



WATER TOPICS OVERVIEW COMMITTEE

Monday, December 11, 2023
Room 327B~~Room~~, 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, ~~and~~ Jim P. Roers; Representatives Mike Beltz, ~~and~~ 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 ~~Jon O.~~ 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, ~~presented~~provided testimony (Appendix B) regarding the importance of the Missouri River. He noted: ~~Efforts of t~~

The Missouri River Joint Water Board ~~include~~works to educateing, advocateing, and engageing citizens in understanding ~~and pursuing the benefits of the Missouri River~~benefits for North Dakota.

- North Dakota uses ~~approximately an estimated~~ 117,000 acre feet of the Missouri River, which is ~~7seven~~ tenths ~~(0.7)~~ of the river's average flow and less than 3.2 percent of the. ~~North Dakota is permitted to use 3.7 million acre feet of water the state is permitted to use 3.1 an estimated of which the state only utilizes approximately percent.~~
- The Missouri River Joint Water Board ~~predicts~~estimates 85 percent of North Dakota will ~~be use~~ing water from the Missouri River.
- The Missouri River is non-compacted, meaning allocation of the Missouri River is ungoverned. Upstream interests are secondary to downstream interests, which is concerning because. ~~This is concerning as~~ other states ~~have interest to are strongly interest in~~ are interested in increasing their use of the Missouri River.

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

- In 1944, ~~T~~he Pick-Sloan Missouri Basin ~~p~~Program was created and passed in the United State's Congress ~~in 1944~~ 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 ~~North Dakota Legislature formed~~ Legislative Assembly established the Garrison Diversion Conservancy District to promote the establishment, construction, development, and operations of the Pick-Sloan Missouri Basin pProgram.
- In 1965, ~~the initial state construction of the~~ Garrison Diversion Unit ~~Act passed reducing~~ was authorized to irrigate ~~North Dakota's irrigation acres from 1.2 million acres to~~ 250,000 acres.
- In 1986, the Garrison Diversion Unit Reformulation Act ~~passed reducing~~ reduced North Dakota's total irrigation development to 130,940 acres. The ~~a~~Act contained the federal plans for the Red River Valley Water Supply Project, which required North Dakota to ~~conduct~~ prepare a needs and options report and an environmental impact statement. ~~Ultimately, t~~he 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. Sinduja S.-Pillai-Grinolds, Director, Water Development Division, Department of Water Resources, and Mr. Time Freije, Project Manager, Northwest Area Water Supply ~~(NAWS)~~, ~~presented~~ provided an updated on the Northwest Area Water Supply (NAWS) (Appendix D). They noted:

- ~~The Northwest Area Water Supply (NAWS)~~ is one of two state-owned regional water systems in North Dakota and is designed to serve an ~~projected~~ estimated area of 81,000 customers.
- NAWS is owned by the State Water Commission and administered by the Department of Water Resources.
- Construction ~~way is back under~~ on NAWS resumed after 17 years of litigation.
- Projects for 2023- to 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, ~~presented~~ provided an updated 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 ~~North Dakota legislature in 1991~~ the the 52nd 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- to 2025 include: securing funding for transmission facility improvements, strategic hydraulic improvements, ~~the~~ expansion of the southwest water treatment plant, and expanding ~~their~~ services to under-developed areas.
- As of November 1, ~~there are~~ 756 potential customers are on a waiting list.

Mr. Chris Kadmas, Director, Administrative Services Division, Department of Water Resources, ~~presented~~ provided testimony (Appendix F) regarding a budget overview of the Department of Water Resources.

Ms. Dani Quessell, Executive Director, North Dakota Irrigation Association, ~~presented~~ 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.
- ~~Its~~ mission of the Association is to strengthen and expand irrigation for economic development in North Dakota. ~~Currently, a~~
- Approximately 300,000 acres of farmland in North Dakota isare under irrigation with ~~a~~the potential ~~of~~to irrigate up to 28 million acres.
- Limitations to expanding irrigation development include water availability and funding.
- Irrigation districts are political subdivisions ~~which~~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 ~~share~~ infrastructure.
- Irrigation districts ~~s~~also may request a 75 percent cost share from the State Water Commission.

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

Austin Gunderson
Counsel

ATTACH:7