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## WATER TOPICS OVERVIEW COMMITTEE

Monday, December 11, 2023  
Room 327B, State Capitol  
Bismarck, North Dakota

Senator Ronald Sorvaag, Chairman, called the meeting to order at 10:01 a.m.

**Members present:** Senators Ronald Sorvaag, Michael Dwyer, David Hogue, Larry Luick; Representatives Jared Hagert, Jorin Johnson, Donald W. Longmuir, Bob Martinson, Jon O. Nelson, Anna S. Novak, Jeremy Olson, Todd Porter, Steve Swiontek

**Members absent:** Senators Jeffery J. Magrum, Jim P. Roers; Representatives Mike Beltz, Matthew Ruby

**Others present:** Senators Donald Schaible, Mott, and Brad Bekkedahl, Williston, members of the Legislative Management

See [Appendix A](#) for additional persons present.

**It was moved by Representative Nelson, seconded by Senator Luick, and carried on a voice vote that the minutes of the September 12, 2023, meeting be approved as distributed.**

Mr. Jim Schmidt, Huff, on behalf of the Missouri River Joint Water Board, provided testimony ([Appendix B](#)) regarding the importance of the Missouri River. He noted:

- The Missouri River Joint Water Board works to educate, advocate, and engage citizens in understanding the benefits of the Missouri River.
- North Dakota uses an estimated 117,000 acre-feet of the Missouri River, which is seven-tenths of the river's average flow and less than 3.2 percent of the 3.7 million acre-feet of water the state is permitted to use.
- The Missouri River Joint Water Board estimates 85 percent of North Dakota will use water from the Missouri River.
- The Missouri River is noncompact, meaning allocation of the Missouri River is ungoverned. Upstream interests are secondary to downstream interests, which is concerning because other states are interested in increasing their use of the Missouri River.

Mr. Duane DeKrey, General Manager, Garrison Diversion Conservancy District, provided testimony ([Appendix C](#)) regarding the history of the Garrison Diversion Conservancy District and its relation to the Missouri River. He noted:

- In 1944, the Pick-Sloan Missouri Basin Program was created and passed in Congress to provide irrigation development and flood control to North Dakota and the Missouri River Basin.
- North Dakota was promised 1.2 million acres in flood irrigation.
- In 1955, at the request of the federal government, the Legislative Assembly established the Garrison Diversion Conservancy District to promote the establishment, construction, development, and operation of the Pick-Sloan Missouri Basin Program.
- In 1965, initial state construction of the Garrison Diversion Unit was authorized to irrigate 250,000 acres.
- In 1986, the Garrison Diversion Unit Reformulation Act reduced North Dakota's total irrigation development to 130,940 acres. The Act contained the federal plans for the Red River Valley Water Supply Project, which required North Dakota to prepare a needs and options report and an environmental impact statement. The record of decision was never signed by the federal government.

- The Red River Valley Water Supply Project is now a state project, with no federal funding.

Ms. Sindhuja S.Pillai-Grinolds, Director, Water Development Division, Department of Water Resources, and Mr. Tim Freije, Project Manager, Northwest Area Water Supply, provided an update on the Northwest Area Water Supply (NAWS) ([Appendix D](#)). They noted:

- NAWS is one of two state-owned regional water systems in North Dakota and is designed to serve an estimated 81,000 customers.
- NAWS is owned by the State Water Commission and administered by the Department of Water Resources.
- Construction on NAWS resumed after 17 years of litigation.
- Projects for 2023 through 2025 include the biota water treatment plant, the south prairie hydraulic control structure, additional in-line booster pumping stations, modifications to the Snake Creek pumping plant, and improvements to the Minot waste treatment plant.
- Delivery of lake water to Minot is expected to occur by the end of 2024.

Ms. S.Pillai-Grinolds, Mr. Justin Froseth, Project Manager, Southwest Pipeline Project, and Ms. Jen Murray, Manager and CEO, Southwest Water Authority, provided an update on the Southwest Water Authority and Southwest Pipeline Project ([Appendix E](#)). They noted:

- The Southwest Pipeline Project is a state-owned regional water supply project that serves approximately 58,000 customers in southwest North Dakota.
- The Southwest Water Authority is a political subdivision authorized in 1991 by the 52<sup>nd</sup> Legislative Assembly to manage, operate, and maintain the Southwest Pipeline Project. It is governed by a 15-member publicly elected board of directors.
- Priorities for 2023 through 2025 include securing funding for transmission facility improvements, strategic hydraulic improvements, the expansion of the southwest water treatment plant, and expanding services to underdeveloped areas.
- As of November 1, 756 potential customers are on a wait list.

Mr. Chris Kadrmas, Director, Administrative Services Division, Department of Water Resources, provided testimony ([Appendix F](#)) regarding a budget overview of the Department of Water Resources.

Ms. Dani Quissell, Executive Director, North Dakota Irrigation Association, provided an update on irrigation development in North Dakota ([Appendix G](#)). She noted:

- The North Dakota Irrigation Association is a statewide member association that represents irrigators and dealers across the state.
- The mission of the Association is to strengthen and expand irrigation for economic development in North Dakota.
- Approximately 300,000 acres of farmland in North Dakota are irrigated with the potential to irrigate up to 28 million acres.
- Limitations to expanding irrigation development include water availability and funding.
- Irrigation districts are political subdivisions that can assist individual irrigators with funding and resource availability.
- Irrigation districts are governed by an elected board with the power to establish an assessment to share the cost of funding infrastructure.
- Irrigation districts may request a 75 percent cost-share from the State Water Commission.

No further business appearing, Chairman Sorvaag adjourned the meeting at 2:56 p.m.

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Austin Gunderson  
Counsel

ATTACH:7