Clay County Commissioner	Clay County
David Ebinger	Clay County Commissioner	Clay County
Rick Steen	CCJWRD Manager	CCJWRD
Bernie Dardis	West Fargo Mayor	City of West Fargo

All board members are annual appointments by each entity.



Independent Auditor's Report

To the Board of Authority
of the Metro Flood Diversion Authority
Fargo, North Dakota

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and the major fund of the Metro Flood Diversion Authority ("the Authority"), as of and for the year ended December 31, 2025, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Metro Flood Diversion Authority, as of December 31, 2025, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Authority, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Authority's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Authority's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Management has omitted the management's discussion and analysis as well as budget to actual – General Fund that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinions on the basic financial statements are not affected by the missing information.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the listing of the board of authority but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated June 22, 2026 on our consideration of the Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "Eide Bailly LLP".

Fargo, North Dakota
June 22, 2026

Metro Flood Diversion Authority

Statement of Net Position

December 31, 2025

	Governmental Activities
Assets	
Cash	\$ 1,403,174
Equity in pooled investments	239,702,061
Restricted cash	20,931,802
Intergovernmental receivables	
City of Fargo, North Dakota	8,420,539
Cass County, North Dakota	4,296,137
Other governments	384,075
Interest receivable	1,003,190
Prepaid items	2,353,900
Capital assets	
Construction in progress	112,851,421
Total assets	391,346,299
Liabilities	
Vouchers payable	17,204,144
Accrued interest on note payable	165,533
Retainage payable	116,455
Deposits payable	13,250
Long-term liabilities	
Due in more than one year - accrued interest on settlement payable	4,002,192
Due in more than one year - note payable	33,265,408
Due in more than one year - settlement payable	40,000,000
Total liabilities	94,766,982
Net Position	
Net investment in capital assets	70,493,809
Restricted for public protection	226,085,508
Total net position	\$ 296,579,317

Metro Flood Diversion Authority
Statement of Activities
Year Ended December 31, 2025

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Change in Net Position
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Governmental Activities					
Public protection	<u>\$ 115,673,672</u>	<u>\$ -</u>	<u>\$ 130,138,823</u>	<u>\$ -</u>	<u>\$ 14,465,151</u>
General Revenues (Expenses)					
Investment earnings					13,461,645
Interest expense					(965,533)
Miscellaneous revenue					<u>5,061,903</u>
Total general revenues (expenses)					<u>17,558,015</u>
Change in Net Position					32,023,166
Net Position - Beginning					<u>264,556,151</u>
Net Position - Ending					<u><u>\$ 296,579,317</u></u>

Metro Flood Diversion Authority

Balance Sheet – Governmental Fund

December 31, 2025

	<u>General</u>
Assets	
Cash	\$ 1,403,174
Equity in pooled investments	239,702,061
Restricted cash	20,931,802
Intergovernmental receivables	
City of Fargo, North Dakota	8,420,539
Cass County, North Dakota	4,296,137
Other governments	384,075
Interest receivable	1,003,190
Prepaid items	2,353,900
	<u> </u>
Total assets	<u>\$ 278,494,878</u>
Liabilities	
Vouchers payable	\$ 17,204,144
Retainage payable	116,455
Deposits payable	13,250
	<u> </u>
Total liabilities	<u>17,333,849</u>
Fund Balance	
Nonspendable	2,353,900
Restricted	258,807,129
	<u> </u>
Total fund balance	<u>261,161,029</u>
	<u> </u>
Total liabilities and fund balance	<u>\$ 278,494,878</u>

Metro Flood Diversion Authority
Reconciliation of the Governmental Fund Balance Sheet to the Statement of Net Position
December 31, 2025

Total Funds Balances - Governmental Fund	\$ 261,161,029
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	112,851,421
Long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the funds.	<u>(77,433,133)</u>
Total Net Position - Governmental Activities	<u><u>\$ 296,579,317</u></u>

Metro Flood Diversion Authority

Statement of Revenue, Expenditures and Changes in Fund Balances – Governmental Fund

Year Ended December 31, 2025

Revenues

Aid from other governments	
State of North Dakota	\$ 66,078,817
Cass County, North Dakota	21,841,938
City of Fargo, North Dakota	42,671,612
Investment earnings	13,461,645
Miscellaneous	5,597,362

Total revenues	149,651,374
----------------	-------------

Expenditures

Current	
Public protection	115,673,672
Capital outlay	95,268,312

Total expenditures	210,941,984
--------------------	-------------

Deficiency of Revenues Under Expenditures	(61,290,610)
---	--------------

Other Financing Sources

Proceeds from debt issuance	13,930,939
-----------------------------	------------

Net Change in Fund Balances	(47,359,671)
-----------------------------	--------------

Fund Balances, Beginning of Year	308,520,700
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Fund Balances, End of Year	\$ 261,161,029
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Metro Flood Diversion Authority

Reconciliation of the Changes in Fund Balance of the Governmental Fund to the Statement of Activities
Year Ended December 31, 2025

Net Change in Funds Balances - Total Governmental Fund	\$ (47,359,671)
Amounts reported for governmental activities in the statement of activities are different because	
Capital outlays are reported as expenditures in governmental funds. However, in the statement of activities the cost of capital assets is allocated over their estimated useful lives as depreciation expense.	95,268,312
Certain aids from other governments are not considered available for current financial resources and are therefore deferred in the fund. However, they are properly recognized as revenue in the statement of activities as soon as they have been appropriated.	(989,003)
Bond proceeds provides current financial resources to governmental funds, but issuing debt increases long-term liabilities in the Statement of Net Position	(13,930,939)
Repayment of long-term debt is reported as an expenditure in governmental funds, but the repayment reduces long-term liabilities on the statement of net position. In the current period these amounts consist of:	
Accrued interest on settlement payable	<u>(965,533)</u>
Change in Net Position of Governmental Activities	<u>\$ 32,023,166</u>

Note 1 - Reporting Entity**Definition of Reporting Entity and Governing Board**

The Metro Flood Diversion Authority (Authority) is a political subdivision of the State of North Dakota. It was created June 1, 2016, pursuant to a Joint Powers Agreement. Parties to this agreement are the following member entities: City of Fargo, North Dakota; Cass County, North Dakota; Cass County Joint Water Resource District; the City of Moorhead, Minnesota; and Clay County, Minnesota. The Metro Flood Diversion Authority was formed for the purpose of providing the Fargo-Moorhead Metropolitan Area with permanent and comprehensive flood protection.

The Authority is governed by a thirteen-member governing board, referred to as the Diversion Authority Board. Three members are appointed by the Fargo City Commission, three members by the Moorhead City Council, three members by the Cass County Commission, two members by the Clay County Commission, one member by the Cass County Joint Water Resource District, one member by the West Fargo City Commission and one member appointed jointly by the Wilkin County Commission and the Richland County Commission.

The Comprehensive Project

The Comprehensive Project consists of a southern embankment and associated infrastructure (SEAI) and a storm water diversion channel and associated infrastructure (SWDCAI). The SEAI consists of a Diversion Inlet Control Structure, Wild Rice River Control Structure, Red River Control Structure, one railroad bridge, and a 20-mile earthen embankment. The SWDCAI consists of a 30-mile channel, two four-lane interstate bridges, four railroad bridges, twelve county highway bridges, and two river aqueducts. The Comprehensive Project is designed to protect the Fargo-Moorhead metropolitan area from a 100-year flood event and provide the ability to defend to a 500-year flood event.

United States Army Corps of Engineers (USACE) has led the planning and development of the Comprehensive Project since 2008. USACE has identified the Comprehensive Project as a national pilot project and entered into a unique Project Partnership Agreement (PPA) with the Authority, the City of Fargo, and the City of Moorhead (Non-Federal Sponsors) whereby delivery of the Comprehensive Project is split into two major parts. The SEAI and mitigation features not associated with the Non-Federal Work will be constructed by USACE. The USACE, pursuant to the PPA, will contribute up to \$750,000,000 to the Comprehensive Project to be used primarily to fund the construction of the SEAI. The SWDCAI and associated mitigation, all lands, and easements, for the Comprehensive Project and levees within Fargo and Moorhead will be constructed by the Authority.

The Authority has entered into an agreement with a developer to construct the project. The Authority will pay the developer under an availability payment arrangement (APA), with milestone payments during the design and construction phase of the project and availability payments beginning after substantial completion of the project and continuing for 30 years as certain milestones are met.

Note 2 - Summary of Significant Accounting Policies**Basis of Presentation***Government-wide Financial Statements*

The statement of net position and statement of activities display information about the primary government (Authority). These statements include the financial activities of the overall government. The statement of activities presents direct expenses and program revenues for each function of the Authority's governmental activities. Direct expenses are those that are specifically associated with a program or function and therefore, are clearly identifiable to a particular function. Program revenues include grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Investment earnings and other items which are excluded from program revenues are reported instead as general revenues.

When both restricted and unrestricted resources are available, restricted resources are used first, then unrestricted resources as needed.

Fund Financial Statements

The fund financial statements provide information about the Authority's funds, which include only a governmental fund. The Authority reports the following major governmental fund: The *General Fund* is the main operating fund and is used to account for all revenues and expenditures necessary to carry out basic governmental activities of the Authority. For the Authority, the General Fund's activities include public protection only.

Measurement Focus and Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period. Intergovernmental revenues are considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period to the extent they are collected in 90 days. Expenditures are generally recorded when a liability is incurred, as under accrual accounting.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Cash

Cash consists of highly liquid investments with an original maturity of three months or less.

Equity in Pooled Investments

Pursuant to the joint powers agreement, the City of Fargo, North Dakota, as the fiscal agent of the Authority, has custody of all equity in pooled investments. The Authority's share of the equity in pooled investments is separately accounted for and interest earned is apportioned at the end of each month based upon the relationship of its daily cash balance to the total of the pooled account.

Restricted Cash

Restricted cash consists of funds held in accounts to ensure the timely payment of debt service requirements and to maintain contractual reserves required by lending agreements.

Receivables and Payables

Intergovernmental receivables in the governmental fund consist of aid from other governments related to sales tax dedicated to the Authority by Cass County and the City of Fargo. Reimbursement requests related to appropriated North Dakota State Water Commission funding is also reported as an Intergovernmental receivable.

Payables include work performed and/or goods and services received prior to year-end and paid to vendors and developers subsequent to year end.

Prepaid Items

Certain payments to vendors reflect costs applicable to future accounting periods (consumption method) and are recorded as prepaid items in both government-wide and fund financial statements.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Capital Assets*Public Protection Expense*

Although the Metro Flood Diversion Authority's sole purpose is to construct permanent and comprehensive flood protection for residents, the infrastructure is ultimately owned or maintained by one of the member entities, and as a result, the public protection costs of the flood protection infrastructure are shown as public protection expenses (not capital assets) in these financial statements.

Availability Payment Arrangements

Management of the Authority has analyzed the agreement with the developer to construct the project, as described in Note 1, against the requirements of Governmental Accounting Standards Board (GASB) Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements* (GASB 94). Specific to the availability payment arrangements (APAs), defined by GASB 94 as "an arrangement in which a government compensates an operator for services that may include designing, constructing, financing, maintaining, or operating an underlying nonfinancial asset for a period of time in an exchange or exchange-like transaction," management has determined the APA accounting and reporting requirements under GASB 94 apply to the project. This is due to payments by the Authority which will be based entirely on the asset's availability for use rather than on tolls, fees, or similar revenues or other measures of demand. The Authority will compensate the developer for services that include designing, constructing, and financing the infrastructure asset associated with the project, with ownership of the underlying asset transferring to the Authority by the end of the contract. As a result, the APA arrangement of the project will be reported as a financed purchase by the government of the underlying nonfinancial asset, when certain milestone payments for design and construction are made, which began in 2024.

Capital assets are reported in the governmental activities column in the government-wide financial statements. Capital assets are defined by the Authority as the compensation to the developer for the design, construction, and financing of the infrastructure asset associated with the project as noted in the paragraph above. As the project is not operational at December 31, 2025, the entirety of the capital assets are classified as construction in progress, and are not being depreciated.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend lives are not capitalized.

Long-Term Obligations

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities statement of net position. In the fund financial statements, governmental fund types report the face amount of debt issued as other financing sources.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Revenue – Aid from Other Governments*Cass County, ND*

Pursuant to a joint powers agreement, Cass County has pledged 94% of its one-half cent countywide sales and use tax as pledged revenue to the Authority. Pursuant to Cass County Ordinance No. 2010-2, Cass County imposed a one-half of one percent (0.5%) sales and use tax upon the gross receipts of retailers from all sales at retail, including leasing or rental of tangible personal property, within the corporate limits of Cass County ("County 2010-2 Sales Tax"). The proceeds of the County 2010-2 Sales Tax are dedicated for payment of expenses incurred for the planning, engineering, land purchase, construction, and maintenance of a Red River diversion channel and other flood control measures or the payment of special assessments, or debt incurred for a Red River diversion and other flood control measures as authorized by the Board of Cass County Commissioners. Cass County has determined that it will legally pledge not less than ninety-four percent (94%) of the County 2010-2 Sales Tax to Authority Loans, Authority Revenue Bonds and all other expenses of the Authority including but not limited to refunding improvement bonds issued by CCJWRD, and milestone payments, availability payments, and other payments for the Comprehensive Project.

The County 2010-2 Sales Tax was anticipated to expire on March 31, 2031. The Cass County Commission, however, desired to extend the expiration date for the County 2010-2 Sales Tax until 2084, and voted unanimously to place such extension upon the November 8, 2016, ballot. The County 2010-2 Sales Tax was previously approved by sixty-four percent (64%) of the voters. On November 8, 2016, the extension of the County 2010-2 Sales Tax was approved by sixty-three percent (63%) of the voters (in both elections, a simple majority of voters was needed in order to pass). Pursuant to the ballot question presented to the voters, sales and use tax revenue generated by the County 2010-2 Sales Tax may be used for debt obligations including the authority loans, milestone payments, availability payments, and any other costs or charges associated with the SWDCAI and Comprehensive Project.

City of Fargo

Pursuant to a joint powers agreement, the City of Fargo has pledged one and a quarter cent of its sales and use tax as pledged revenue to the Authority. The City of Fargo adopted a sales and use tax ("City Flood Control Tax") by enacting Article 3-21 of the City of Fargo Municipal Code. The City Flood Control Tax imposes a one-half of one percent (0.5%) sales and use tax upon the gross receipts of retailers from all retail sales, including the leasing or renting of tangible personal property, within the corporate limits of the City of Fargo. The proceeds of the City Flood Control Tax are dedicated for acquiring property; making, installing, designing, financing, and constructing improvements; engaging in projects that are necessary for the goal of achieving risk reduction and the ability to defend the community against a five hundred (500) year flood event; and servicing bonds or other debt instruments. The City of Fargo has determined that it will dedicate one hundred percent (100%) of its City Flood Control Tax to the Authority.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

In 2012, the City of Fargo adopted a second sales and use tax ("City Infrastructure Tax") by enacting Article 3-22 of the City of Fargo Municipal Code. The City Infrastructure Tax imposes a one-half of one percent (0.5%) sales and use tax upon the gross receipts of retailers from all retail sales, including the leasing or renting of tangible personal property, within the corporate limits of the City of Fargo. The proceeds of the City Infrastructure Tax are dedicated for such infrastructure capital improvements as the governing body of the City of Fargo selects, including streets and traffic management; water supply and treatment needs including construction or expansion of water treatment facilities; water distribution system needs; sewerage treatment and collection system needs, including construction or expansion of sewage treatment facilities; and flood protection or flood risk mitigation projects, and related improvements and activities. The City of Fargo has determined that it will dedicate one hundred percent (100%) of its City Infrastructure Tax not being utilized for present infrastructure projects to the Authority.

The City Flood Control Tax and the City Infrastructure Tax was anticipated to expire on December 31, 2029, and December 31, 2032, respectively. The City of Fargo City Commission, however, desired to extend the expiration dates for the City Flood Control Tax and the City Infrastructure Tax until 2084, and as a result, voted to place such extensions upon the November 8, 2016, ballot. The City Flood Control Tax was previously approved by ninety and seven/tenths percent (90.7%) of the vote, and the City Infrastructure Tax was previously approved by sixty and three/tenths percent (60.3%) of the vote. On November 8, 2016, the extension of the City Flood Control Tax and the City Infrastructure Tax was approved by sixty-six percent (66%) of the voters (a super majority, i.e., sixty percent (60%), was needed to pass). Pursuant to the ballot question presented to the voters, sales and use tax revenue generated by the City Flood Control Tax and the City Infrastructure Tax may only be used for debt obligations including authority loans, milestone payments, availability payments, and any and all other costs or charges associated with the Comprehensive Project.

The City of Fargo has additionally imposed a sales and use tax ("City Capital Improvements Tax") by enacting Article 3-20 of the City of Fargo Municipal Code. The City Capital Improvements Tax imposes a one percent (1%) sales and use tax upon the gross receipts of retailers from all retail sales, including the leasing or renting of tangible personal property, within the corporate limits of the City of Fargo. The proceeds of the City Capital Improvements Tax are also dedicated for such infrastructure capital improvements as the governing body of the City of Fargo selects, including streets and traffic management; water supply and treatment needs including construction or expansion of water treatment facilities; water distribution system needs; sewerage treatment and collection system needs, including construction or expansion of sewage treatment facilities; and flood protection or flood risk mitigation projects. The City of Fargo has dedicated and will dedicate, as part of the Fargo Pledge, one quarter of the one percent (0.25%) City Capital Improvement Tax to the Authority until 2028.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

North Dakota Legislative Session Appropriations

The Authority has been appropriated from the Legislative Sessions as summarized in the table below.

North Dakota State Water Commission Appropriations from 2009 Legislative Session	\$ 45,000,000
North Dakota State Water Commission Appropriations from 2011 Legislative Session	30,000,000
North Dakota State Water Commission Appropriations from 2013 Legislative Session	100,000,000
North Dakota State Water Commission Appropriations from 2015 Legislative Session	69,000,000
North Dakota State Water Commission Appropriations from 2015 Legislative Session - Interior Flood Control	60,000,000
North Dakota State Water Commission Appropriations from 2017 Legislative Session	66,500,000
North Dakota State Water Commission Appropriations from 2019 Legislative Session	44,000,000
Total North Dakota State Water Commission Appropriations	414,500,000
Legacy Bonds from 2021 Legislative Session	435,500,000
Total	<u><u>\$ 850,000,000</u></u>

Funds become appropriated at the legislature when a cost share agreement is approved.

Net Position and Fund Balances

Net position represents the difference between (a) assets and deferred outflows of resources and (b) liabilities and deferred inflows of resources in the Authority's financial statements. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any long-term debt attributable to the acquisition, construction, or improvement of those assets. Restricted net position consists of restricted assets reduced by liabilities related to those assets. Unrestricted net position is the net amount of assets and liabilities that are not included in the determination of net investment in capital assets or the restricted component of net position.

Fund balances are classified based on the spending constraints placed upon them. The following classifications describe the relative strength of the spending constraints:

- Nonspendable fund balance – amounts that are not in spendable form (such as prepaid amounts) or are required to be maintained intact.
- Restricted fund balance – amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.
- Committed fund balance – amounts constrained to specific purposes by the Authority itself, using its highest level of decision-making authority (i.e., Diversion Authority Board). To be reported as committed, amounts cannot be used for any other purpose unless the Authority takes the same, or higher, level action to remove or change the constraint.
- Assigned fund balance – amounts the Authority intends to use for a specific purpose. Intent can be expressed by the Diversion Authority Board or by an official or body to which the Diversion Authority Board delegates the authority.
- Unassigned fund balance - amounts that are available for any purpose. Positive amounts are reported only in the general fund.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

The Diversion Authority Board establishes (and modifies or rescinds) fund balance commitments by passage of a resolution. A resolution is the highest level of authority and requires another resolution to modify or rescind.

Assigned fund balance is established by the Diversion Authority Board through adoption or amendment of the budget as intended for specific purpose (such as the purchase of capital outlay, project construction, debt service, or other purposes).

The Authority's first priority is to utilize the restricted fund balance. Committed funds will be considered second with assigned fund balance third when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications are eligible to be used.

Use of Estimates

The preparation of the financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Note 3 - Equity in Pooled Investments

Authorized Investments

The Authority follows the City of Fargo's (the City) investment policy with respect to the management of cash and investments. As the Authority's cash and investments are held with the City as pooled funds, the disclosures within this report reflect the City's balances overall, which includes the Diversion Authority funds as a portion of them.

The City has an adopted investment policy, conforming to federal, state, and other legal requirements, including the City of Fargo Home Rule Charter, specifically Article 3.B – Powers of the City. This policy sets forth the City's investment objectives as well as authorized and suitable deposits and investments, and serves as a guide to proper diversification, maturity constraints, internal controls, and performance measurement. The foremost objective of the City's investment program as set forth by the investment policy is safety of principal. Investment decisions are made under the assumption that, except under limited circumstances, all investments within the pooled portfolios will be held to maturity.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Allowable deposits and investment include:

- Direct obligations of the United States of America
- Debt securities issued by government sponsored enterprises (GSE's), federal agencies, and federal financing banks
- Direct obligations of the state of North Dakota
- Commercial paper
- Bankers' acceptances
- Negotiable certificates of deposit
- Certificates of deposit and time deposits
- Obligations or notes issued by corporations organized and operating within the United States or by depository institutions licensed by the United States
- Investments in money-market funds rated "AAAm" by Standard & Poor's Corporation
- Repurchase agreements that are collateralized only by direct obligation of the U.S. government, GNMA, Fannie Mae, Freddie Mac, FFCB, and FHLB
- Asset-backed securities (ABS) rated a minimum of AA long-term or A-1 short-term, or its equivalent, from any nationally recognized statistical rating organization (NRSRO)

Deposits

In accordance with North Dakota Century Code, the City maintains deposits at those depository banks and brokerages authorized by the City Commission, all of which are covered by Federal Depository Insurance or Securities Investor Protection. Century Code requires that all City deposits be protected by insurance, collateral or surety bond. The market value of the collateral pledged must be equal to or greater than 110% of the deposits not covered by insurance or bonds. As of December 31, 2025, the carrying amount of the City's deposits was \$252,768,313 and the bank balance was \$260,891,591. The City's deposits were secured by FDIC coverage of \$259,441,380 and pledged collateral of \$16,779,353. As noted above, the bank balance is covered by Federal Depository Insurance or Securities Investor Protection.

Custodial Credit Risk

Custodial credit risk is the risk that in the event of a bank failure, the government's deposits may not be returned to it. Per the City's investment policy, custodial credit risk will be minimized by using the following techniques; limiting investments to the safest type of securities, pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which the City will do business; and diversifying the investment portfolio so that potential losses on individual securities will be minimized. As of December 31, 2025, the City's deposits were either fully insured or properly collateralized, were held in the City's name, and have no custodial credit risk.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The chart below summarizes the City's investments using segmented time distribution. The City's investment policy, limits investing funds primarily in short-term and intermediate-term liquid securities of high credit quality to ensure adequate liquidity and minimize the impact of changes in interest rates. Portfolios are structured so that securities mature concurrent with cash needs to meet anticipated demands.

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. As outlined above, city policy limits the type of investments allowed to reduce the amount of credit risk to the portfolio. The chart below summarizes the credit quality of the City's investment holdings for 2025.

Investment Type	Credit Rating	Fair Value	N/A	Investment Maturities			
				<1 year	1-5 years	5-10 years	>10 years
Corporate bonds	AAA	\$ 16,700,265	\$ -	\$ -	\$ 16,700,265	\$ -	\$ -
Corporate bonds	AA2	1,144,405	-	-	1,144,405	-	-
Corporate bonds	AA3	7,072,397	-	271,029	6,801,368	-	-
Corporate bonds	A1	10,379,223	-	-	10,379,223	-	-
Corporate bonds	A2	6,357,643	-	-	6,357,643	-	-
Corporate bonds	A3	1,486,753	-	-	1,486,753	-	-
Money market funds	N/A	51,235,251	51,235,251	-	-	-	-
U.S. agencies	AAA	13,082,682	-	876,505	10,587,182	1,152,194	466,801
U.S. agencies	AA1	2,703,814	-	-	2,703,814	-	-
U.S. agencies	AA+	505,582	-	-	505,582	-	-
U.S. Treasury notes	AAA	39,004,281	-	14,411,905	24,592,376	-	-
U.S. Treasury notes	AA1	68,685,865	-	5,177,699	63,508,166	-	-
Bond mutual funds	N/A	53,094,289	-	-	7,707,702	45,386,587	-
Equity mutual funds	N/A	98,732,453	98,732,453	-	-	-	-
Equity exchange traded funds	N/A	17,042,440	17,042,440	-	-	-	-
External investment pool*	N/A	48,539,497	48,539,497	-	-	-	-
Total		<u>\$ 435,766,840</u>	<u>\$ 215,549,641</u>	<u>\$ 20,737,138</u>	<u>\$ 152,474,479</u>	<u>\$ 46,538,781</u>	<u>\$ 466,801</u>

*The weighted average maturity of the portion of the external investment pool subject to maturity is 1.01 years

Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The City's investment policy diversifies the portfolios by limiting investments to avoid overconcentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities). Investments in a single issuer shall not exceed 5 percent of the City's portfolio for any of the following types in total: commercial paper, corporate obligations or notes, bankers' acceptances, and negotiable CD's.

The City's investment policy also has limits on the following allowable deposits and investment; direct obligations of the State of North Dakota shall not exceed 5 percent of the City's portfolio, investments in money market funds rated "AAAm" by Standard & Poor's shall not exceed 25 percent of the City's portfolio, repurchase agreements shall not exceed 25 percent of the City's portfolio, and aggregate Asset-backed securities may not exceed 25 percent of the portfolio at the time of purchase. None of the established limits were exceeded as of December 31, 2025.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Fair Value

The framework for measuring fair value provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs. The three levels of the fair value hierarchy are described as follows:

Level 1 – Inputs to the valuation methodology are unadjusted quoted prices for identical assets in active markets that the City has the ability to access.

Level 2 – Inputs to the valuation methodology include:

1. Quoted prices for similar assets or liabilities in active markets;
2. Quoted prices for identical or similar assets or liabilities in active markets;
3. Inputs other than quoted prices that are observable for the asset or liability;
4. Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

Level 3 – Inputs to the valuation methodology that are unobservable and significant to the fair value measurement.

The asset's fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following table presents the City's assets measure at fair value on a recurring basis, except those measured at cost as identified below, at December 31, 2025.

<u>Investment Type</u>	<u>Total</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 3</u>
Pooled Investments				
U.S. government and agency securities	\$ 123,982,224	\$ 123,982,224	\$ -	\$ -
Money market mutual funds	51,235,251	51,235,251	-	-
Corporate bonds	43,140,686	-	43,140,686	-
Total	<u>\$ 218,358,161</u>	<u>\$ 175,217,475</u>	<u>\$ 43,140,686</u>	<u>\$ -</u>

U.S. Government and Agency securities, and money market mutual funds classified in Level 1 of the fair value hierarchy are valued using prices quoted in active markets for these securities. Corporate bonds, municipal bonds, corporate commercial paper, bond and equity mutual funds classified in Level 2 of the fair value hierarchy are valued using techniques such as quoted prices for similar investments in active and inactive markets as well as inputs other than quoted prices that are observable for these assets.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Note 4 - Capital Assets

Governmental activities capital asset activity for the year ended December 31, 2025, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Capital assets, not being depreciated				
Construction in progress	<u>\$ 17,583,109</u>	<u>\$ 95,268,312</u>	<u>\$ -</u>	<u>\$ 112,851,421</u>

Note 5 - Long-Term Liabilities

Changes in long-term liabilities during the year ended December 31, 2025, are as follows:

	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Notes payable	\$ 19,334,469	\$ 13,930,939	\$ -	\$ 33,265,408	\$ -
Settlement payable	40,000,000	-	-	40,000,000	-
	<u>\$ 59,334,469</u>	<u>\$ 13,930,939</u>	<u>\$ -</u>	<u>\$ 73,265,408</u>	<u>\$ -</u>

Notes Payable

The following is a summary of notes payable as of December 31, 2025:

Note Description	Final Maturity	Interest Rate	Loan Authorized	Outstanding Balance
Clean Water State Revolving Fund Loan, Series 2022	2056	1.50%	<u>\$ 51,634,000</u>	<u>\$ 33,265,408</u>

During the year ended December 31, 2022, the Authority authorized the issuance of \$51,634,000 of Metro Flood Diversion Authority Clean Water State Revolving Fund Loan, Series 2022 to finance the payment of flood mitigation projects. \$33,265,408 of loan funds have been drawn down as of December 31, 2025. The note bears an interest rate of 1.50% and annual interest payments began in September 2024 and annual principal payments commencing September 2027 through 2056.

Subsequent to year-end, the Authority initiated borrowings under its Water Infrastructure Finance and Innovation Act (WIFIA) loan agreement. In March 2026, the Authority completed its initial draw in the amount of \$47,551,060. The total authorized borrowing under the WIFIA loan agreement is \$569,000,000, which will be drawn over time to fund eligible project costs. Future draws are subject to the terms and conditions of the loan agreement.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

Remaining principal and interest payments on the note is as follows:

<u>Years Ending December 31,</u>	<u>Principal</u>	<u>Interest</u>
2026	\$ -	\$ 335,494
2027	884,753	502,426
2028	898,116	489,063
2029	911,681	475,498
2030	925,450	461,729
2031-2035	4,841,185	2,094,709
2036-2040	5,217,992	1,717,902
2041-2045	5,624,127	1,311,767
2046-2050	6,061,874	874,020
2051-2055	6,533,691	402,202
2056-2056	1,366,539	20,639
	<u>\$ 33,265,408</u>	<u>\$ 8,685,449</u>

Settlement payable

The Authority approved a Settlement Agreement on February 25, 2021, with the Richland-Wilkin Joint Powers Authority, Buffalo-Red River Watershed District, City of Wolverton, MN and the City of Comstock, MN. The express intent of the Parties per the Settlement Agreement is to acknowledge the Diversion Authority's need, ability, and authority to design, finance, develop, construct, operate, and maintain the Comprehensive Projects; to acknowledge and fairly protect and compensate the Non-Diversion Authority Parties and their constituencies and minimize, protect, and compensate upstream individuals, landowners, entities, and political subdivisions from the impacts of the Comprehensive Project; and, to ensure that the Non-Diversion Authority Parties do not engage in Interference Actions.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

As approved in the Settlement Agreement, payments of Seventy-five Million Dollars (\$75,000,000) will be provided by the Authority to the Economic Impact Relief Fund held by the Richland County Auditor in its capacity as fiscal agent for the RWJPA, with an initial payment of Thirty-five Million Dollars (\$35,000,000) to be made not later than ten (10) days after the latter of the following events: (1) issuance of a permit by BRRWD for the Plan B project as provided for above, (2) entry of Judgement of Dismissal with Prejudice (or the reasonable equivalent thereof if such a judgement is not available in a Minnesota administrative matter) in the MN CCH and the issuance of the MDNR Permit, (3) entry of Judgment of Dismissal with Prejudice in the Federal Case, and (4) entry of judgement of dismissal with prejudice in the pending appeal to the Eight Circuit Court of Appeals. The initial payment has been made in 2021. The balance of Forty Million Dollars (\$40,000,000) will be paid as follows: (a) interest at the rate of two percent (2%) per annum shall accrue from December 31, 2020; (b) no actual payments shall be made until the first payment as set forth in subsection (c) is due, but in that interim between December 31, 2020, and the first payment date, interest does accrue at the 2% rate; and (c) thirty-three (33) equal annual payments sufficient to pay past accrued interest and all remaining principal and interest as it accrues shall be made with the first payment being made on the date of Substantial Completion of the Comprehensive Project or December 31, 2031, whichever event occurs first.

As of December 31, 2025, the Authority has accrued a total of \$4,002,192 of interest payable on their settlement agreement, with \$800,000 of interest being accrued in the current year.

Note 6 - Commitments

As of December 31, 2025, the Metro Flood Diversion Authority had commitments on various construction contracts totaling \$1,252,460,107.

Note 7 - Affiliated Organizations

The Authority's affiliated organizations include its member entities: the City of Fargo, North Dakota; Cass County, North Dakota; Cass County Joint Water Resource District; the City of Moorhead, Minnesota; and Clay County, Minnesota.

Pursuant to a joint powers agreement, the City of Fargo serves as the fiscal agent for the Authority. The fiscal agent is responsible for the administration of financial and accounting functions for the Authority. Fees paid to the City of Fargo for these services totaled \$216,090 for the year ended December 31, 2025.

Pursuant to an interim memorandum of understanding that went into effect August of 2019, Cass County provides human resource services related to payroll and benefits to the Authority, for which no fees are charged. No amounts were recognized for these donated services in the financial statements.

Metro Flood Diversion Authority

Notes to Financial Statements

December 31, 2025

The City of Fargo and Cass County both issued \$100 million loans to fund costs of the Metro Flood Diversion Authority. Pursuant to various agreements, the Authority is to reimburse these entities for the debt service expense of issuing this debt. Expense reimbursed to the City of Fargo for debt service expense totaled \$32,600 for the year ended December 31, 2025. Expense reimbursed to Cass County for debt service expense totaled 6,562,584 for the year ended December 31, 2025.

The Authority, pursuant to a joint powers agreement, is to reimburse the City of Fargo for the debt service on \$83.887 million of Capital Financing Program bonds that were issued to finance the construction and installation of flood mitigation projects. Expense reimbursed to the City of Fargo for debt service expense totaled \$6,295,490 for the year ended December 31, 2025.

Note 8 - Contingent Liabilities

The Diversion Project is the first project of the U.S. Army Corps of Engineers to use a public private partnership approach to project delivery. The Project's status carries with it all of the authority, immunities and limitations of liability associated with such federal authorization and implementation. There is a reasonable likelihood that the Authority will be named as a defendant in one or more claims or lawsuits related to the Project, its design, construction, financing, operations and/or maintenance.

Other Reports
December 31, 2025

Metro Flood Diversion Authority



**Independent Auditor's Report on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements Performed in
Accordance with *Government Auditing Standards***

To the Board of Authority
of the Metro Flood Diversion Authority
Fargo, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the governmental activities and the major fund of the Metro Flood Diversion Authority ("the Authority"), as of and for the year ended December 31, 2025, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements and have issued our report thereon dated June 22, 2026.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Authority's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control. Accordingly, we do not express an opinion on the effectiveness of the Authority's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Authority's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Authority's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Authority's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Eide Bailly LLP". The signature is written in a cursive, flowing style.

Fargo, North Dakota
June 22, 2026