



**BURLEIGH COUNTY WATER RESOURCE DISTRICT AGENDA**  
**Wednesday, July 12<sup>th</sup>, 2023 at 8:00 am**  
**Tom Baker Room, 221 N. 5<sup>th</sup> Street Bismarck**

8:00 a.m. – Call to Order

- Roll Call (Reep, Landenberger, Palm, Smith, Binegar):
- **Approval of 06/14/2023 Minutes:** .....3-6
- **Amendments and Approval of Agenda:**
- Comments from Members of the Public: (For Items Not on the agenda):
- McDowell Dam (Binegar/Landenberger):
  - Facility Update
  - Supplemental Water Supply
    - Intake Site Easement
    - Landowner/BCHD (old Hwy #10) Easements
    - Survey Authorizations
    - Biennium Cost Share Reimbursement Request – June 30, 2023 (submitted) .....7-12
  - McDowell Dam Inspection
    - Auxiliary Spillway Inlet Erosion (2024)
- Financial Reports (Reep):
  - **Balance Sheet 06/30/2023** ..... **13-14**
  - **P&L 06/30/2023** ..... **15-16**
- Drainage Permits/Complaints/Issues: *Open (Palm)*:
  - 6460 80<sup>th</sup> St NE – Iverson (Findings and Recommendations)
  - 6260 80<sup>th</sup> St NE – Fettig (Findings and Recommendations)
  - 7232 Signal St – Schaff .....17-20
- Drainage Permits/Complaints/Issues: *Closed (Palm)*:
- Projects:
  - Sibley Island (Gunsch\Reep):
    - Preliminary Engineering Report – (Delayed Alternative #5)
    - Alternative #5 – Update
    - Economic Assessment – DWR (revision required)
    - Landowner Levee Alignment - Email Concurrence
    - Biennium Cost Share Reimbursement Request – June 30, 2023 (submitted) .....21-36
    - Public Comments
  - Hoge Island Stabilization (Binegar):
    - **Public Informational Meeting – 8:30 am**.....**37**
      - Preliminary Engineering Report (Final OPC).....38-103
      - Resolution #2 – Special Assessment District (Signed) .....104
      - Permit Application (USACE/DWR) - Individual Permit (120-day review timeline)...105
      - Opinion of Probable Cost DWR Section 32 – Submitted .....106
      - June 26, 2023 – DWR Subcommittee meeting

- Project schedule – DWR update
    - **Public Hearing – (Schedule Pending)**
- Other Old Business:
  - Burleigh County WRD Assessment District Projects
    - Highway Dept O&M Agreements (draft updates to BCHD-Pending)
    - Annual project inspections – September 2023
  - Policy Manual (No Update)
- New Business
  - 2024 Budget
    - Submitted to Auditor on June 9, 2023
    - June 19, 2023 – budget committee meeting (update)
    - July 19-20, 2023 Budget Hearings
  - ND WRD Summer Meeting (July 19-20)
  - NWRA 2023 Western Water Resources Seminar, Medora (August 1-4)
- Correspondence or Document Information:
  - Plats & SWMP's – Not included due to size...Available on request.
  - Temporary Water Permit BCHD ..... 108
- **Approval of Bills (\$88,348.19) ..... 109**
- Detailed Bills .....110-185
- Next Meeting: Tuesday, August 8, 2023, 8:00 AM, Tom Baker Room
- Adjourn

**Note: Bold Items Require Board Action**

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BCWRD Meeting Minutes  
June 14, 2023  
Draft - Not Approved Yet

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
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**Present:** James Landenberger; Dennis Reep; Randy Binegar; Cory Palm; Jerry Woodcox, Burleigh County Commissioner; Michael Gunsch and Travis Johnson, Houston Engineering; Dave Bliss, Bliss Law Firm, and Wendy Egli, Fronteer Professional Services  
**Others Present:** Dave Robinson and Dave Mayer (Bismarck Parks & Rec); Toni Erhardt (USACE); Jerry Heiser (ND DWR); Steve Leibel (Knoll Leibel LLP); Julie Fettig, John & Alice Homelvig, Kellen Krueger; Nat Strutz;

Chairman Landenberger called the meeting to order at 8:00 am. Roll call was taken and a quorum was declared.

	Discussion	Action Taken	Responsible Party(s)	Due Date
<b>Approval of 05/10/2023 Minutes</b>		Mgr. Reep motions to approve 05/10/2023 minutes, Mgr. Palm seconds. Carried by unanimous voice vote		
<b>Amendments and Approval of Agenda</b>	Add Burnt Creek Spraying update to old business	Mgr. Palm motions to approve agenda as amended, Mgr. Binegar seconds. Carried by unanimous voice vote.		
<b>Comments from Members of the Pubic</b>	None noted.			
<b>McDowell Dam</b>				
<b>Facility Update</b>	Bobcat/Doosan was out for day of caring and did various different projects including clearing out of a good portion of the trees and shrubs from the emergency spillway, moved trees and put in a culvert, trimmed grass on the dam and stained multiple picnic tables.			
<b>Supplemental Water Supply Alternative intake site update</b>	Survey has been completed at the intake location on Apple Creek. Ready to move ahead with asking Dave Bliss to move ahead with a purchase agreement for the land. Plan is to go forward with additional easements.			
<b>McDowell Dam Inspection</b>	Travis has been in touch with NRCS, they are aware of the activity to comply with their responses.			
<b>Financial Reports</b>				
<b>Balance Sheet</b>	None noted.	<b>Mgr. Reep motion to approve balance sheet; Mgr. Palm second. Carried by unanimous roll call vote.</b>		
<b>Profit &amp; Loss</b>	None Noted	<b>Mgr. Reep motion to approve profit &amp; loss; Mgr. Binegar second. Carried by unanimous roll call vote.</b>		

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
<b>Drainage Permits/Complaints/ Issues: Open</b>	6460 and 6260 80 <sup>th</sup> St NE – Iverson Complaint and Fettig Counter-Complaint – No conclusion yet. Houston has looked at the hydrology, the soils, profile information, cross sections. Have not done a physical survey, not sure there is one needed yet. Still working on a formal conclusion. Draft will be ready for July’s meeting. At this time we table until July for a formal report from Houston Engineering.			
<b>Drainage Permits/Complaints/ Issues: Closed</b>	None			
<b>Projects</b>				
<b>Sibley Island</b>	Did receive emails confirming three landowners do NOT want to be a part of the project. New landowner is willing to participate and have the levy on their property. Number are all going to be adjusted. Cost share for this job and McDowell are due by the end of June. Houston asks for consensus to allow Chairman Landenberger to approve these requests.	<b>Consensus given by board for Chairman Landenberger to be allowed to approve cost share requests due by end of month.</b>		
	Discussion was had regarding returning ballots. Ballots can be dropped off at Fronteer Professional’s offices at 1838 E Interstate Ave, Ste B, brought to a meeting, or mailed.30 day deadline could be extended also.			
<b>Hoge Island</b>	<p>The Preliminary Engineering Report for this project along with opinions of probable costs for this project are all in the packet. The PER needs to be presented to the Department of Water Resources to be placed on the agenda for their next meeting.</p> <p>Michael Gunsch goes through all of these reports in the packet.</p> <p>Toni Erhardt from the Corps is in attendance and spoke about their timeline for approving permits being 120 days. If 408 ends up getting invoked it could affect that timeline.</p> <p>Jerry from ND DWR is in attendance and discussed that although they would issue individual permits for each homeowner, they would need to look at the repairs and plans collectively to make sure the entire project will work together.</p> <p>A special assessment district will spread costs of the project out over 20 years rather than up front payments.</p>	<p>Mgr. Binegar makes a motion to accept the PER from Houston and approve resolution #2 for signature. Mgr. Palm 2nds. Motion is carried via a roll call vote.</p> <p>Mgr. Binegar makes a motion to direct Houston Engineering to prepare and submit the required Department of Water Resources and the US Army Corps of Engineers and the Burleigh County Floodplain project permit applications as designated in the preliminary engineering report. Mgr. Reep 2nds. Motion carries via a roll call vote.</p> <p>Mgr. Binegar makes a motion to direct Houston Engineering to provide the preliminary engineering report to the ND DWR requesting the applicable cost participation per the O&amp;M Agreement and to move forward with a public hearing and vote. Mgr. Palm 2nds. Motion carries via a roll call vote.</p>		
<b>Public Comments</b>				

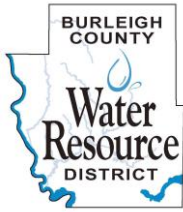
Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
<b>Other Old Business</b>				
<b>Highway Dept O&amp;M Agreements</b>	No Updates			
<b>Policy Manual</b>	No Updates			
<b>E-Mail response to Shane Carroll</b>	An email was received asking about a structure on 119 <sup>th</sup> Street on Apple Creek – a response was sent, no follow up response has been received.			
<b>Burnt Creek Spraying</b>	Dakota Helicopters were unable to get to us last year. There has been some attempt to contact them but have been unable to. Dave Bliss will attempt to contact again and if no contact is made we will go ahead with hiring someone else. If contact is made, a deadline for completion will be given.			
<b>New Business</b>				
<b>2024 Budget</b>	2024 budget was submitted to the State Auditor on June 9, 2023. Our mill request is 1.75 and does include consideration for McDowell Dam capital improvement projects.			
<b>149<sup>th</sup> Ave Outfall Damage</b>	Discussion was had about whether the board wants to set a precedent of paying for this type of project. The project is on sovereign land and the easement is a public easement. Burleigh County Highway Dept does not have an obligation to pay to the repairs.	<b>Decision tabled for now as the Board would like more information from Houston Engineering.</b>		
<b>August Meeting</b>	Date changed to August 8th	<b>Mgr. Binegar made motion to change the date of August's meeting to Tuesday, August 8<sup>th</sup>. Mgr. Reep 2nds. Motion carried by voice vote.</b>		
<b>Bismarck/Burleigh County Floodplain Ordinance Stakeholder Report</b>	Dennis attended – they are looking at getting city and county ordinances to align with each other along with revising flood maps.			
<b>Approval of Bills</b>	Bills were presented totaling \$17,930.67	<b>Mgr. Reep motions to approve payment of bills. Mr. Palm 2<sup>nd</sup>. Motion passed via unanimous roll call vote.</b>		

Agenda Items	Discussion	Board Action	Responsible Party(s)	Due Date
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<b>Next Meeting</b>	The next meeting date is July 12, 2023 at 8:00 AM in the Tom Baker Room.			

With no further business the meeting adjourned at 9:40 a.m.

Wendy Egli, BCWRD Admin. Secretary



# Burleigh County Water Resource District

PO Box 1255

Bismarck, North Dakota 58502-1255

(701) 354-1501

[www.bcwrdd.org](http://www.bcwrdd.org)

July 7, 2023

## VIA EMAIL

Julie Prescott, PE

North Dakota Department of Water Resources

900 E. Boulevard Avenue, Dept 770

Bismarck, ND 58505-0850

**Subject: McDowell Dam Supplemental Water Supply  
HEI Project No. 1032-0200**

Dear Julie:

The Burleigh County Water Resource District (BCWRD) has initiated the process to secure pipeline easements to implement the long-planned diversion of waters from Apple Creek into the McDowell Dam reservoir. A cost share agreement was approved by the Department of Water Resources on March 21, 2022 in the amount of \$45,177.

Given an extended timeline associated with easement acquisition and design, construction has been delayed into 2024. To date, the BCWRD has incurred \$20,324.50 in expenses for eligible preliminary design work. Cost share reimbursement request #1 in the amount of \$5,904.80 for the 40% cost share was submitted on April 14<sup>th</sup>. We are hereby submitting Cost Share Reimbursement Request #2 in the amount of \$2,225.00. Invoices documenting the billed amounts request breakdown are enclosed.

Please advise if you require more information regarding this funding request.

Sincerely,

A handwritten signature in blue ink that reads "James Landenberger".

James Landenberger  
Chairman

c: John Paczkowski, P.E., ND State Engineer (email)  
Beth Nangare, North Dakota Department of Water Resources (email)  
James Landenberger, Chairman, Burleigh County Water Resource District (email)  
Michael Gunsch, Houston Engineering, Inc., Bismarck, ND (email)

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## Current Board Members:

James Landenberger, Chairman 701-426-6439    Cory Palm, Vice Chairman 701-516-4660  
Dennis Reep, Secretary/Treasurer 701-595-2142    Roger Smith, Manager 701-400-6283  
Randy Binegar, Manager 701-595-4947

**McDowell Dam Supplemental Water Supply  
NDDWR Cost Share funding request**

**Date:** 4/7/2023

**Phase 0300 - Preliminary Design Expenses**

*Reimbursement Request #1*

<i>Invoice Number</i>	<i>Date</i>	<i>Amount</i>	<i>40% Value</i>
60750	8/5/2022	\$221.00	
61706	10/7/2022	\$1,067.50	
63550	2/3/2023	\$624.00	
64520	4/6/2023	\$12,849.50	
Total:		\$14,762.00	\$5,904.80

*Reimbursement Request #2*

<i>Invoice Number</i>	<i>Date</i>	<i>Amount</i>	<i>40% Value</i>
64974	5/5/2023	\$4,595.00	
65448	6/9/2023	\$967.50	
Total:		\$5,562.50	\$2,225.00

Total all Invoices: \$20,324.50 \$8,129.80

<b>Total Authorized 3/21/2022</b>	<b>\$45,177.00</b>
<b>NDDWR 40% COST SHARE Request #1</b>	<b>\$5,904.80</b>
<b>NDDWR 40% COST SHARE Request #2</b>	<b>\$2,225.00</b>
<b>Balance</b>	<b>\$37,047.20</b>

**Total Design Fee per Cost Share \$112,942.50**





## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

**HEI Project No.:** 1032-0200  
**BCWRD Account No.** 905  
**Project Name:** Apple-McDowell Water Supply Diversion

**Billing Period:** April 1, 2023 through April 30, 2023

Professional engineering and surveying services related to Preliminary Design and Easement Acquisition for the Apple-McDowell Water Supply Diversion Project including, but not limited to the following:

- Contacted County Highway Department to discuss pipe alignment as it relates to highway right of way and proposed future roadways and master plan.
- Drawing up proposed pipe alignment based on future county right of way alignment and updated plan sheets.
- Working to contact last remaining landowner to discuss easement and pipe alignment.
- Updated Board on pipe alignment and status and progress with landowner contact and easement acquisition
- Communication with BCWRD with updates regarding easements
- Drafted cost share request letter and assembled supporting documentation. Submitted cost share reimbursement request to NDDWR.

### Comments:

- Original Outdoor Heritage Fund grant request was not approved due to lack of secured easements for this project. BCWRD has directed HEI to begin work to draft up and secure easements.
- BCWRD has elected to hold off on submitting the OHF grant application until easements are secured or agreements are in hand for easements.
- Crafting of easement documents requires the pipeline route and location of project structures to be identified, so preliminary design work is being conducted to establish location of project features.
- Zeller property required additional research and owner has been contacted, negotiations are ongoing for all easements.

**See accompanying invoice and cost summary for personnel cost breakdown.**

Phase (003) Preliminary Design	\$ 4,595.00
Phase (004) Easement Acquisition	\$ 391.25
<b>Total Invoice:</b>	<b>\$ 4,986.25</b>

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102  
 Phone: 701.237.5065  
 Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255  
 Bismarck, ND 58502-1255

Invoice Number: 64974  
 Date: May 05, 2023  
 Project Number: R001032-0200

**Apple-McDowell Water Supply Diversion**

**For Professional Services Rendered Through: April 29, 2023**

BCWRD Account No.: 905 - Capital Improvements

See attached Project Status Report and Invoice Description.

**003 - Preliminary Design**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	12.00	215.00	\$2,580.00
Engineer 4	13.00	155.00	\$2,015.00
	<b>25.00</b>		<b>\$4,595.00</b>

**003 - Preliminary Design Total: \$4,595.00**

**004 - Easement Acquisition**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	1.00	215.00	\$215.00
Engineer 12	.75	235.00	\$176.25
	<b>1.75</b>		<b>\$391.25</b>

**004 - Easement Acquisition Total: \$391.25**

**Invoice Total \$4,986.25**

**Outstanding Invoices**

Invoice Number	Invoice Date	0 - 30	31 - 60	61-90	Over 90	Balance
<b>Total Prior Billing</b>						



## Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

**HEI Project No.:** 1032-0200  
**BCWRD Account No.** 905  
**Project Name:** Apple-McDowell Water Supply Diversion

**Billing Period:** *May 1, 2023 through June 3, 2023*

Professional engineering and surveying services related to Preliminary Design and Easement Acquisition for the Apple-McDowell Water Supply Diversion Project including, but not limited to the following:

- Updates to plan set with minor changes due to routing per County Highway department discussions and landowner preferences.
- Drawing up proposed pipe alignment based on future county right of way alignment and updated plan sheets.
- Working to contact last remaining landowner to discuss easement and pipe alignment.
- Updated Board on pipe alignment and status and progress with landowner contact and easement acquisition.
- Communication with landowners to coordinate easement acquisition and update on status. Drafting permission to survey forms and providing to landowner for review.
- Meeting with landowner to go over final routing, easement extents, lot purchase and to sign survey permission form.
- Meeting on site to review routing, easement extents, and location of intake.

### Comments:

- Original Outdoor Heritage Fund grant request was not approved due to lack of secured easements for this project. BCWRD has directed HEI to begin work to draft up and secure easements.
- BCWRD has elected to hold off on submitting the OHF grant application until easements are secured or agreements are in hand for easements.
- Crafting of easement documents requires the pipeline route and location of project structures to be identified, so preliminary design work is being conducted to establish location of project features.
- Zeller property required additional research and owner has been contacted, negotiations are ongoing for all easements. Looking at alternatives to avoid one landowner who was not interested in providing an easement, the alternatives appear promising with a willing landowner contacted.

**See accompanying invoice and cost summary for personnel cost breakdown.**

Phase (003) Preliminary Design	\$ 967.50
Phase (004) Easement Acquisition	\$ 3,284.00
<b>Total Invoice:</b>	<b>\$ 4,251.50</b>

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102  
 Phone: 701.237.5065  
 Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255  
 Bismarck, ND 58502-1255

Invoice Number: 65448  
 Date: June 09, 2023  
 Project Number: R001032-0200

**Apple-McDowell Water Supply Diversion**

**For Professional Services Rendered Through: June 03, 2023**

BCWRD Account No.: 905 - Capital Improvements

See attached Project Status Report and Invoice Description.

**003 - Preliminary Design**

**Professional Services**

	Hours	Rate	Amount
Engineer 10	4.50	215.00	\$967.50
	<b>4.50</b>		<b>\$967.50</b>

**003 - Preliminary Design Total: \$967.50**

**004 - Easement Acquisition**

**Professional Services**

	Hours	Rate	Amount
Engineer 10	14.00	215.00	\$3,010.00
Engineer 12	1.00	235.00	\$235.00
Technician 7	.25	156.00	\$39.00
	<b>15.25</b>		<b>\$3,284.00</b>

**004 - Easement Acquisition Total: \$3,284.00**

**Invoice Total \$4,251.50**

**Outstanding Invoices**

Invoice Number	Invoice Date	0 - 30	31 - 60	61-90	Over 90	Balance
64974	5/5/2023	\$4,986.25				\$4,986.25
<b>Total Prior Billing</b>		<b>\$4,986.25</b>				<b>\$4,986.25</b>

## Burleigh County Water Resource District (BCWRD)

## Balance Sheet

07/06/23

As of June 30, 2023

Accrual Basis

	Jun 30, 23
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Bravera Bank Center Checking	
General Funds	2,114,227.32
O & M Funds	
Brookfield O&M	-3,415.37
Burnt Creek O&M	98,818.43
Country Creek 3rd O&M	-1,240.68
Fox Island O&M	11,247.30
<b>Total O &amp; M Funds</b>	105,409.68
<b>Special Assessment Districts</b>	
Apple Valley Special Assessment	13,259.37
Fox Island Special Assessment	157,290.21
MRCC Special Assessment	120,844.36
<b>Total Special Assessment Districts</b>	291,393.94
<b>Total Bravera Bank Center Checking</b>	2,511,030.94
<b>Designated Reserve Funds</b>	
Aero Club Rent	13.00
Apple Valley	19,000.00
Apple Valley Spec. Assessment	12,626.81
Brookfield Estates	2,377.34
Burnt Creek	115,000.00
Emergency Fund	265,037.13
Hay Creek Watershed	100,000.00
McDowell Dam (Buffer Zone)	80,000.00
McDowell Dam Capital Improvemen	60,000.00
McDowell Dam Fresh Water Intake	410,000.00
McDowell Rent	10,609.00
Missouri River Bank Stabilizati	124,906.33
Sibley Island	500,000.00
Designated Reserve Funds - Other	589.52
<b>Total Designated Reserve Funds</b>	1,700,159.13
<b>Total Checking/Savings</b>	4,211,190.07
<b>Other Current Assets</b>	
11010 · Taxes Receivable	492.18
<b>Total Other Current Assets</b>	492.18
<b>Total Current Assets</b>	4,211,682.25
<b>Fixed Assets</b>	
15005 · Land	112,481.50
15010 · Infrastructure	6,679,991.93
15015 · Land Improvements	1,810,033.62
15020 · Buildings	187,659.68
15025 · Office Furniture & Equipment	162,206.58
15051 · Acc Depr - Infrastructure	-230,788.13
15052 · Acc Depr - Land Improvements	-989,289.34
15053 · Acc Depr - Building	-151,017.71
15054 · Acc Depr - Office Furn & Equip	-114,986.82
<b>Total Fixed Assets</b>	7,466,291.31
<b>TOTAL ASSETS</b>	<b>11,677,973.56</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
20000 · Accounts Payable	81,779.59
<b>Total Accounts Payable</b>	81,779.59

## Burleigh County Water Resource District (BCWRD)

07/06/23

## Balance Sheet

Accrual Basis

As of June 30, 2023

	Jun 30, 23
Other Current Liabilities	
24000 · Payroll Liabilities	1,014.58
<b>Total Other Current Liabilities</b>	<b>1,014.58</b>
<b>Total Current Liabilities</b>	<b>82,794.17</b>
Long Term Liabilities	
23200 · Rehab Apple Valley Waste Water	140,000.00
237 · Burnt Creek Floodway	250,000.00
23800 · Missouri River Correctional Cen	260,000.00
23900 · Fox Island Improvement	1,210,000.00
25000 · Bond Discount	-26,477.50
<b>Total Long Term Liabilities</b>	<b>1,833,522.50</b>
<b>Total Liabilities</b>	<b>1,916,316.67</b>
Equity	
32000 · Retained Earnings	9,014,347.76
Net Income	747,309.13
<b>Total Equity</b>	<b>9,761,656.89</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>11,677,973.56</b>

**Burleigh County Water Resource District (BCWRD)**  
**Profit & Loss by Class**  
January through June 2023

	TOTAL	- General	Apple Valley	Brookfield Est.	Burnt Creek Floodway	Country Ridge/Creek	Fox Island	Hoge Island	McDowell Dam	Missouri River Gen.	MRCC	Sibley Island	TOTAL
<b>Income</b>													
31110 · Real Estate Tax	866,871.71	866,871.71	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	866,871.71
31810 · In Lieu of Tax	444.86	444.86	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	444.86
36110 · Interest	162.81	162.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	162.81
36210 · McDowell Dam Recreation Income	285.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	285.00	0.00	0.00	0.00	285.00
43610 · State Aid Distribution	18,863.66	18,863.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,863.66
43810 · Reimbursements	196,550.13	1,140.52	11,169.01	0.00	27,947.24	0.00	126,478.19	0.00	5,904.80	0.00	23,910.37	0.00	196,550.13
<b>Total Income</b>	<b>1,083,178.17</b>	<b>887,483.56</b>	<b>11,169.01</b>	<b>0.00</b>	<b>27,947.24</b>	<b>0.00</b>	<b>126,478.19</b>	<b>0.00</b>	<b>6,189.80</b>	<b>0.00</b>	<b>23,910.37</b>	<b>0.00</b>	<b>1,083,178.17</b>
<b>Gross Profit</b>	<b>1,083,178.17</b>	<b>887,483.56</b>	<b>11,169.01</b>	<b>0.00</b>	<b>27,947.24</b>	<b>0.00</b>	<b>126,478.19</b>	<b>0.00</b>	<b>6,189.80</b>	<b>0.00</b>	<b>23,910.37</b>	<b>0.00</b>	<b>1,083,178.17</b>
<b>Expense</b>													
111 · Payroll Expenses													
111A · Payroll Taxes	1,009.55	1,009.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,009.55
111B · Workforce Safety & Insurance	250.00	250.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	250.00
111 · Payroll Expenses - Other	13,081.20	13,081.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13,081.20
<b>Total 111 · Payroll Expenses</b>	<b>14,340.75</b>	<b>14,340.75</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>14,340.75</b>
113 · Accounting & Contract Services	13,301.25	13,301.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	13,301.25
312 · Legal Fees	9,223.00	9,223.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,223.00
315 · Engineering Administration	7,633.75	7,281.25	0.00	0.00	0.00	352.50	0.00	0.00	0.00	0.00	0.00	0.00	7,633.75
328 · Liability Insurance	4,861.00	4,861.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,861.00
376 · Dues & Publications	1,950.00	1,950.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,950.00
411 · Office Expense	1,179.20	1,179.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,179.20
50913 · Interest Expense	17,177.50	1,750.00	0.00	0.00	3,600.00	0.00	8,265.00	0.00	0.00	0.00	3,562.50	0.00	17,177.50
904 · McDowell Dam	71,619.49	0.00	0.00	0.00	0.00	0.00	0.00	0.00	71,619.49	0.00	0.00	0.00	71,619.49
905 · McDowell Dam-Capital Improvemen	48,509.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48,509.25	0.00	0.00	0.00	48,509.25
910 · Projects													
Administration	2,290.00	350.00	0.00	0.00	605.00	0.00	730.00	0.00	0.00	0.00	605.00	0.00	2,290.00
Legal Fees	7,881.70	498.10	0.00	0.00	0.00	0.00	0.00	2,842.10	498.10	468.80	0.00	3,574.60	7,881.70
O&M	1,595.37	0.00	0.00	1,595.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,595.37
910 · Projects - Other	296.95	0.00	0.00	0.00	0.00	179.75	0.00	0.00	0.00	0.00	0.00	117.20	296.95
<b>Total 910 · Projects</b>	<b>12,064.02</b>	<b>848.10</b>	<b>0.00</b>	<b>1,595.37</b>	<b>605.00</b>	<b>179.75</b>	<b>730.00</b>	<b>2,842.10</b>	<b>498.10</b>	<b>468.80</b>	<b>605.00</b>	<b>3,691.80</b>	<b>12,064.02</b>
937 · Design/Special Assessment	124,618.88	98.00	0.00	0.00	0.00	0.00	98.00	25,940.63	0.00	59,440.50	0.00	39,041.75	124,618.88
940 · Operations & Maintenances													
940A · Burnt Creek Watershed	1,046.25	0.00	0.00	0.00	1,046.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,046.25
940 · Operations & Maintenances - Other	3,375.00	0.00	0.00	1,820.00	1,555.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3,375.00
<b>Total 940 · Operations &amp; Maintenances</b>	<b>4,421.25</b>	<b>0.00</b>	<b>0.00</b>	<b>1,820.00</b>	<b>2,601.25</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4,421.25</b>
960 · Drainage Complaints	4,969.70	4,969.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4,969.70
<b>Total Expense</b>	<b>335,869.04</b>	<b>59,802.25</b>	<b>0.00</b>	<b>3,415.37</b>	<b>6,806.25</b>	<b>532.25</b>	<b>9,093.00</b>	<b>28,782.73</b>	<b>120,626.84</b>	<b>59,909.30</b>	<b>4,167.50</b>	<b>42,733.55</b>	<b>335,869.04</b>
<b>Net Income</b>	<b>747,309.13</b>	<b>827,681.31</b>	<b>11,169.01</b>	<b>-3,415.37</b>	<b>21,140.99</b>	<b>-532.25</b>	<b>117,385.19</b>	<b>-28,782.73</b>	<b>-114,437.04</b>	<b>-59,909.30</b>	<b>19,742.87</b>	<b>-42,733.55</b>	<b>747,309.13</b>

Burleigh County Water Resource District (BCWRD)

Profit & Loss Budget vs. Actual

January through June 2023

	Jan - Jun 23	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
31110 · Real Estate Tax	866,871.71	1,014,125.00	-147,253.29	85.5%
31810 · In Lieu of Tax	444.86	1,000.00	-555.14	44.5%
33620 · Homestead Credit	0.00	6,000.00	-6,000.00	0.0%
36110 · Interest	162.81	200.00	-37.19	81.4%
36210 · McDowell Dam Recreation Income	285.00	26,500.00	-26,215.00	1.1%
36215 · McDowell Dam Land Lease	0.00	3,200.00	-3,200.00	0.0%
43610 · State Aid Distribution	18,863.66	36,000.00	-17,136.34	52.4%
43810 · Reimbursements	196,550.13			
46910 · Misc Revenue	0.00	500.00	-500.00	0.0%
<b>Total Income</b>	<b>1,083,178.17</b>	<b>1,087,525.00</b>	<b>-4,346.83</b>	<b>99.6%</b>
<b>Gross Profit</b>	<b>1,083,178.17</b>	<b>1,087,525.00</b>	<b>-4,346.83</b>	<b>99.6%</b>
<b>Expense</b>				
111 · Payroll Expenses				
111A · Payroll Taxes	1,009.55	3,000.00	-1,990.45	33.7%
111B · Workforce Safety & Insurance	250.00			
111 · Payroll Expenses - Other	13,081.20	30,000.00	-16,918.80	43.6%
<b>Total 111 · Payroll Expenses</b>	<b>14,340.75</b>	<b>33,000.00</b>	<b>-18,659.25</b>	<b>43.5%</b>
113 · Accounting & Contract Services	13,301.25	32,000.00	-18,698.75	41.6%
114 · Audit	0.00	11,000.00	-11,000.00	0.0%
312 · Legal Fees	9,223.00	24,000.00	-14,777.00	38.4%
315 · Engineering Administration	7,633.75	24,000.00	-16,366.25	31.8%
328 · Liability Insurance	4,861.00	5,000.00	-139.00	97.2%
341 · Travel	0.00	2,000.00	-2,000.00	0.0%
376 · Dues & Publications	1,950.00	5,000.00	-3,050.00	39.0%
411 · Office Expense	1,179.20	3,000.00	-1,820.80	39.3%
50913 · Interest Expense	17,177.50			
904 · McDowell Dam	71,619.49	300,000.00	-228,380.51	23.9%
905 · McDowell Dam-Capital Improvemen				
905-A · Fresh Water Intake	0.00	22,525.00	-22,525.00	0.0%
905 · McDowell Dam-Capital Improvemen - Other	48,509.25	20,000.00	28,509.25	242.5%
<b>Total 905 · McDowell Dam-Capital Improvemen</b>	<b>48,509.25</b>	<b>42,525.00</b>	<b>5,984.25</b>	<b>114.1%</b>
910 · Projects				
Administration	2,290.00			
Legal Fees	7,881.70			
O&M	1,595.37			
910 · Projects - Other	296.95	320,000.00	-319,703.05	0.1%
<b>Total 910 · Projects</b>	<b>12,064.02</b>	<b>320,000.00</b>	<b>-307,935.98</b>	<b>3.8%</b>
911 · Misc	0.00	2,500.00	-2,500.00	0.0%
920 · Continuing Education	0.00	2,500.00	-2,500.00	0.0%
933 · Missouri River General Services	0.00	15,000.00	-15,000.00	0.0%
937 · Design/Special Assessment	124,618.88	200,000.00	-75,381.12	62.3%
940 · Operations & Maintenances				
940A · Burnt Creek Watershed	1,046.25			
940 · Operations & Maintenances - Other	3,375.00	20,000.00	-16,625.00	16.9%
<b>Total 940 · Operations &amp; Maintenances</b>	<b>4,421.25</b>	<b>20,000.00</b>	<b>-15,578.75</b>	<b>22.1%</b>
941 · Stream Gages	0.00	6,000.00	-6,000.00	0.0%
960 · Drainage Complaints	4,969.70	20,000.00	-15,030.30	24.8%
970 · Storm Water Management Plans	0.00	20,000.00	-20,000.00	0.0%
<b>Total Expense</b>	<b>335,869.04</b>	<b>1,087,525.00</b>	<b>-751,655.96</b>	<b>30.9%</b>
<b>Net Income</b>	<b>747,309.13</b>	<b>0.00</b>	<b>747,309.13</b>	<b>100.0%</b>





# COMPLAINT FOR WATER-RELATED ISSUES

## Burleigh County Water Resource District

1720 Burnt Boat Drive Suite 205

Bismarck, ND 58503

Phone: 701.222.3499

www.bcwrld.org

GENERAL INFORMATION					
(1) This Complaint must include a map from an actual survey, aerial photo, or topographic map. The size of the map shall be at least 8½ by 11 inches and shall have a north arrow. If, in the opinion of the Water Resource District, the map does not contain enough information to properly evaluate the project, more information may be requested.					
(2) The Complaint Is Regarding:					
<input type="checkbox"/> Dam, Dike, Or Other Device (North Dakota Century Code (N.D.C.C.) § 61-16.1-53) <input type="checkbox"/> Drainage (N.D.C.C. § 61-32-07) <input checked="" type="checkbox"/> Obstruction To A Drain/Watercourse (N.D.C.C. § 61-16.1-51)					
(3) Water issue is located in which Water Resource District (District)? <b>South Central Regional Water District</b>					
(4) Legal Description	1/4	1/4	Section <b>35</b>	Township <b>138 N.</b>	Range <b>80 W.</b>
(5) Approximate Construction Date <b>6/13/2023</b>					
(6) Description of the issue The previous owners at 7232 Signal St. had planted grass and raised the previous elevation through the drainage easement and now the new owners have planted a large number of trees through the drainage easement as indicated on the attached images that is causing water to back up and sit in the drainage easement instead of draining South as intended. With trees being planted, we will most likely have more water backing up into the drainage easement and ponding at the Southeast corner of the easement and on our property.					
(7) Is your property impacted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, number of acres impacted <u>1/4 acre?</u>					
Please explain The raising of the grade and planting trees through the drainage easement is causing water to pond in the easement and on the Southeast corner of my property. This is going to get worse as the trees grow and dam off the drainage easement.					
Complaint Filed Against			Complaint Filed By		
Name (print) <b>Rick and Kary Boehm</b>			Name (print) <b>Dan Schaff</b>		
Address <b>7232 Signal St.</b>			Address <b>3723 Southridge Ln.</b>		
City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>	City <b>Bismarck</b>	State <b>ND</b>	ZIP Code <b>58504</b>
Telephone number (if known)			Telephone number <b>701-425-3282</b>		
By signing this form I certify (1) that this complaint is made in good faith and not to harass or annoy or for any other improper purpose and (2) that I have been provided a copy of N.D.C.C. § 61-32-07 and N.D.C.C. § 61-16.1-51. I understand that the Board may assess certain costs associated with this complaint under N.D.C.C. § 61-16.1-51 or N.D.C.C. § 61-32-07 if it finds the complaint to be frivolous.					Date <b>6/20/2023</b>
Complainant's Signature: _____					

ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY

**DAM, DIKE, OR OTHER DEVICE COMPLAINTS (N.D.C.C. § 61-16.1-53):**

The District will determine if a landowner or tenant constructed a dam, dike, or other device without first securing a construction permit as required under N.D.C.C. § 61-16.1-38, or in conflict with the terms or conditions of a construction permit. North Dakota Administrative Code § 89-08-01-01 defines "other device" as "a water control structure, other than a dam or dike, including diversions and holding ponds, lagoons, or dugouts."

**DRAINAGE COMPLAINTS (N.D.C.C. § 61-32-07):**

**Surface Drainage:** The District will determine if a landowner or tenant constructed any surface drainage that impacts a watershed area of 80 acres or more without first securing a drainage permit as required under N.D.C.C. § 61-32-03, or in conflict with the terms or conditions of a drainage permit.

**Tile Drainage:** The District will determine if a landowner or tenant constructed or installed a tile or subsurface drainage system with a footprint of 80 acres or more without first securing a tile or subsurface permit as required under N.D.C.C. § 61-32-03.1, or in conflict with the terms or conditions of a tile or subsurface permit.

**OBSTRUCTION TO DRAIN COMPLAINTS (N.D.C.C. § 61-16.1-51):**

The District will determine if a landowner or tenant has intentionally or negligently caused an obstruction to a natural watercourse or drain.

The District must act pursuant to the appropriate code listed above. The District shall investigate and make a determination within a reasonable amount of time (not to exceed 120 days for dams, dikes, other devices, or drains). The District shall notify all parties of its decision as required by code. If complained of activity was a dam, dike, other device, or drain, the District's decision may be appealed to the State Engineer within 30 days of the District's decision. If the complained of activity was an obstruction to drain, the District's decision may be appealed to District Court.

**FOR DISTRICT USE ONLY**

Date Received		Date Investigated	
Does the complainant have standing to file a complaint?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If No, why?			
Does the project have a Permit? <input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Permit Number	Date Granted
Does the project meet a permitting exemption? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If Yes, which one?			
Project Construction Date		Revision Date (if any)	
District Action			
District Action Compliance Date	Project Owner Compliance Date	Decision Appeal Date	
Subsequent Action			
District Chairman's Signature		Date of Signature	

*ADDITIONAL SHEETS MAY BE ATTACHED IF NECESSARY*



CULVERT

Southridge Ln

DRAINAGE EASEMENT

DRAINAGE DIRECTION

3723 SOUTHRIDGE LN.  
SCHAFF RESIDENCE

7232 SIGNAL ST.  
BOEHM RESIDENCE

APPROXIMATE AREA  
OF PLANTED TREES

Signal St

CULVERT

Scenic Dr

Google Earth

# SOUTHRIDGE SUBDIVISION

PART OF THE N 1/2 S 1/2 SECTION 35, T. 138 N., R. 80 W.  
AND LOT 2 BLOCK 1, PARADISE VIEW ESTATES  
BURLEIGH COUNTY, NORTH DAKOTA



576098  
Page 1 of 2  
CITY OF BISMARCK - 3 PLAN  
24. 11  
Burleigh County  
Debra A. Hill

**DESCRIPTION**

ALL THAT PART OF NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 35, TOWNSHIP 138 NORTH, RANGE 80 WEST OF THE FIFTH PRINCIPAL MERIDIAN AND LOT 2 BLOCK 1 PARADISE VIEW ESTATES, BURLEIGH COUNTY, NORTH DAKOTA DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF VISTA SOUTH, THENCE SOUTH 89 DEGREES 50 MINUTES 13 SECONDS WEST ALONG THE NORTH LINE OF VISTA SOUTH A DISTANCE OF 3446.72 FEET TO THE SOUTHEAST CORNER OF DWYHER SUBDIVISION; THENCE NORTH 01 DEGREE 12 MINUTES 55 SECONDS WEST ALONG THE EAST LINE OF SAID DWYHER SUBDIVISION, A DISTANCE OF 807.74 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 05 MINUTES 08 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 805.80 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 09 DEGREES 44 MINUTES 34 SECONDS WEST A DISTANCE OF 75.52 FEET TO THE SOUTHWEST CORNER OF PARADISE VIEW ESTATES SUBDIVISION; THENCE SOUTH 89 DEGREES 30 MINUTES 40 SECONDS WEST ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 599.94 FEET TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 1504 AND WEST LINE OF SAID SUBDIVISION; THENCE NORTH 10 DEGREES 02 MINUTES 00 SECONDS WEST ALONG SAID EAST RIGHT-OF-WAY LINE AND SAID WEST SUBDIVISION LINE, A DISTANCE OF 381.87 FEET TO THE NORTHWEST CORNER OF LOT 2 BLOCK 1 OF SAID SUBDIVISION; THENCE NORTH 89 DEGREES 54 MINUTES 49 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 509.59 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE NORTH 10 DEGREES 03 MINUTES 12 SECONDS WEST ALONG THE EAST LINE OF SAID PARADISE VIEW ESTATES SUBDIVISION, A DISTANCE OF 244.32 FEET TO THE NORTHWEST CORNER OF SAID SUBDIVISION AND THE NORTH LINE OF THE SOUTH 1/2 OF SECTION 35; THENCE NORTH 89 DEGREES 51 MINUTES 32 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 3446.72 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2; THENCE SOUTH 00 DEGREES 06 MINUTES 32 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTH 1/2 A DISTANCE OF 1316.86 FEET TO THE POINT OF BEGINNING.  
THE ABOVE DESCRIBED TRACT CONTAINS 95.09 ACRES, MORE OR LESS.

**APPROVAL OF CITY PLANNING COMMISSION**

THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAN HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BISMARCK, NORTH DAKOTA, ON THE 24th DAY OF April, 2002, IN ACCORDANCE WITH THE LAWS OF THE STATE OF NORTH DAKOTA, ORDINANCES OF THE CITY OF BISMARCK AND REGULATIONS ADOPTED BY THE SAID PLANNING COMMISSION. IN WITNESS WHEREOF ARE SET THE HANDS AND SEALS OF THE CHAIRMAN AND SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF BISMARCK.

*David Blackstead*      *Carl D. Hokenstad*  
DAVID BLACKSTEAD - CHAIRMAN      CARL D. HOKENSTAD - SECRETARY

**APPROVAL OF BOARD OF CITY COMMISSIONERS**

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAN, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAN AS AN AMENDMENT TO THE MASTER PLAN OF THE CITY OF BISMARCK, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAN.  
THE FOREGOING ACTION OF THE BOARD OF CITY COMMISSIONERS OF BISMARCK, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 14th DAY OF May, 2002.

*W.C. Wocken*  
W.C. WOCKEN - CITY ADMINISTRATOR

**APPROVAL OF BOARD OF COUNTY COMMISSIONERS**

THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, HAS APPROVED THE SUBDIVISION OF LAND AS SHOWN ON THE ANNEXED PLAN, HAS ACCEPTED THE DEDICATION OF ALL STREETS SHOWN THEREON, HAS APPROVED THE GROUNDS AS SHOWN ON THE ANNEXED PLAN AS AN AMENDMENT TO THE MASTER PLAN OF BURLEIGH COUNTY, NORTH DAKOTA, AND DOES HEREBY VACATE ANY PREVIOUS PLATTING WITHIN THE BOUNDARY OF THE ANNEXED PLAN.  
THE FOREGOING ACTION OF THE BOARD OF COUNTY COMMISSIONERS OF BURLEIGH COUNTY, NORTH DAKOTA, WAS TAKEN BY RESOLUTION APPROVED THE 27th DAY OF June, 2002.

*Claus H. Lembke*      *Kevin J. Glatt*  
CLAUS H. LEMBKE - CHAIRMAN      KEVIN J. GLATT - COUNTY AUDITOR

**APPROVAL OF CITY ENGINEER**

MELVIN J. BULLINGER, CITY ENGINEER OF THE CITY OF BISMARCK, NORTH DAKOTA, HEREBY APPROVES "SOUTHRIDGE SUBDIVISION" BURLEIGH COUNTY, NORTH DAKOTA AS SHOWN ON THE ANNEXED PLAN.

*Melvin J. Bullinger*  
MELVIN J. BULLINGER  
CITY ENGINEER

**OWNER'S CERTIFICATE & DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT MICROVEST, INC., A NEVADA CORPORATION BEING THE OWNER AND PROPRIETOR OF THE PROPERTY SHOWN ON THE ANNEXED PLAN HAS CAUSED THAT PORTION DESCRIBED HEREON TO BE SURVEYED AND PLATTED AS "SOUTHRIDGE SUBDIVISION", BURLEIGH COUNTY, NORTH DAKOTA AND DO SO DEDICATE STREETS AS SHOWN HEREON INCLUDING ALL CULVERTS TO THE PUBLIC USE FOREVER. IT ALSO DEDICATES EASEMENTS TO RUN WITH THE LAND FOR GAS, ELECTRIC, TELEPHONE OR OTHER PUBLIC UTILITIES OR SERVICES ON OR UNDER THOSE CERTAIN STRIPS OF LAND DESIGNATED HEREON AS "UTILITY EASEMENTS".  
THEY FURTHERMORE DEDICATE STORM WATER EASEMENTS TO RUN WITH THE LAND FOR CONSTRUCTION, RECONSTRUCTION, REPAIR, ENLARGING AND MAINTAINING STORM WATER MANAGEMENT FACILITIES TOGETHER WITH NECESSARY APPURTENANCES THEREUNDER, ON, OVER, THROUGH AND ACROSS SAID EASEMENT FOR SURFACE WATER DRAINAGE AND MANAGEMENT OF STORM WATER FLOW OVER AND/OR UNDER SAID EASEMENT.

*Chad Wachter* - pres.  
CHAD WACHTER, President

STATE OF NORTH DAKOTA)      COUNTY OF BURLEIGH)      35)  
ON THIS 24th DAY OF April, 2002, BEFORE ME PERSONALLY APPEARED CHAD WACHTER, KNOWN TO ME TO BE THE PROPRIETOR OF MICROVEST, INC. DESCRIBED IN AND WHO EXECUTED THE FOREGOING OWNER'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

*David Patience*  
DAVID PATIENCE, Notary Public, State of North Dakota  
My Commission Expires August 24, 2004

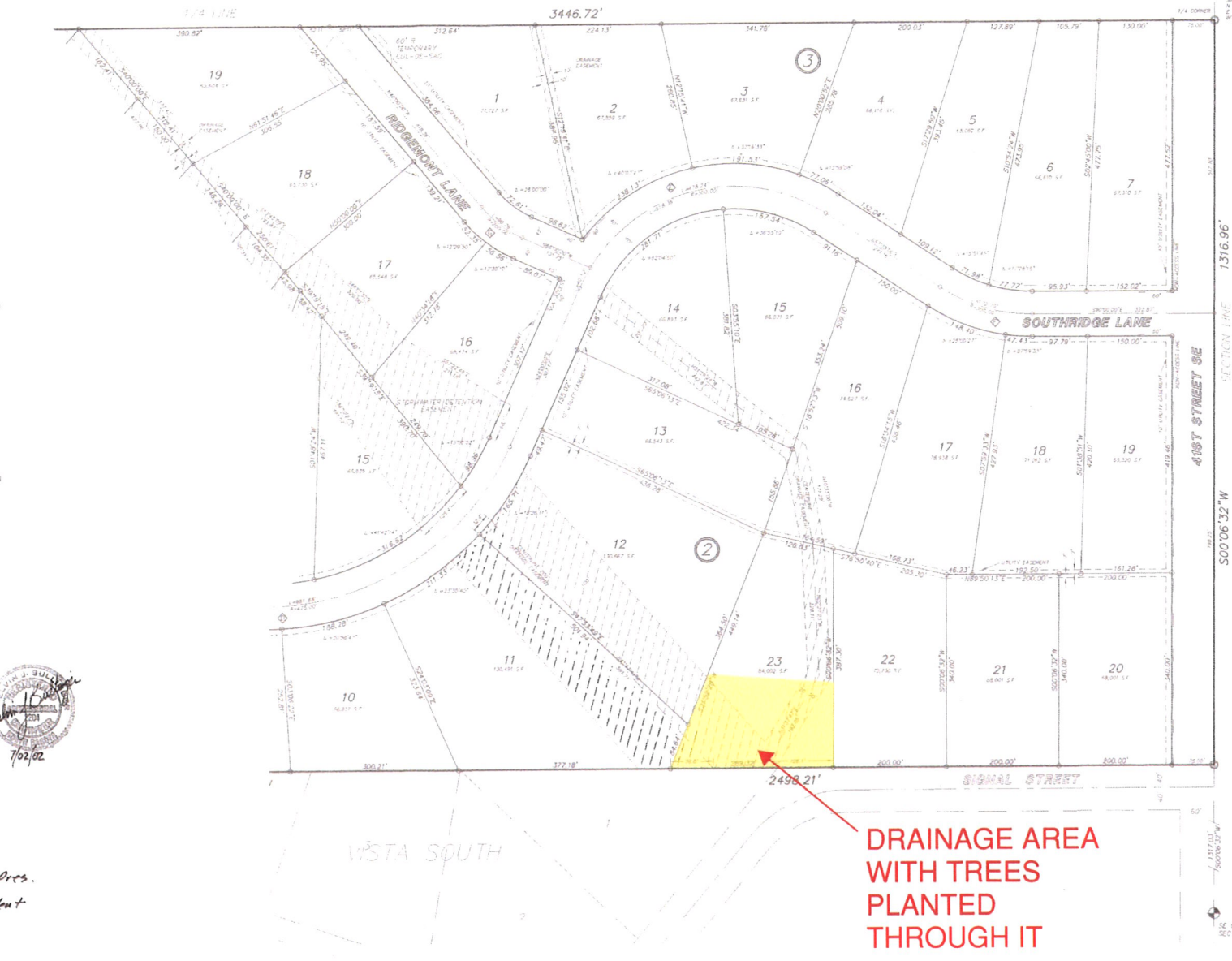
**SURVEYOR'S CERTIFICATE**

I, TERRY BALTZER, A REGISTERED LAND SURVEYOR IN THE STATE OF NORTH DAKOTA, HEREBY CERTIFY THE ANNEXED PLAN IS A TRUE COPY OF THE NOTES OF A SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLETED ON JUNE 27, 2001, AND THAT ALL INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Terry Baltzer*  
TERRY BALTZER  
REGISTERED LAND SURVEYOR  
N.D. REGISTRATION NO. 3595

STATE OF NORTH DAKOTA)      COUNTY OF BURLEIGH)      35)  
ON THIS 24th DAY OF May, 2002, BEFORE ME PERSONALLY APPEARED TERRY BALTZER, KNOWN TO ME TO BE THE PERSON DESCRIBED ABOVE AND WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

*David Patience*  
DAVID PATIENCE, Notary Public, State of North Dakota  
My Commission Expires August 24, 2004



**DRAINAGE AREA WITH TREES PLANTED THROUGH IT**

**NOTES:**  
BASIS OF BEARING:  
EAST LINE OF SECTION 35, T. 138 N., R. 80 W.  
SOUTH 00 DEGREES 06 MINUTES 32 SECONDS WEST

**CENTERLINE CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT	DELTA
1	1000.00	157.08	157.08	90.00
2	1000.00	157.08	157.08	90.00
3	1000.00	157.08	157.08	90.00
4	1000.00	157.08	157.08	90.00
5	1000.00	157.08	157.08	90.00
6	1000.00	157.08	157.08	90.00
7	1000.00	157.08	157.08	90.00
8	1000.00	157.08	157.08	90.00
9	1000.00	157.08	157.08	90.00
10	1000.00	157.08	157.08	90.00
11	1000.00	157.08	157.08	90.00
12	1000.00	157.08	157.08	90.00
13	1000.00	157.08	157.08	90.00
14	1000.00	157.08	157.08	90.00
15	1000.00	157.08	157.08	90.00
16	1000.00	157.08	157.08	90.00
17	1000.00	157.08	157.08	90.00
18	1000.00	157.08	157.08	90.00
19	1000.00	157.08	157.08	90.00
20	1000.00	157.08	157.08	90.00
21	1000.00	157.08	157.08	90.00
22	1000.00	157.08	157.08	90.00
23	1000.00	157.08	157.08	90.00

**AREA TABLE**

LOTS	82.73 Acres
STREET	12.36 Acres
TOTAL	95.09 Acres

**LEGEND**  
○ MONUMENT FOUND  
○ MONUMENT TO BE SET

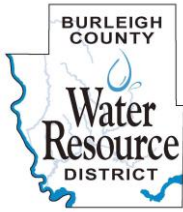


SCALE 1" = 100'  
MARCH 4, 2002  
0 50 100 150

SHEET 1 OF 2

**SWENSON, HAGEN & CO. P.C.**  
PLANNING CIVIL ENGINEERING SURVEYING  
SITE DESIGN CONSTRUCTION MANAGEMENT

300 BALDWIN AVE.      (701) 533-2800  
P.O. BOX 1178      FAX (701) 533-2800  
BISMARCK, N.D. 58504      E-MAIL: shagen@swensonhagen.com



# Burleigh County Water Resource District

PO Box 1255

Bismarck, North Dakota 58502-1255

(701) 354-1501

[www.bcwrdd.org](http://www.bcwrdd.org)

July 6, 2023

*Submitted via Email*

John Paczkowski, PE, CMF, State Engineer  
North Dakota Department of Water Resources  
1200 Memorial Highway, Dept 770  
Bismarck, ND 58504

**Re: Sibley Island Flood Control Project, SWC Project No. 2129**

Dear Mr. Paczkowski:

The State Water Commission approved a 60% cost share, not to exceed \$109,800, for the Burleigh County Water Resource District's pre-construction engineering costs associated with the Sibley Island Flood Control Project south of the City of Bismarck. This authorized amount was recently increased via a submittal through the Web Grants portal.

Enclosed are copies of invoices from Braun Intertec and Houston Engineering for work completed on this effort. Since our last reimbursement request, we have been invoiced a total of \$65,501.45. Therefore, we are requesting our fourth reimbursement for costs at 60% in the amount of \$39,300.87, see attached summary. The Braun invoices are older, and we are clearing those up now as they were invoiced separately. We researched all our older costs pursuant to the new policy.

We recently had additional consultations with landowners, through whom the earthen levee would be located. Several expressed concerns after the public information meeting related to property impacts and assessment amounts. Subsequently, another alternative was evaluated, which delayed completing the Preliminary Engineering Report and the special assessment district process. Given our evaluation of the new route, we are now pursuing this as the preferred alternative, and moving forward with landowner concurrence.

Again, state cost share assistance for the final design phase will be a key consideration in determining how and when the project is put to a vote of the assessment district.

Sincerely,

A handwritten signature in blue ink that reads "James Landenberger".

James Landenberger, Chairman  
Burleigh County Water Resource District

Encl.

C: BCWRD Managers  
Julie Prescott, DWR  
Beth Nangare, DWR  
Michael H. Gunsch, PE, CFM, Houston Engineering

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**Current Board Members:**

James Landenberger, Chairman 701-426-6439    Cory Palm, Vice Chairman 701-516-4660  
Dennis Reep, Secretary/Treasurer 701-595-2142    Roger Smith, Manager 701-400-6283  
Randy Binegar, Manager 701-595-4947

**Sibley Island Flood Control - SWC Cost Share Summary**

**First Request for Funds 2/10/2021**

Invoice Date	Amount
12/31/2019	\$ 1,704.20
2/7/2020	\$ 6,405.50
3/4/2020	\$ 7,315.35
6/5/2020	\$ 12,076.45
5/31/2020	\$ 1,802.50
7/1/2020	\$ 3,106.75
8/10/2020	\$ 3,511.00
9/3/2020	\$ 19,184.25
10/6/2020	\$ 3,073.50
10/16/2020	\$ 1,045.00
12/11/2020	\$ 3,471.75

\$ 62,696.25 x 60% = \$ 37,617.75

**Second Request for Funds 7/13/2021**

Invoice Date	Amount
3/31/2021	\$ 4,969.95
5/7/2021	\$ 1,583.75
6/4/2021	\$ 3,898.00
7/9/2021	\$ 6,764.55

**correct number** \$ 17,216.25 x 60% = \$ 10,329.75  
**letter request** \$ 17,215.25 = \$ 10,329.15  
 \$ (1.00) = \$ (0.60)

**Third Request for Funds 8/31/2022 (Revised)**

Invoice Date	Amount	EA Expense
2/3/2022	\$ 10,739.20	\$ 2,173.00
6/15/2022	\$ 3,191.50	\$ 307.75
6/30/2022	\$ 3,006.25	\$ 442.00
<b>\$ 16,936.95</b>		

Less Economic Assessment Costs \$ 2,922.75  
 \$ 19,859.70

\$ 14,014.20 x 60% = \$ 8,408.52

**Fourth Request for Funds 6/30/2023**

Invoice Date	Amount	
12/10/2020	\$3,043.00	Braun
12/31/2020	\$4,754.20	Braun
12/30/2022	\$14,947.00	HEI
5/5/2023	\$30,317.25	HEI
8/5/2023	\$3,950.00	HEI
6/30/2023	\$8,490.00	HEI
<b>\$65,501.45</b>		

EA Costs not included - invoiced separately

\$65,501.45 x 60% = \$39,300.87

Original Authorized Funds	\$96,420.00
Additional Cost Share Approved	\$13,380.00
<b>Revised Allocation Authorized</b>	<b>\$109,800.00</b>

**Total Cost Share Available after First Request**

\$ 96,420.00  
 \$ (37,617.75)  
**\$ 58,802.25 Remaining**

**Total Cost Share Available after Second Request**

\$ 58,802.25  
 \$ (10,329.75)  
**\$ 48,472.50 Remaining**

**Total Cost Share Available after Third Request**

\$ 48,472.50  
 \$ (8,408.52)  
**\$ 40,063.98 Remaining**

**Total Cost Share Available after Fourth Request**

Updated Available \$ 53,443.98  
 \$ (39,300.87)  
**\$ 14,143.11 Remaining**

# INVOICE



The Science You Build On.

**PLEASE REMIT TO**

Braun Intertec Corporation  
NW 7644 PO Box 1450  
Minneapolis, MN 55485

Telephone (952) 995-2000  
Fax (952) 995-2020  
Tax I.D. 41-1684205

Tracie Day  
Burleigh County Water Resource District  
1720 Burnt Boat Dr Ste. 205  
Bismarck, ND 58503

Date 12/10/2020  
Invoice number B236043  
Project ID B2010523  
Customer account [14671](#)  
Customer PO

Sibley Island Levee and Grade Raise

Preliminary Geotechnical Evaluation  
Sibley Island Park  
Bismarck, ND 58501

For Professional Services rendered through 12/4/2020

1 - Geotechnical Evaluation

- 1.1 - Drilling Services
- 1.3 - Evaluation/Analysis/Reporting

\$2,191.00  
\$852.00

\$3,043.00

**Total Fees**

**\$3,043.00**

Amount Previously Invoiced: \$0.00  
Amount Invoiced to Date: \$3,043.00

Please pay from this invoice.  
Terms: Due on receipt, 1 1/2% per month after 30 days, 18% annual percentage rate,  
unless otherwise specified by written agreement.

	Qty/Hours	Rate	Amount
<b>1 - Geotechnical Evaluation</b>			
<b>1.1 - Drilling Services</b>			
<b>Consulting Services Detail</b>			
Staff Engineer, Hand Auger Boring	5.00	146.00	730.00
Operations Manager	1.00	125.00	125.00
<b>Non-Salary Detail</b>			
Thin-walled sample tubes (ASTM D 15 87), each	2.00	30.00	60.00
GEO Trip Charge	1.00	20.00	20.00
Truck Mounted Drilling Services, per hour	4.00	304.00	1,216.00
Bore hole abandonment, per foot	20.00	2.00	40.00
<b>Total 1.1 - Drilling Services</b>			<b>\$2,191.00</b>
<b>1.3 - Evaluation/Analysis/Reporting</b>			
<b>Consulting Services Detail</b>			
Project Manager	1.00	146.00	146.00
Project Engineer	2.00	177.00	354.00
Senior Engineer	1.50	198.00	297.00
Site layout and utility clearance	0.50	110.00	55.00
<b>Total 1.3 - Evaluation/Analysis/Reporting</b>			<b>\$852.00</b>
<b>Total 1 - Geotechnical Evaluation</b>			<b>\$3,043.00</b>
<b>Total Project</b>			<b>\$3,043.00</b>



# INVOICE



The Science You Build On.

**PLEASE REMIT TO**

Braun Intertec Corporation  
NW 7644 PO Box 1450  
Minneapolis, MN 55485

Telephone (952) 995-2000  
Fax (952) 995-2020  
Tax I.D. 41-1684205

Tracie Day  
Burleigh County Water Resource District  
1720 Burnt Boat Dr Ste. 205  
Bismarck, ND 58503

Date 12/31/2020  
Invoice number B238713  
Project ID B2010523  
Customer account [14671](#)  
Customer PO

Sibley Island Levee and Grade Raise  
  
Preliminary Geotechnical Evaluation  
Sibley Island Park  
Bismarck, ND 58501

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For Professional Services rendered through 12/25/2020

1 - Geotechnical Evaluation		
1.1 - Drilling Services	\$909.45	
1.2 - Geotechnical Soil Tests	\$720.00	
1.3 - Evaluation/Analysis/Reporting	\$3,124.75	
		<hr/>
		\$4,754.20
	<b>Total Fees</b>	<hr/> <b>\$4,754.20</b>

Amount Previously Invoiced: \$3,043.00  
Amount Invoiced to Date: \$7,797.20

Please pay from this invoice.  
Terms: Due on receipt, 1 1/2% per month after 30 days, 18% annual percentage rate,  
unless otherwise specified by written agreement.

	Qty/Hours	Rate	Amount
<b>1 - Geotechnical Evaluation</b>			
<b>1.1 - Drilling Services</b>			
<b>Consulting Services Detail</b>			
Staff Engineer, Hand Auger Boring	1.00	146.00	146.00
Staff Engineer, Site Restoration	2.50	146.00	365.00
CADD/Graphics Operator	0.80	110.00	88.00
<b>Non-Salary Detail</b>			
Subcontractor	2.00	145.23	290.45
GEO Trip Charge	1.00	20.00	20.00
<b>Total 1.1 - Drilling Services</b>			<b>\$909.45</b>
<b>1.2 - Geotechnical Soil Tests</b>			
<b>Non-Salary Detail</b>			
Moisture content (ASTM D 2216), per sample	16.00	21.00	336.00
Atterberg Limits: LL and PL (ASTM D 4318), per sample	2.00	114.00	228.00
Loss By Washing Through #200 Sieve (ASTM C 117), per sample	2.00	78.00	156.00
<b>Total 1.2 - Geotechnical Soil Tests</b>			<b>\$720.00</b>
<b>1.3 - Evaluation/Analysis/Reporting</b>			
<b>Consulting Services Detail</b>			
Staff Engineer	2.00	146.00	292.00
Project Engineer	11.25	177.00	1,991.25
Senior Engineer	3.50	198.00	693.00
Project Assistant	1.50	99.00	148.50
<b>Total 1.3 - Evaluation/Analysis/Reporting</b>			<b>\$3,124.75</b>
<b>Total 1 - Geotechnical Evaluation</b>			<b>\$4,754.20</b>
<b>Total Project</b>			<b>\$4,754.20</b>



**HEI Project No.:** 6025-0014  
**BCWRD Account No.** 937 – Special Assessment Projects  
**Project Name:** Sibley Island Flood Control

**Billing Period:** *July 30, 2022 through December 24, 2022*

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

**Tasks Completed:**

**Phase 101 – Preliminary Design**

- Consideration and review of alternatives and update OPC's for each
- Separation of costs for Washington Steet segment for Lincoln Twp contribution
- Meetings with Managers and County Commissioner
- Review tree removal and other project unit prices
- Evaluate flood frequency data for use in design and the impact elevation determinations
- Prepare appendices table and documents

**Phase 103 – Special Assessment District**

- Alternative #2 – Justification Memorandum – Draft
- Create and evaluate two assessment district variations for the project alternatives
- Evaluation of OPC's and how they are assigned to the number of parcels in the district
- Spreadsheets to segregate parcels to the district and sort for benefit determination
- Import GIS market and property values into assessment district then export to EA spreadsheet
- Prepare draft letter to the landowners within the original assessment district boundary
- Evaluated the GIS depth grids for the various floods to determine source of inconsistency in damage computations. Spatial analysis completed and reconciled with known data.
- Created Exhibit A for the landowner letter, showing the benefited area and special assessment district.
- Special Assessment Benefit Determination – Draft Memorandum

**Phase 105 – Regulatory Compliance**

- Consideration and preliminary evaluation of the Section 408 (NEPA) requirements

**Phase 106 – Easement Considerations**

- Contacts with the Lincoln Oakes Irrigation line to note impacts to project site.
- Bismarck Parks and Recreation District meeting regarding General Sibley Park impacts
- Landowner letter considerations regarding property impacts and updates

**Comments and Issues:**

- Preferred alternative has been selected, but not approved by the BCWRD.
- BPRD Data required to complete the special assessment district and EA process

**Invoice Summary**

Phase 101 – Preliminary Design	\$ 6,478.00
Phase 103 – Special Assessment District	\$ 4,779.50
Phase 105 – Regulatory Compliance	\$ 442.00
Phase 106 – Easement Considerations	\$ 3,247.50
<b>Total Invoice</b>	<b>\$ 14,947.00</b>

See accompanying invoice for personnel cost breakdown.

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255

Bismarck, ND 58502-1255

Invoice Number: 63101

Date: December 30, 2022

Project Number: R126025-0014

**Sibley Island Flood Control Project FHMP**

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For Professional Services Rendered Through: December 26, 2022

Work Order #18

See attached Project Status Report and Invoice Description.

**101 - Preliminary Design**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 10	18.50	202.00	\$3,737.00	
Engineer 12	11.50	221.00	\$2,541.50	
Engineer 2	.50	133.00	\$66.50	
Technician 5	1.00	133.00	\$133.00	
	<b>31.50</b>		<b>\$6,478.00</b>	
<b>101 - Preliminary Design Total:</b>				<b>\$6,478.00</b>

**103 - Special Assessment District**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 12	14.50	221.00	\$3,204.50	
Technician 6	11.25	140.00	\$1,575.00	
	<b>25.75</b>		<b>\$4,779.50</b>	
<b>103 - Special Assessment District Total:</b>				<b>\$4,779.50</b>

**105 - Regulatory Compliance**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 12	2.00	221.00	\$442.00	
	<b>2.00</b>		<b>\$442.00</b>	
<b>105 - Regulatory Compliance Total:</b>				<b>\$442.00</b>

**106 - Easement Considerations**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	4.00	202.00	\$808.00
Engineer 12	9.50	221.00	\$2,099.50
Project Assistant 2	4.00	85.00	\$340.00
	<b>17.50</b>		<b>\$3,247.50</b>

**106 - Easement Considerations Total:** **\$3,247.50**

**Invoice Total** **\$14,947.00**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
63100	12/30/2022	\$5,706.50				\$5,706.50
<b>Total Prior Billing</b>		<b>\$5,706.50</b>				<b>\$5,706.50</b>



HoustonEngineering Inc.

### Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

**HEI Project No.:** 6025-0014  
**BCWRD Account No.** 937 – Special Assessment Projects  
**Project Name:** Sibley Island Flood Control

**Billing Period:** *December 23, 2022 through April 29, 2023*

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

**Tasks Completed:**

**Phase 101 – Preliminary Design**

- Consideration and review of alternatives and update OPC's
- Continuation of work on Plan Sheets toward 60% design
- Landowner exhibits related to revised alignment route considerations to address questions
- SWC cost share update process and approvals

**Phase 103 – Special Assessment District**

- Working toward the initial projection of assessment distributions for Public Meeting
- Updating OPC then considering tier process for assessing costs
- Discussion of state loan opportunities

**Phase 104 – Hydraulic Analysis and Report**

- Time related to creating the Preliminary Engineering Report appendices

**Phase 105 – Regulatory Compliance**

- Consideration related to Section 408 (NEPA) requirements given project configuration

**Phase 106 – Easement Considerations**

- Contacts with landowners (email) along levee alignment responding to questions
- Evaluating options based on their comments, impact areas, update easement exhibits

**Phase 107 – Public Informational Meeting**

- Prepare presentation and conduct public informational meeting
- Create a summary of the PIM to include questions/answers and discussion

**Phase 108 – Public Hearing and Vote Process**

- Begin the setup process for ballot mailing and voting process

**Comments and Issues:**

- Preferred alternative was selected but is under review due to landowner discussions.

**Invoice Summary**

Phase 101 – Preliminary Design	\$ 7,333.50
Phase 103 – Special Assessment District	\$ 3,835.50
Phase 104 – Hydraulic Analysis and Report	\$ 646.25
Phase 105 – Regulatory Compliance	\$ 2,443.25
Phase 106 – Easement Considerations	\$ 7,843.00
Phase 107 – Public Informational Meeting	\$ 7,965.50
Phase 108 – Public Hearing and Voting Process	\$ 250.25
<b>Total Invoice</b>	<b>\$ 30,317.25</b>

See accompanying invoice for personnel cost breakdown.

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255

Bismarck, ND 58502-1255

Invoice Number: 64984

Date: May 05, 2023

Project Number: R126025-0014

**Sibley Island Flood Control Project FHMP**

**For Professional Services Rendered Through: April 29, 2023**

Work Order #18

See attached Project Status Report and Invoice Description.

**101 - Preliminary Design**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 10	16.50	215.00	\$3,547.50	
Engineer 12	.75	235.00	\$176.25	
Engineer 4	17.25	155.00	\$2,673.75	
Technician 7	6.00	156.00	\$936.00	
	<b>40.50</b>		<b>\$7,333.50</b>	
<b>101 - Preliminary Design Total:</b>				<b>\$7,333.50</b>

**103 - Special Assessment District**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 12	13.50	235.00	\$3,172.50	
Technician 7	4.25	156.00	\$663.00	
	<b>17.75</b>		<b>\$3,835.50</b>	
<b>103 - Special Assessment District Total:</b>				<b>\$3,835.50</b>

**104 - Hydraulic Analysis and Report**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Engineer 12	2.75	235.00	\$646.25	
	<b>2.75</b>		<b>\$646.25</b>	
<b>104 - Hydraulic Analysis and Report Total:</b>				<b>\$646.25</b>

**105 - Regulatory Compliance**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	1.50	215.00	\$322.50
Engineer 12	8.75	235.00	\$2,056.25
Project Assistant 2	.25	91.00	\$22.75
Scientist 4	.25	167.00	\$41.75
	<b>10.75</b>		<b>\$2,443.25</b>

**105 - Regulatory Compliance Total:**

**\$2,443.25**

**106 - Easement Considerations**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	13.00	215.00	\$2,795.00
Engineer 12	3.00	235.00	\$705.00
Engineer 4	25.00	155.00	\$3,875.00
Technician 7	3.00	156.00	\$468.00
	<b>44.00</b>		<b>\$7,843.00</b>

**106 - Easement Considerations Total:**

**\$7,843.00**

**107 - Public Informational Meeting**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	14.50	215.00	\$3,117.50
Engineer 12	18.50	235.00	\$4,347.50
Project Assistant 2	5.50	91.00	\$500.50
	<b>38.50</b>		<b>\$7,965.50</b>

**107 - Public Informational Meeting Total:**

**\$7,965.50**

**108 - Public Hearing and Voting Process**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Project Assistant 2	2.75	91.00	\$250.25
	<b>2.75</b>		<b>\$250.25</b>

**108 - Public Hearing and Voting Process Total:**

**\$250.25**

**Invoice Total**

**\$30,317.25**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
<b>Total Prior Billing</b>						





HoustonEngineering Inc.

### Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

**HEI Project No.:** 6025-0014  
**BCWRD Account No.** 937 – Special Assessment Projects  
**Project Name:** Sibley Island Flood Control

**Billing Period:** July 1, 2022 through July 30, 2022

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

**Tasks Completed:**

**Phase 101 – Preliminary Design**

- Evaluated Park District Facility for flood protection opportunity
- Draft report information provided to manager for review
- Design frequency review, existing FIS flood elevations, and new FIS data.

**Phase 103 – Special Assessment District**

- Working on the distribution computations and parcel benefit assignments
- Request for Bismarck Park District day uses/expenses for benefit assignments
- Continued preparing for special assessment district memorandum to assist in public informational meeting.

**Comments and Issues:**

- Preferred alternative has been selected, but not approved by the BCWRD.
- BPRD Data required to complete the special assessment district and EA process
- Project reconfiguration has resulted in increased engineering costs via Houston Engineering versus the anticipated Burleigh County Highway Department participation. A revised scope of services is pending completion of the initial special assessment district. This sets the stage for the continued project development and public meetings.
- Special Assessment District Process – Given the complexity of assigning benefits and the options for the district boundary this process has been slow. As the Economic Assessment process is not eligible for cost share the amount on this invoice attributable to EA process is noted as \$1,150 and will be tracked internally via these Project Status Reports.

**Invoice Summary**

Phase 101 – Preliminary Design	\$ 1,326.00
Phase 103 – Special Assessment District	\$ 2,624.00
<b>Total Invoice</b>	<b>\$ 3,950.00</b>

See accompanying invoice for personnel cost breakdown.

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255

Bismarck, ND 58502-1255

Invoice Number: 60749

Date: August 05, 2022

Project Number: R126025-0014

**Sibley Island Flood Control Project FHMP**

For Professional Services Rendered Through: July 30, 2022

Work Order #18

See attached Project Status Report and Invoice Description.

**101 - Preliminary Design**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 12	6.00	221.00	\$1,326.00
	<b>6.00</b>		<b>\$1,326.00</b>
<b>101 - Preliminary Design Total:</b>			<b>\$1,326.00</b>

**103 - Special Assessment District**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	1.00	202.00	\$202.00
Engineer 12	7.00	221.00	\$1,547.00
Technician 6	6.25	140.00	\$875.00
	<b>14.25</b>		<b>\$2,624.00</b>
<b>103 - Special Assessment District Total:</b>			<b>\$2,624.00</b>

**Invoice Total                    \$3,950.00**

**Outstanding Invoices**

Invoice	0 - 30	31 - 60	61-90	Over 90	Balance
<hr/>					
Total Prior Billing					



# Project Status and Invoice Description

3712 Lockport Street  
Bismarck, ND 58503  
Phone: 701-323-0200  
Fax: 701-323-0300

**HEI Project No.:** 6025-0014  
**BCWRD Account No.** 937 – Special Assessment Projects  
**Project Name:** Sibley Island Flood Control

**Billing Period:** April 30, 2023 through June 30, 2023

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

### Tasks Completed:

#### Phase 110 – Alternative #5 Evaluation

- Landowners along the southern corridor provided emails that they were not interested in being included in the assessment district or being protected by the project.
- After evaluating an alternative alignment, it was determined there was another location for the levee, if the landowner was accepting.
- Research to determine the Alternative #5 owner alignment owner
- After personal visits and an onsite review, they expressed an interest in providing the necessary easement through their property.
- Evaluated the alignment and considered levee location/design, and the associated quantities and costs, which will yield an overall construction cost savings. A new alignment and profile was created and provided to the owner of the Alternative #5 properties.
- Contacted the four property owners involved in the earthen levee segment, who via email concurred with their easements being relocated on their parcel, with some parcels being completely removed from the protection area and special assessment district.
- Notified the DWR regarding the anticipate change in the preferred alternative
- Requested an update on the Section 408 regulatory budget given the smaller footprint.

### Comments and Issues:

- The services related to the Alternative #5 are outside the scope of services after the selection of the preferred alternative.
- BPRD Data required to complete the special assessment district and EA process has been submitted to the DWR. However, with the selection of Alternative #5 all prior computations and OPC related to the economic analysis and special assessments must be revisited and revised. After that is completed work on the Preliminary Engineering Report can proceed. This will be a cost that is not included in the current budget, with time continuing to be documented under **Phase 110**.

### Invoice Summary

<u>Phase 110 – Alternative #5 Evaluation</u>	\$ 8,490.00
<b>Total Invoice</b>	<b>\$ 8,490.00</b>

**See accompanying invoice for personnel cost breakdown.**

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102  
Phone: 701.237.5065  
Fed Tax ID: 45-0314557  
Interest of 1%/month applied to past due invoices

Invoice Number: 65949  
Date: July 06, 2023  
Project Number: R126025-0014

**Burleigh County Water Resource District**  
PO Box 1255  
Bismarck, ND 58502-1255

**Sibley Island Flood Control Project FHMP**

**For Professional Services Rendered Through: June 30, 2023**  
Work Order #18

See attached Project Status Report and Invoice Description.

**110 - Alternative 5 Evaluation**  
**Professional Services**

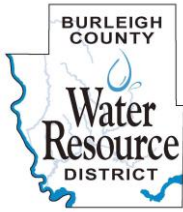
	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	19.00	215.00	\$4,085.00
Engineer 12	10.50	235.00	\$2,467.50
Engineer 4	12.50	155.00	\$1,937.50
	<b>42.00</b>		<b>\$8,490.00</b>

**110 - Alternative 5 Evaluation Total:** **\$8,490.00**

**Invoice Total** **\$8,490.00**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
<b>Total Prior Billing</b>						



# Burleigh County Water Resource District

PO Box 1255

Bismarck, North Dakota 58502-1255

(701) 354-1501

[www.bcwrld.org](http://www.bcwrld.org)

**TO:** Hogue Island Bank Stabilization Project Residents  
**FROM:** Burleigh County Water Resource District  
**SUBJECT:** Informational Meeting  
**HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22**

**Date:** July 7, 2023 **Sent via email**

Dear Resident:

The Burleigh County Water Resource District will hold a public informational meeting regarding a special assessment district to stabilize the banks along the Missouri River on your properties on July 12, 2023 at 8:30 am in the Tom Baker Meeting Room; City/County Building; 221 North 5<sup>th</sup> Street; Bismarck, ND. This will be held in conjunction with their regularly scheduled July meeting. Given the project's implementation timeline if individuals desire a separate meeting to discuss the project, they should request that from the Board via email or in writing. These meetings need to occur timely as the notice and public hearing will occur shortly thereafter.

The purpose for this meeting is to receive your input regarding the process to establish the project as outlined in the Preliminary Engineering Report which is available for viewing at the Burleigh County Water Resource District website: <http://www.bcwrld.org/>. and previously emailed. The report is also included in the June Agenda book as well.

A discussion outlining project status will occur then public comments will be received immediately following. Input provided at this public meeting will be considered by the Burleigh County Water Resource District as the project configuration is finalized and the next steps occur to formally establish the project in accordance with ND Century Code Chapter 61-16.1.

The next step in the process, following this meeting, will be a public hearing and a vote of the residents. This will be explained in more detail during the presentation. You are invited to attend this meeting and the future public hearing. If you have any questions regarding the process prior to the meeting, please direct them to Manager Randy Binegar at 595-4947.

Sincerely,

A handwritten signature in blue ink that reads "James Landenberger".

James Landenberger, Chairman  
Burleigh County Water Resource District

Enclosure

c: Michael Gunsch, PE, Houston Engineering (email)  
David Bliss, Bliss Law Firm (email)  
Hogue Island Landowners (Special Assessment District) (email)  
USACE and DWR (email)

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**Current Board Members:**

James Landenberger, Chairman 701-426-6439    Cory Palm, Vice Chairman 701-516-4660  
Dennis Reep, Secretary/Treasurer 701-595-2142    Roger Smith, Manager 701-400-6283  
Randy Binegar, Manager 701-595-4947

# Hogue Island - Bank Stabilization Preliminary Engineering Report

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**To:** Burleigh County Water Resource District  
**From:** Michael H. Gunsch, PE, CFM, Senior Project Manager  
**Subject:** Special Assessment District Evaluation and Recommendations  
**Date:** June 16, 2023  
**Project:** HEI No. 6025-0032-002

## MISSOURI RIVER BANKLINE FAILURE

The Burleigh County Water Resource District (BCWRD) was notified of significant erosion and bank failure along the Missouri River from **RM 1321.89 to RM 1322.22** in late January 2023. The erosion occurred between five hardpoints that were installed between 1977 and 1981 as part of the United States Army Corps of Engineers (USACE) *Section 32 - Demonstration Projects*. The primary damages and bank losses were located between the hardpoints and adversely impacted the adjoining residential properties. Only one outbuilding was impacted, however it was removed before it collapsed into the river. Damages to the hardpoint revetement structures resulted in two being fully compromised to the point of failure.

The bank losses impacted eight properties and extended east into the upland after a rapid progression from the south moving north along the river. This situation appears related to a major shift in the main river channel (thalweg) from the west bank to the east bank. This may have resulted from an ice jam situation within the sandbars, general river meandering or other factors. While the exact cause is unknown it is immaterial to the need to restore the protective measures along this bank line.

The BCWRD supported the residents by assisting them with emergency permit applications to allow them to protect their properties. Subsequently, two applications were submitted to and approved by the USACE and North Dakota Department of Water Resources (NDDWR) for interim stabilization measures. The NDDWR and BCWRD conducted routine and regular site observations prior to ice out on the river, which was followed by lower river elevations associated with below average spring flows. During this period the erosion extent and river flows were monitored through drone flights, ground photos and bank measurements. A complete survey of the river bathymetry, erosion extents and upper bank line were secured for monitoring and design.

The BCWRD has been collaborating and communicating with the USACE and the NDDWR to move a project forward to restore/rehabilitate the Section 32 Revetments, as well as to protect the residential properties. The BCWRD inquired with the affected residents who provided a petition of interest to create a special assessment district to implement permanent protection. While there are eight affected properties, only five residents signed the petition, see **Attachment #1**. The remaining three had reasons for not signing that were considered as the project design and this report was prepared.

The BCWRD approved **Resolution #1, Attachment #2**, prior to receiving the petition of interest, given the limited timeline and schedule available to move a project forward to construction in 2023. The schedule includes the need for regulatory considerations regarding the federal projects, residential properties, state funding, and the North Dakota Century Code 61-16.1 process to create the special assessment district, as well as bidding and construction timelines.

### **BURLEIGH COUNTY WATER RESOURCE DISTRICT – SECTION 32 BANK STABILIZATION EASEMENTS**

The BCWRD holds easements along those reaches of the Missouri River containing federal projects constructed under the USACE *Section 32 – Demonstration Program*. These easements provided access for the initial construction and future operation and maintenance of the federally authorized revetments. Pursuant to an Operations and Maintenance (O&M) Agreement, the North Dakota State Water Commission (SWC) is assigned the obligation for O&M activities and to share equally (50%/50%) with the BCWRD in these expenses, see **Appendix A – O&M Agreement**. These federal revetments were constructed by the USACE under Public Law 93-251, Section 32 Streambank Erosion Control Evaluation and Demonstration Act of 1974, which was subsequently amended under Public Law 94-587.

These federally constructed revetments are under the DWR’s and BCWRD’s jurisdiction. The USACE design drawings for the existing revetments are part of the project record and provided in **Appendix B – USACE Project Mapping**. Modifications to these federal structures or work adjacent to them is under the USACE’s jurisdiction and require a Section 408 authorization. The regulatory issues are addressed later in this report.

The BCWRD as part of the Section 32 Demonstration Project provided the easements to allow the construction to occur and for future access for maintenance. In 1985 the BCWRD elected, assuming at the request of the landowner, to vacate the original easement and replaced it with one that would allow rural residential development along the river, see **Appendix C – Revised Easements**.

The current Hogue Island easements are based on a fixed distance of 100 feet from the top of the riverbank. Subsequently, as the riverbank moves with erosion, some of the existing structures are now located within the designated easement. In other areas, these easements were either ignored or miss-located and some residential structures were constructed directly within the easement boundaries. This issue appears to have occurred as the easement line was not placed on the recorded plat and title work failed to identify the issue for the owner. The BCWRD’s jurisdictional authority remains unchanged in these areas, with enforcement relying on notice to the BCWRD by the Burleigh County Building Official prior to any work being completed within the easement.

## REGULATORY CONSIDERATIONS – APPENDIX D

Discussions with the USACE indicate that the Section 408 review and authorization may not be required as the Section 32 work relates to the rehabilitation/restoration of an existing federal facility. Subsequently, as a combined project with the residential stabilization completed concurrently, a Section 408 review should not be required for those features, as this would be a joint technical design review. A question arises, however, if the residential stabilization was completed separately, a Section 408 review may then be required to define the potential impacts this private project might have on the federal structures. This would significantly delay the processing of the residential permit applications and construction in 2023 may no longer be practical.

The DWR noted that a Sovereign Land permit is not required to rehabilitate/restore the Section 32 projects as the agency does not need to permit its own project. However, there is need to obtain a sovereign land permit(s) for the residential stabilization measures, as the previous features no longer exist. In addition, all but one lot had no prior authorized USACE or DWR permit for the stabilization that existed. The DWR noted that as a joint application, they would likely issue separate permits for each individual residential lot to cover future private O&M activities.

The BCWRD gathered bathymetry and topographic data to facilitate project design based on the standards established by the USACE as part of the original construction. These standards are necessary to comply with the restoration/rehabilitation of the Section 32 federal facilities. Then considering the residential stabilization, the same standards were applied to maintain consistency as well as to provide the same level of protection. A lesser standard is not desirable as it increases the failure risks and potential impacts to the Section 32 revetements.

Understand the *Section 32 - Demonstration Projects* were neither designed nor intended to protect residential properties. Two notable differences in the USACE standards compared to the private stabilization applications submitted to the USACE and DWR, include the rock rip placement in both elevation and thickness. The two and one-half foot rock depth is a minimum standard dictated by the USACE rock gradation standards.

Information on the design criteria was obtained from the *Operations and Maintenance Manual, Missouri River Garrison Dam to Lake Oahe Section 32 Erosion Control Evaluation and Demonstration Program, North Dakota State Water Commission, September 1982, US Army Corps of Engineers, Omaha District*. The USACE rock grading specifications are provided below, as noted in Section 3.2 of the 1982 O&M Manual.

A regulatory issue that often tends to be overlooked is the required Burleigh County Floodplain Development Permit. This permit is tied to Burleigh County's floodplain ordinance, based on FEMA criteria, related to any activity within the Missouri River regulatory floodplain. The proposed project is in the floodplain as well as the regulatory floodway, subsequently a review of floodplain and floodway impacts is required. Given the erosion that occurred and proposed design, this permit can be secured but requires the necessary documentation to be provided.



3.2 Quarried Stone or Field Boulders

3.2.1 General

The stone shall consist of broken field boulders or quarried stone meeting the quality requirements above. Neither the breadth nor the thickness of any piece of stone shall be less than one-third of its length. Stone shall be reasonably well graded from coarse to fine. Quarry operation shall be controlled to produce a reasonable well graded stone of the required size, and the Contracting Officer may require changes as necessary to produce the required product. Dirt and fines of less than 1/2-inch maximum cross section, accumulated from interledge layers or from blasting or handling operations or breaking shall not exceed 5 percent by weight.

The stone shall be reasonably well graded between the following limits:

Limits of Stone Weight Percent Lighter by Weight %	Weight in Pounds (lbs)		Size in Approx. Spherical Diameter (in)	
	Maximum	Minimum	Maximum	Minimum
100	532	213	22	16.2
50	158	106	14.7	12.8
15	79	33	11.6	8.7

**REGULATORY PERMITS**

Based on the *Regulatory Considerations, Appendix D* there are four primary permits required. Drafts of these application are included in *Appendix F – Permit Applications*:

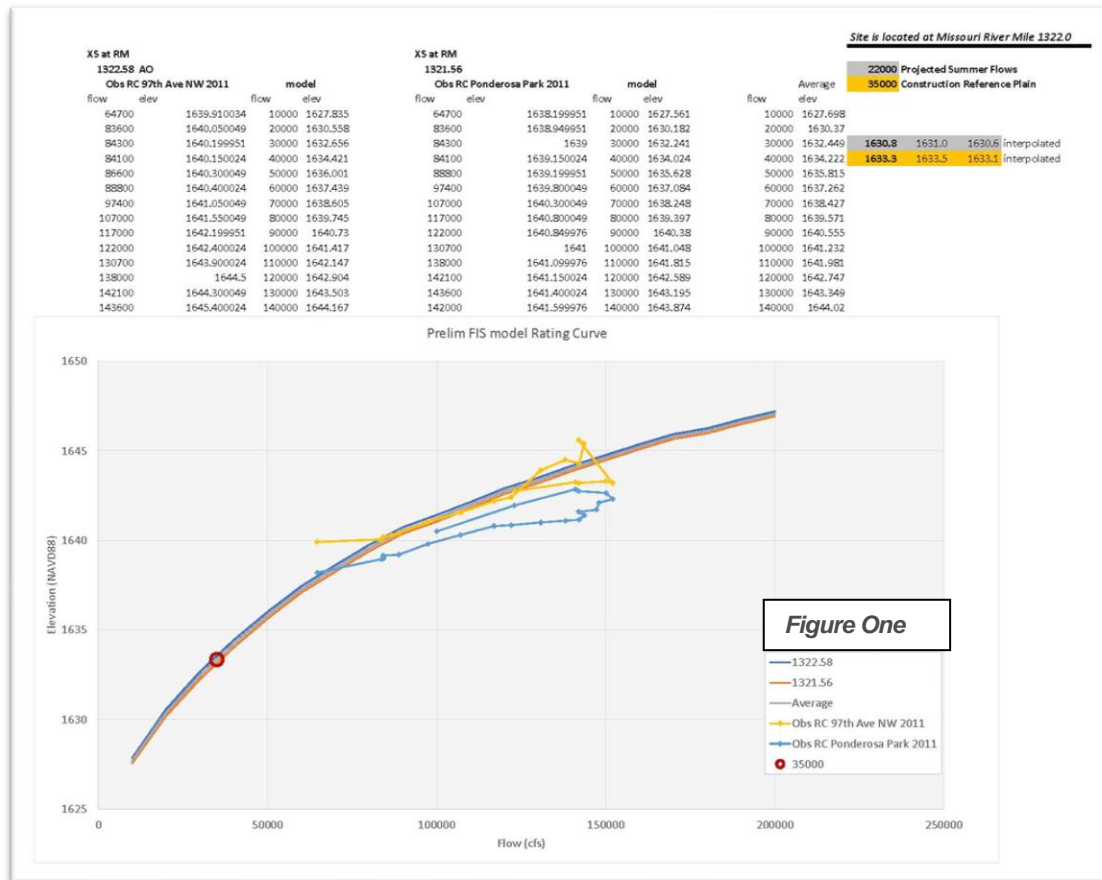
1. **USACE Permit Application** (Section 404, Section 10 and Section 106)
  - a. All structures are required undergo this review
  - b. An individual permit is likely required, which has a 120-day review timeline
  - c. The option for a Nationwide Permit Designation will be discussed with the USACE
2. **USACE Section 408 Permit** – Not anticipated with a joint project design submittal
3. **Sovereign Lands Permit** – Required for the residential stabilization measures with separate permits to be issued for each property.
4. **Floodplain Development Permit** – Required by Burleigh County, which must include completion of a “no-rise” certification as the hardpoints and portions of the revetments are located within the regulatory floodway.

**REVETMENT/STABILIZATION DESIGN**

The resulting shift in the main river channel subsequently caused the failure of the residential bank stabilization and compromised several Section 32 Hardpoints. The BCWRD’s project focus is a joint project to restore/rehabilitate the Section 32 structures, under the O&M agreement with the North Dakota State Water Commission, and full replacement of the unpermitted/permited residential stabilization.

Rehabilitation/restoration of the federal revetments and private stabilization requires consideration of several principal design elements as follows, also see **Appendix D - Regulatory Considerations**:

- ✓ The Section 32 Revetments are Operated and Maintained by the State Water Commission with the BCWRD paying an equal share of the expenses, see **Appendix A**. Given the abbreviated timeline to implement the project, the BCWRD took the initiative to move forward with project design versus waiting for the SWC to complete the process.
- ✓ The Section 32 Revetments must be restored to their original intent and purpose, which requires the design to utilize the rock specifications established by the USACE. These are the same as the original design, and those used to rehabilitate upstream structures on Hogue Island in 1999 and after the 2011 flood event. This work was completed by the USACE under congressional authorization and funding, which is not available for this project. The design level for these facilities was reconsidered based on the recently modeled river elevations projected for the USACE Construction Reference Plain, which is based on 35,000 cfs, see **Figure One**.



- ✓ The residential stabilization design has the depth of rock at a minimum of two and one-half feet. The use of geotextile is recommended to the extent that it can be reasonably placed in riverine flow conditions to a functional depth.

- ✓ The extent of the rock placement shall be from the top of the bank to a point into the river that can be reached with onshore equipment. Additional rock shall be placed at the toe of the revetment for undermining protection. A review of the location of the original bank line and rip rap, leads to the conclusion that these materials have fallen into the erosion scour area below the proposed new toe of the restored/protected slope. While the bathymetric data indicated a deep erosion scour in this area, there is evidence this has been filling with sediment as the river reaches a new equilibrium under summer flows. A preconstruction bathymetric survey will be completed to evaluate the depth conditions prior to rock installation.

The result of the design process is the **Preliminary Construction Plan Set - Appendix E**, with the final bid set and project manual (specifications) to be completed following the special assessment district vote.

### **MISSOURI RIVER BURLEIGH COUNTY SETBACK ORDINANCE**

The Burleigh County Zoning Ordinance established the regulatory Ordinary High Water Mark (OHWM) as the elevation based on a flow of 33,000 cfs on the Missouri River. Based on this the County Commission established building setback requirements, which apply to the construction of residential structures along the riverbank. These criteria are contained in ARTICLE 21, Section 7 of the Burleigh County Ordinances as follows:

#### **ARTICLE 21 - FP FLOODPLAIN DISTRICT REGULATIONS**

##### **Section 7. Additional Development Standards for Land Abutting the Missouri River (Non-agricultural uses)**

*In order to preserve and enhance the environmental and recreational qualities of the Missouri River, conserve the scenic and historic values of the Missouri River shoreland, protect shoreland development from riverbank erosion, and provide for the wise use of the river and related land resources, the following additional development standard for non-agricultural uses is hereby established for land abutting the Missouri River:*

1. *Structure Setbacks. All structures on lots or parcels with unstablized banks shall be set back a minimum of one hundred (100) feet from the ordinary high water mark of the Missouri River. All structures on lots or parcels with stabilized banks, either by an existing Corps of Engineers' stabilized structure or as permitted and approved by the Corps of Engineers, shall be set back a minimum of seventy-five (75) feet from the ordinary high water mark of the Missouri River.*

Given the bank erosion that has occurred, there is a risk of noncompliance should it result in the actual setbacks being less than the ordinance requirement. The BCWRD is on record that a 100-foot setback should be the minimum standard. The proposed stabilization design looked at this issue and due to economic constraints, compliance was not practical to establish the desired 100-foot. The projected setback after implementation, per the measurements documented on the preliminary plans, **Appendix E - Sheet 4**, indicates that all but one structure is in compliance with the 75 foot setback. It is our recommendation that the 100-foot setback remain the enforceable standard under the easement in all locations where the Section 32 easements are in place.

Given the limitations in this reach, it is recommend the BCWRD secure new access easements. The purpose would be to replace the existing easements with ones that reflect the rehabilitated project boundaries, resolve existing encroachment issues and clarify that all future O&M of the permitted residential protection measures are the obligation and responsibility of the landowners.

### ***SPECIAL ASSESSMENT DISTRICT (SAD) - OPINION OF PROBABLE COST (OPC)***

There are several considerations associated with the creation of the Special Assessment District. First, all costs associated with the Section 32 Hardpoints are not included in the SAD. This includes the applicable engineering, administrative and legal (agreement/easement) expenses. These are being tracked independently so they are applied to the SWC/BCWRD project. Second, it is critical that the costs for materials be prorated and appropriately distributed to the individual properties. This has been determined based on the stationing and an application rate along the designed improvements. The OPC and breakdown for the distributed costs is provided on **Table One**.

**Table One** notes the Section 32 Rehabilitation/Restoration portion has a projected cost of \$545,811. The residential stabilization costs, which are to be assessed if approved by the Special Assessment, are projected at \$787,348. The combined project cost is approximately \$1.33 Million. Budgeting for the Design/Permitting, Administration/Legal, and Bidding and Construction Management Services are based on a percentage of construction costs. The construction materials have a ten percent contingency included to account for the economic variability in bidding. The final assessments will be based on the actual costs for construction and fees for the associated various services. It is recommended that the district consider a 20-year repayment period to reduce the annual costs, however landowner's have the option to repay any or all of this at any time without penalty.

It was noted during the landowner discussion that some did not have the means to pay for the required improvements without the SAD process. That creates a concern that if these properties were not adequately protected, they would represent a "weak link" in the protection measures and place other properties at an increased risk. This situation and the Regulatory Considerations, as documented in **Appendix D**, make it clear without a combined project for permitting and construction the final construction product would not be desirable. In addition, should the SAD not be approved there are concerns regarding the ability to complete regulatory permit reviews and construct the project in 2023.

One variation to the assessment consideration is the northern most lot, Lot 2, where minimal damages occurred that were temporally addressed via an emergency permit. Unfortunately, Lot 2 does not have a permit for the existing stabilization measures, which is why we recommend it remain in the SAD. In addition, there is recommended stabilization that needs to be completed on this property to reduce the risk for additional damages. The result is a lower assessment than other lots.



**Hogue Island Bank Stabilization**  
**Opinion of Probable Cost**  
**Special Assessment and DWR/BCWRD Distribution**  
**June 7, 2023**

Table One - Opinion of Probable Cost and Distribution

Parcel No.	Lot No	Parcel Owner	Topsoil	Seeding	Riprap	Geotex.	Cost/Property	% of Assessment	Cost w/Eng-Admin-Legal
23-140-81-50-10-030	2	Richard Beierle	\$429.00	\$145.36	\$3,850.00	\$66.00	\$4,490.36	0.77%	\$6,061.99
	2	Structure 2	\$66.09	\$66.00	\$22,000.00	\$0.00	\$22,132.09		\$29,878.32
23-140-81-50-10-040	3	Sherri & Scott Neis	\$1,269.03	\$629.27	\$85,800.00	\$1,448.70	\$89,147.01	15.29%	\$120,348.46
23-140-81-50-10-050	4	John & Alice Homelvig	\$1,056.37	\$523.82	\$71,390.00	\$1,204.50	\$74,174.68	12.72%	\$100,135.82
23-140-81-50-10-060	5	Andrew Carlson & Chloe Coleman	\$1,171.04	\$580.68	\$79,200.00	\$1,336.50	\$82,288.22	14.11%	\$111,089.10
23-140-81-50-10-070	6	Nathaniel Strutz	\$1,052.88	\$522.09	\$99,660.00	\$1,683.00	\$102,917.97	17.65%	\$138,939.27
	6	Structure 3	\$421.94	\$209.23	\$199,043.90	\$0.00	\$199,675.07		\$269,561.34
23-140-81-50-10-080	7	William & Marilyn Strutz	\$1,298.18	\$643.73	\$109,340.00	\$1,844.70	\$113,126.61	19.40%	\$152,720.92
	7	Structure 4	\$319.37	\$158.36	\$149,985.00	\$0.00	\$150,462.73		\$203,124.69
23-140-81-50-10-090	8	Beverly Brierly	\$866.71	\$429.77	\$58,630.00	\$990.00	\$60,916.48	10.44%	\$82,237.25
23-140-81-50-10-100	9	Laura Beyer	\$527.36	\$261.50	\$54,450.00	\$920.70	\$56,159.56	9.63%	\$75,815.40
	9	Structure 5	\$278.39	\$138.05	\$31,618.40	\$0.00	\$32,034.84		\$43,247.03
<b>Subtotal/Bid Item:</b>			\$8,756.37	\$4,307.86	\$964,967.30	\$9,494.10			\$1,333,159.60
<b>Total:</b>							<b>\$987,525.63</b>		

Construction Only:				
Residential Stabilization	\$583,220.90	59.06%	Design/Permitting	15% \$148,128.84
Section 32 Revetments	\$404,304.73	40.94%	Admin/Legal	10% \$98,752.56
			Bidding/CMS	10% \$98,752.56
<b>Total:</b>				<b>\$1,333,159.60</b>

**Total Opinion of Probable Cost**

Residential Stabilization	\$787,348.22
Section 32 Revetments	\$545,811.38

SWC Share 50%	\$272,905.69
BCWRD 50%	\$272,905.69

The voting process is based on one vote for each \$1 of assessment, with **Table One** indicating the number of votes for each residence. The SAD informational meeting, public hearing and voting process will occur after the BCWRD approves **Resolution #2 – Attachment #3**.

### **CONCLUSIONS AND RECOMMENDATIONS**

After completing the evaluation, regular review, project design and this preliminary engineering report, it is recommended for the reasons outlined in **Appendix A – Regulatory Considerations**, and this report, the protective measures be permitted and implemented as a single project. Therefore, it is recommended the BCWRD approve **Resolution #2** and proceed with the Special Assessment District to fund the Residential Stabilization. At their June 14, 2023 meeting the BCWRD also authorized the following:

Directed the preparation and submittal of the DWR, USACE and the Burleigh County Floodplain Development permit applications, see **Appendix F**. The critical path in the regulatory process is the 120-day timeline under the USACE Individual Permit process. It is encouraged that the DWR/BCWRD continue to discuss the options with the USACE to potentially shorten this timeline.

Directed the submittal of this Preliminary Engineering Report along with a formal request to the DWR regarding the designated cost participation per the O&M Agreement for the Section 32 Revetments. This documentation must be submitted to the DWR prior to June 26<sup>th</sup> to be placed on the August 2023 SWC agenda for funding consideration. If funding is not approved, construction on the Section 32 revetments in 2023 is no longer practical.

Direct the scheduling for the Public Informational Meeting, Public Hearing and Vote Process. This to be concurrent with the SWC cost consideration timelines.

It is anticipated this project could proceed to construction in late September or early October 2023, which would occur during the expected lower river flows.

**Attachment #1 – Resolution #1 - Signed**

**Attachment #2 – Petition of Interest**

**Attachment #3 – Resolution #2 - Signed**

**Appendix A – O&M Agreement**

**Appendix B – USACE Project Mapping**

**Appendix C – Revised Easements**

**Appendix D – Regulatory Considerations**

**Appendix E – Preliminary Construction Plan Set**

**Appendix F – Regulatory Permit Applications - Submitted**

# ATTACHMENT #1

## HOGUE ISLAND BANK STABILIZATION PETITION OF INTEREST REQUESTING PROJECT CONSIDERATION MAY 2023

We the undersigned, hereby request the Burleigh County Water Resource District initiate a process to review and create a *Special Assessment District* in accordance with North Dakota Century Code Chapter 61-16.1 to restore the failed private bank stabilization located along the Missouri River from River Mile 1321.89 to River Mile 1322.1, if supported by the residents to pursue its construction. This project includes only those properties designated on the attached Figure and DOES NOT include restoration/rehabilitation of the Section 32 federal structures.

It is requested the BCWRD hold a public informational meeting, after evaluating the project extents (i.e., properties to be included), construction costs and their distribution, to determine if there is adequate interest and support to pursue a vote on the Special Assessment District.

We understand project costs must be approved by a simple majority of the benefitted landowners and would be assessed based on the costs associated with the individual properties before it can proceed. There is no obligation of the undersigned relating to the cost or preliminary engineering report, however the expense to establish the project and previous investments associated with the residential stabilization by the BCWRD could be included in the final assessment, if approved.

### Name/Address/Lot, Blk, Subdivision

### Signature indicating interest

BEIERLE, RICHARD D, 8822 ISLAND RD  
Lot 3&4A Blk 10 ISLAND PARK ESTATES

NEIS, SHERRI A & SCOTT E 8812 ISLAND RD  
Lot 3A&4 Blk 10 ISLAND PARK ESTATES

HOMELVIG, JOHN D & ALICE E 8800 ISLAND RD  
Lot 5 Blk 10 ISLAND PARK ESTATES

CARLSON, ANDREW T & COLEMAN, CHLOE JO 8730 ISLAND RD  
Lot 6 Blk 10 ISLAND PARK ESTATES

STRUTZ, NATHANIEL P 8720 ISLAND RD  
Lot 7 Blk 10 ISLAND PARK ESTATES

STRUTZ, WILLIAM A & MARILYN S TR 8710 ISLAND RD  
Lot 8 Blk 10 ISLAND PARK ESTATES

BRIERLY, BEVERLY 8700 ISLAND RD  
Lot 9 Blk 10 ISLAND PARK ESTATES

BEYER, LAURA 8636 ISLAND RD  
Lot 10 Blk 10 ISLAND PARK ESTATES

KEY LEASING LLC 8626 ISLAND RD  
Lot 11 Blk 10 ISLAND PARK ESTATES

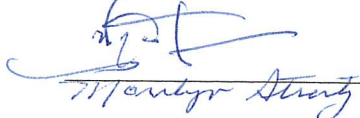


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N/A

NUMBER	PARCEL NO.	NAME	ADDRESS	LOT	BLOCK	SUBDIVISION
1	23-140-81-50-10-020	VASBINDER, DAVID M & NICOLA M	8832 ISLAND RD	2	10	ISLAND PARK ESTATES
2	23-140-81-50-10-030	BEIERLE, RICHARD D	8822 ISLAND RD	3&4A	10	ISLAND PARK ESTATES
3	23-140-81-50-10-040	NEIS, SHERRI A & SCOTT E	8812 ISLAND RD	3A&4	10	ISLAND PARK ESTATES
4	23-140-81-50-10-050	HOMELVIG, JOHN D & ALICE E	8800 ISLAND RD	5	10	ISLAND PARK ESTATES
5	23-140-81-50-10-060	CARLSON, ANDREW T & COLEMAN, CHLOE JO	8730 ISLAND RD	6	10	ISLAND PARK ESTATES
6	23-140-81-50-10-070	STRUTZ, NATHANIEL P	8720 ISLAND RD	7	10	ISLAND PARK ESTATES
7	23-140-81-50-10-080	STRUTZ, WILLIAM A & MARILYN S TR	8710 ISLAND RD	8	10	ISLAND PARK ESTATES
8	23-140-81-50-10-090	BRIERLY, BEVERLY	8700 ISLAND RD	9	10	ISLAND PARK ESTATES
9	23-140-81-50-10-100	BEYER, LAURA	8636 ISLAND RD	10	10	ISLAND PARK ESTATES
10	23-140-81-50-10-110	KEY LEASING LLC	8626 ISLAND RD	11	10	ISLAND PARK ESTATES
11	23-140-81-50-10-120	HAIDER, MARK & ANGELA	8616 ISLAND RD	12	10	ISLAND PARK ESTATES
12	23-140-81-50-10-130	TSCHIDER, STACY L	8606 ISLAND RD	13	10	ISLAND PARK ESTATES

Figure One

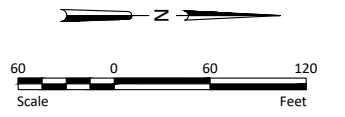


IMAGE DATE: 11/13/2020  
 IMAGERY, LOT LINES, & BUILDING FOOTPRINTS FROM  
 BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS

LEGEND:

BCWRD EASEMENT (CURRENT)	
POST-EROSION BCWRD EASEMENT	
REVTMENT	
STRUCTURE	
LOT LINES	
BANK LINE POST-EROSION	
BANK LINE PRE-EROSION	
BUILDING FOOTPRINT	
MINOR CONTOUR	
MAJOR CONTOUR	

	Existing Easement Encroachment
	New Encroachment

Preliminary Special Assessment District Boudnary

**PRELIMINARY**  
 NOT FOR CONSTRUCTION



STRUCTURE NUMBER	DEPTH (FT)
1 Rev 1322.2 HP	80
2 Rev 1322.1 HP	80
3 Rev 1322.0 HP	80
4 Rev 1322.0 HP	80
5 Rev 1321.95 HP	100
6 Rev 1331.92 HP	60
7 Rev 1321.89 HP	60

H:\JBN\6025\6025\_0021\_Missouri River Bank Stabli\9514\_Island Road Bank Erosion\CAD\Exhibits\Bank Erosion.dwg Bank Line Exhibit-2/15/2023 12:31 PM (-aborchers)

No.	Revision	Date	By



Drawn by	Date
CB	2-14-23
Checked by	Scale
MG	AS SHOWN

BANK EROSION  
 HOGUE ISLAND  
 BISMARCK, ND

EROSION & LOT EXHIBIT  
 PROJECT NO. 6025-0021-0025  
 BCWRD July 2023

SHEET  
 1





**Resolution No. 1**

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BURLEIGH COUNTY, NORTH DAKOTA**

**RESOLUTION OF NECESSITY FOR THE  
HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22**

BE IT RESOLVED by the Water Resource Board of the Burleigh County Water Resource District, Burleigh County, North Dakota (the “Board”), as follows:

There having been proposed through action of this Board, pursuant to Chapter 61-16.1 of the North Dakota Century Code, the construction of a project, hereafter to be known and referred to as the HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22 (the “Project”), which Project is proposed to be financed in whole or in part using funds raised through the collection of special assessments levied against lands and premises benefited by the Project’s construction. Coordination with the North Dakota Department of Water Resources and the United States Army Corps of Engineer related to rehabilitating and restoring the Section 32 (Federal Revetments) located within the project limits, as well as permitting under their respective authorities will occur with project design and implementation.

This Board having examined the proposed Project, hereby declares that further proceedings are warranted and that it is necessary to construct the Project, which has the following nature and purpose:

The proposed Hogue Island Bank Stabilization Project would include the following:

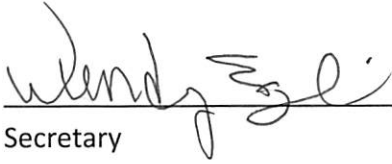
Restoration, rehabilitation, and replacement of the failed private bank stabilization revetment features located along the Missouri River extending from River Mile 1321.89 to River Mile 1322.1. This project includes only those properties designated after the Preliminary Engineering Report is completed and does not include the restoration/rehabilitation of the Section 32 federal revetments. The Section 32 revetments, along with any related easements, will be maintained or modified under the existing agreement with the North Dakota State Water Commission.


Michael H. Gunsch, PE, CFM, Houston Engineering, Inc., Bismarck, North Dakota, is hereby designated as the registered professional engineer to assist the Board with the design of the residential bank stabilization measures and is hereby directed to prepare a preliminary engineering report and preliminary plans for the proposed Project along with estimates of the total cost thereof, which estimates shall include acquisition of any necessary access rights-of-way and shall be in sufficient detail to allow the Board to determine the probable share of costs to be assessed to each benefitted parcel within the proposed assessment district.

Adopted by Board the 10<sup>th</sup> day of May 2023,

ATTEST:

BURLEIGH COUNTY WATER  
RESOURCE DISTRICT

  
Secretary

  
Chairman, Water Resource Board

The governing body of the political subdivision acted on the foregoing resolution on May 17, 2023, as follows:

Adoption moved by Mgr. Palm Seconded by Mgr. Binengar.

Roll Call Vote (List Last Names)

"Aye" Reep, Palm, Binengar, Landenberger

"Nay" \_\_\_\_\_

Absent Smith



**Resolution No. 2**

**ATTACHMENT #3**

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BURLEIGH COUNTY, NORTH DAKOTA**

**RESOLUTION APPROVING ENGINEER’S REPORT, PLANS, SPECIFICATIONS  
AND ESTIMATE OF COST AND DIRECTING THE ASSESSMENT OF THE COST FOR THE  
HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22**

BE IT RESOLVED by the Burleigh County Water Resource District, Burleigh County, North Dakota, as follows:

1. The engineer’s report, preliminary plans, profiles, and opinion of probable cost received by this Board for the proposed construction of the **Hogue Island Bank Stabilization – MR 1321.89 to MR 1322.22 (the “Project”)** on June 14, 2023, are hereby approved and the same shall be forthwith filed in the office of the Secretary.
2. The Board shall proceed with the assessment of the project cost and public hearing process in accordance with N.D.C.C. Section 61-16.1-21. The project assessments are to include project costs, as well as coordination with the rehabilitation/restoration of the *Section 32 Revetements*, per the recommendations contained in the engineer’s report. There is no operation and maintenance provisions included in this project.

Dated this 14<sup>th</sup> day of June, 2023

ATTEST:

BURLEIGH COUNTY WATER  
RESOURCE DISTRICT

Wendy Egli

Digitally signed by Wendy Egli  
DN: cn=Wendy Egli, o=Frontiere Payroll Services, ou,  
email=wendy@fppayroll.com, c=US  
Date: 2023.06.16 10:26:57 -0500

Secretary

James Landenberger, Chairman,  
Burleigh County Water Resource District

The governing body of the political subdivision acted on the foregoing resolution on this 14<sup>th</sup> day of June, 2023 as follows:

Adoption moved by Binegar                      Seconded by Palm

Roll Call Vote (List Last Names)

“Aye” Reep, Palm, Landenberger

“Nay” \_\_\_\_\_

Absent Smith

...and after vote the presiding officer declared the resolution adopted.

A G R E E M E N T

FOR THE MAINTENANCE AND OPERATION OF  
THE MISSOURI RIVER BANK PROTECTION PROJECT

Burleigh County, North Dakota

This agreement entered into this 28<sup>th</sup> day of July, 1976  
by and between the North Dakota State Water Commission, hereinafter referred to as  
the Commission, acting by and through Vernon Fahy, State Engineer, and the Burleigh  
County Water Management District, hereinafter referred to as the District, acting  
by and through G. A. Neideffer, Chairman.

WHEREAS, the Commission has given certain assurances to the United States  
Army Corps of Engineers relative to Missouri River bank protection works below the  
Garrison Reservoir as authorized by Section 32 of the Streambank Erosion Control  
Evaluation and Demonstration Act of 1974, in Burleigh County, North Dakota, and;

WHEREAS, such bank protection works constructed in Burleigh County, hereinafter  
referred to as the Project, is of mutual benefit to both parties to this agreement.

NOW, THEREFORE, IT IS AGREED:

I.

That the District shall provide without cost to the Commission any lands,  
easements and right-of-way necessary for the construction, maintenance, and  
operation of the project.

II.

That the District shall hold and save the Commission free from damages re-  
sulting from the construction of the Project. The District, however, shall not  
be liable for damages due to the Project contractor's negligence.

III.

That the Commission shall maintain and operate the project after completion  
in accordance with regulations prescribed by the Secretary of the Army.

IV.

That the Commission and the District shall share equally the actual costs  
of maintaining and operating the project.

V.

That upon incurring any maintenance or operation expenses the Commission shall provide the District with an itemized statement of all such expenses.

VI.

That within one year of the receipt of such itemized statement the District shall remit its share of such expenses to the Commission.

VII.

That changes in any responsibilities of the parties hereto or conditions herein stated will not be effective or binding unless such changes and conditions are made in writing and attached hereto.

IT WITNESS WHEREOF, the parties hereto have signed this agreement the day and year first above written.

WITNESS:

NORTH DAKOTA STATE WATER COMMISSION

By:

Murray G. Sorensen

Vernon Staley  
State Engineer and Secretary

WITNESS:

BURLEIGH COUNTY WATER MANAGEMENT DISTRICT

By:

Edna Agnew

J. A. Gideffer  
Chairman

Dist.

Burleigh County Water Management District

EXHIBIT "A"

CERTIFICATE OF AUTHORITY

I, Michael Dwyer, do hereby certify that I am the Special Assistant Attorney General of the North Dakota State Water Commission, that the North Dakota State Water Commission is a legally constituted public body with full authority and legal capability to perform the terms of the agreement between the United States of America and the North Dakota State Water Commission in connection with the Morton, Mercer, Oliver, Burleigh and McLean Counties, North Dakota Projects and to pay damages, if necessary, in the event of the failure to perform in accordance with Section 221 of Public Law 91-611 and that the person(s) who have executed the contract on behalf of the North Dakota State Water Commission have acted within their statutory authority.

IN WITNESS WHEREOF, I have made and executed this Certificate this 5 day of July, 1979.

Michael Dwyer  
Special Assistant Attorney General  
for the North Dakota State  
Water Commission

Ince 44

CERTIFICATE OF APPROVAL

The undersigned Attorney at Law, as attorney for the North Dakota State Water Commission, which said Commission has undertaken to act as local sponsor for certain erosion control demonstration projects in Morton, Mercer, Oliver, Burleigh and McLean Counties, North Dakota, hereby certifies that I have reviewed the contract dated the 5 day of July, 1979, between the United States of America and the North Dakota State Water Commission, and have approved said contract and the provisions contained therein, both as to form and substance, including, but not limited to, those provisions whereby the commission has agreed to pay damages, if necessary, in the event of failure to perform in accordance with Section 221 of Public Law 91-611.

IN WITNESS WHEREOF, I have made and executed this Certificate this 5 day of July, 1979.

Michael Durye  
Special Assistant Attorney General  
for the North Dakota State Water  
Commission

Inc 2<sup>2</sup>

DECLARATION OF FINANCIAL ABILITY

I, Vern Fahy, State Engineer,  
(Name) (Title)

do hereby declare that the North Dakota State Water Commission, under the laws of North Dakota and its authority to levy taxes, is financially capable of meeting the operating and maintenance costs of the projects.

I further declare that the Contract fund will be used for the purpose of operating and maintaining the projects. There was \$ 50,000 allocated to the fund for this fiscal year. As of this day, there is a balance of \$ 50,000 on hand in that fund.

Dated this 5th day of July 1979.

Vern Fahy

Incl 32



ASSURANCE OF COMPLIANCE WITH THE DEPARTMENT OF DEFENSE DIRECTIVE  
UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

North Dakota State Water Commission (hereinafter called  
"Applicant-Recipient")

HEREBY AGREES THAT it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Directive of the Department of Defense (32 CFR Part 300, issued as Department of Defense Directive 5500.11, December 28, 1964) issued pursuant to that title, to the end that, in accordance with Title VI of that Act and the Directive, no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives Federal financial assistance from the Department of the Army, and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant-Recipient by this Department of the Army, assurance shall obligate the Applicant-Recipient, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance shall obligate the Applicant-Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance shall obligate the Applicant-Recipient for the period during which the Federal financial assistance is extended to it by the Department of the Army.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Applicant-Recipient by the Department, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. The Applicant-Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant-Recipient, its successors, transferees, and assignees, and the person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Applicant-Recipient.

Dated 5 July 1979

North Dakota State Water Commission

(Applicant-Recipient)

By

*[Signature]*  
(President, Chairman of Board, or  
comparable authorized official)

900 E. Boulevard

Bismarck, ND 58505

(Applicant-Recipient's Mailing Address)

MRO FORM 1277  
1 AUG 66 *Incl 5-2*

TITLE OF FORM

MRO Form 1277 - Assurance of Compliance

PRESCRIBING DIRECTIVE

ER 1130-2-314

AUTHORITY

Title VI of the Civil Rights Act of 1964 (42 USC 2000d-1; 78 Stat. 252)

2. PRINCIPAL PURPOSE(S)

To assure that every application of Federal financial assistance to carry out a program or to provide a facility, as authorized under laws administered by any component of the Department of Defense, shall, as a condition to its approval and the extension of any Federal financial assistance pursuant to the applications, contain or be accompanied by an assurance that the program will be conducted or the facility operated in such a manner that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any such program or activity.

3. ROUTINE USES

Information secured from completed MRO Form 1277 is used in determining whether or not the recipients of nominal or no consideration grants are in continuing compliance with the requirements of Title VI of the Civil Rights Act of 1964. A register of compliance is maintained from reports submitted and checked by field inspectors.

4. Continued:

applicable proceedings under State or local law.

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

If there appears to be a failure or a threatened failure to provide the necessary information, and if the noncompliance or threatened noncompliance cannot be corrected by informal means, compliance may be effected by the suspension or termination of or refusal to grant or to continue Federal financial assistance or by any other means authorized by law as determined by the responsible Department official. Such other means may include, but are not limited to (1) a reference to the Department of Justice with a recommendation that appropriate proceedings be brought to enforce any rights of the United States or any assurance or other contractual undertaking, and (2) any  
Continued above

MRO FORM 1277

Privacy Act Statement - 26 Sep 75

EXHIBIT "B"

AGREEMENT BETWEEN  
THE UNITED STATES OF AMERICA  
AND  
THE NORTH DAKOTA STATE WATER COMMISSION (NORTH DAKOTA)  
FOR LOCAL COOPERATION AT  
EROSION CONTROL DEMONSTRATION PROJECTS  
MISSOURI RIVER IN MORTON, MERCER, OLIVER  
BURLEIGH AND MCLEAN COUNTIES, NORTH DAKOTA

THIS AGREEMENT entered into this 11th day of July  
19 <sup>79</sup> by and between the UNITED STATES OF AMERICA (hereinafter called  
the "Government"), represented by the Contracting Officer executing  
this agreement, and the North Dakota State Water Commission  
(hereinafter called the "Commission")

WITNESSETH THAT:

WHEREAS, construction of the erosion control demonstration  
projects along the Missouri River in Morton, Mercer, Oliver, Burleigh  
and McLean Counties, North Dakota, downstream from Garrison Dam, was  
authorized by the streambank and Erosion Control Evaluation and  
Demonstration Act of 1974 (Section 32 Public Law 93-251) (as amended);

WHEREAS, twenty-one (21) sites have been approved as erosion control  
demonstration projects within that portion of the reach of the Missouri  
River in Morton, Mercer, Oliver, Burleigh and McLean Counties, North  
Dakota designated the Hancock Project, Knife Point I Project, Knife  
Point II Project, Sandstone Bluff I Project, Sandstone Bluff II Project,  
Coal Lake Coulee Project, Lewis and Clark 4-H Camp Project, Wildwood  
Project, Sanger Project, Pretty Point Project, Price Area I Project,  
Price Area II Project, Wogansport Project, Horseshoe Butte Project,  
Indian Mound Project, Eagle Park Project, Burnt Creek Project,  
I-94 Highway Project, Pioneer Park Project, Ft. Lincoln Project and  
the Custer Flats Project (Hereinafter called the "Projects")

WHEREAS, the Commission hereby represents that it has the  
authority and capability to furnish the non-Federal cooperation  
required by the Federal legislation authorizing the Projects and by  
other applicable law.

WHEREAS, the Projects are considered severally rather than jointly  
for purposes of this contract; and

WHEREAS, the Government represents that the Projects will consist  
of erosion control demonstration features generally agreeable to the  
parties, it being understood that such features may require  
modification, replacement, substitution, and/or abandonment, as  
necessary toward achieving sound and functional erosion control  
demonstration Projects, subject to the availability of funds  
appropriated by the Congress for such purposes; and

WHEREAS, the parties understand that none of the Projects will be transferred to the Commission for operation and maintenance under its hereinafter assurances unless and until demonstrated to provide sound and functional erosion control;

NOW, THEREFORE, the parties agree as follows:

1. The Commission agrees that upon notification that the Government will commence construction of erosion control demonstration Projects in Morton, Mercer, Oliver, Burleigh and McLean Counties, North Dakota, substantially in accordance with Federal legislation authorizing such Projects, pursuant to the Streambank and Erosion Control Evaluation and Demonstration Act of 1974 (Section 32, Public Law 93-251), the Commission shall, in consideration of the Government commencing construction of such projects, fulfill the requirements of non-Federal cooperation specified in such legislation, to wit:

(a) Provide without cost to the United States all lands, easements and rights-of-way necessary for the construction and subsequent operation of the projects.

(b) Hold and save the United States free from damages due to the construction, operation and maintenance of the project except where such damages are due to the fault or negligence of the United States or its contractors.

(c) Maintain and operate all works after completion, in accordance with regulations prescribed by the Secretary of the Army.

(d) Provide Assurances of Compliance with Department of Defense Directive 5500.11, Nondiscrimination in Federally Assisted Programs, published in the Federal Register, 31 December 1964, and any amendments thereto or implementation thereof, as may be required by the Secretary of the Army.

(e) Assure that, in conjunction with acquiring rights-of-way, affected persons will be adequately informed of the benefits, policies, and procedures described in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and in accordance with Sections 210 and 305 of said Act and implementing regulations, assure that:

(1) Fair and reasonable relocation payments and assistance shall be provided to or for displaced persons, as are required to be provided by a federal agency under Sections 202, 203 and 204 of the Act;

(2) Relocation assistance programs offering the services described in Section 205 of said Act shall be provided to such displaced persons;

(3) Within a reasonable period of time prior to displacement, decent, safe and sanitary replacement dwellings will be available to displaced persons in accordance with Section 205(c)(3) of said Act;

(4) In acquiring real property it will be guided, to the greatest extent practicable under state law, by the land acquisition policies in Section 301 and the provisions of Section 302 of said Act;

(5) Property owners will be paid or reimbursed for necessary expenses as specified in Sections 303 and 304 of said Act.

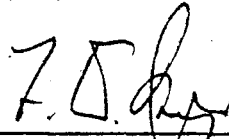
2. The Commission hereby gives the Government a right to enter upon, at reasonable times and in a reasonable manner, lands which the Commission owns or controls, for access to the Projects for the purpose of inspection, and for the purpose of operating and maintaining the Projects, if such inspection shows that the Commission for any reason is failing to operate and maintain the Projects in accordance with the assurances hereunder and has persisted in such failure after a reasonable notice in writing by the Government delivered to the State Engineer of the North Dakota State Water Commission. No operation and maintenance by the government in such event shall relieve the Commission of responsibility to meet its obligations as set forth in paragraph 1 of this Agreement, or to preclude the Government from pursuing any other remedy at law or equity.

IN WITNESS WHEREOF, the parties hereto have executed this contract as of the day and year first above written.

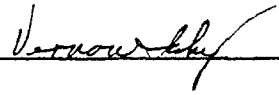
THE UNITED STATES OF AMERICA

NORTH DAKOTA STATE WATER COMMISSION

APPROVED:

By 

V. D. Stipo  
Colonel, Corps of Engineers  
District Engineer  
Contracting Officer




Vern Fahy  
State Engineer

FOR THE SECRETARY OF THE ARMY

Date: 11 JULY 1979

Date: 6 JUL 79

SECTION V - MAINTENANCE



5-01. Scope. This section provides the guidelines for the maintenance and rehabilitation of revetments, refusals, hardpoints, and earth core dikes constructed for bank protection at the Section 32 projects in North Dakota between Garrison Dam and Lake Oahe. The engineering staff of the North Dakota State Water Commission (NDSWC) should exercise engineering discretion in evaluating the extent of the rehabilitation necessary to maintain the integrity of each structure in the most cost efficient manner. The "As-Built" typical sections for these structures, plates 22 through 29, present the optimum design criteria used in the original construction. Obvious abrupt changes in the elevation or width of the structure sometimes indicates damage to the structure and the possible need for rehabilitation. Inspection of the individual structures may indicate that rehabilitation to the lines and grades depicted on the typical sections may not be required. All rehabilitation should be completed as soon as possible if any portion of the structure is noted to have deteriorated or degraded to where the stability of the structure is jeopardized.

5-02. Revetment.

(a) Principal required maintenance is the repair of toe damage caused by excessive underscour and displacement by ice. Damage may also occur in the upper bank zone from concentrated surface drainage, ice, and high flows. The principal required maintenance for Windrow Revetment will consist of adding stone to the Windrow Revetment structure on an as-needed basis until equilibrium (a stable bank) is established.

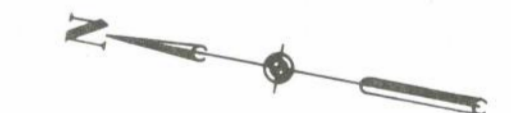
(b) Typical rehabilitation for revetment structures consists of placing acceptable stone, as specified in Section IV, paragraph 4-02, on the damaged areas to restore the structure to a stable condition. On Composite Revetment the crown of the stone toe should degrade lower than 2 feet below CRP before rehabilitation is undertaken. The crown of the stone toe on both Bankline and Reinforced Revetment should not be allowed to degrade lower than the CRP. On Reinforced Revetment the tiebacks will prevent any damage to the structure system but the revetment should be closely monitored for further damage. Tiebacks should also be carefully monitored for possible damage, especially the tiebacks located at the upstream and downstream end of each reinforced revetment segment. For Windrow Revetment, rehabilitation consists of placing acceptable stone, as specified in Section IV, paragraph 4-02, in an excavated notch or trench immediately landward of the existing windrow revetment similar to the "As-Built" typical section drawings on plate 25. If additional erosion is not acceptable, stone may be placed on top of the existing structure. Minor breaks or abrupt changes in grade or alignment should have stone added directly to the sloped bank. All stone added to Reinforced, Composite, Bankline and Rehabilitated Revetment structures should be covered by a thin layer of gravel to enhance vegetation growth, provide easier access to the river by wildlife, and preserve the natural appearance of the waterway.



SCALE: 1 INCH = 2000 FEET

**LEGEND:**

- STONE FILL DIKE OR REFUSAL
- XXXXXXXXXXXXXXXXXX COMPOSITE REVETMENT
- WWWWWWWWWW WINDROW REVETMENT OR REFUSAL
- XXXXXXXXXXXXXXXXXX REINFORCED REVETMENT
- ▽ HARDPOINT
- XXXXXXXXXXXXXXXXXX BANKLINE REVETMENT
- ===== EARTH CORE DIKE



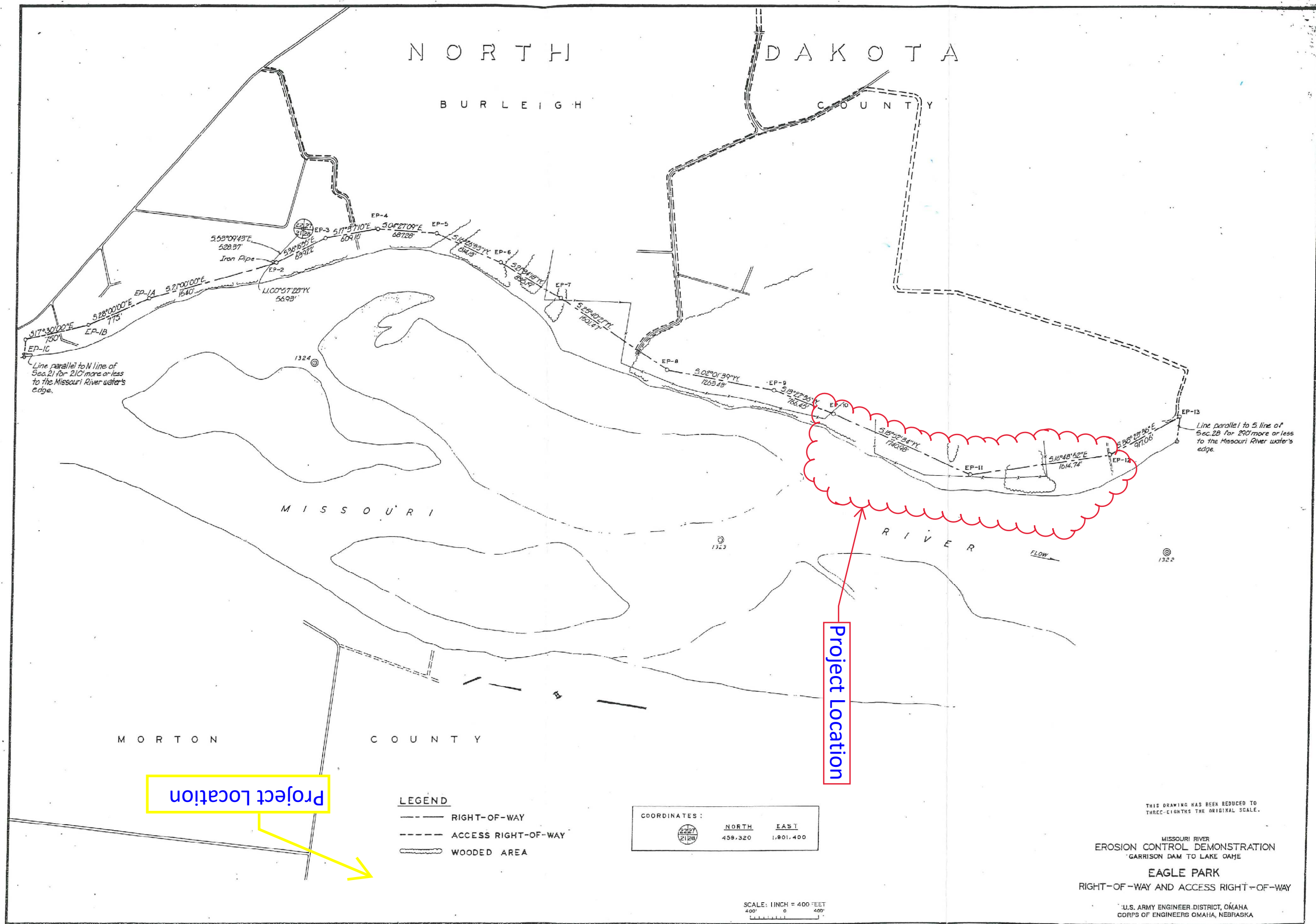
PHOTOS TAKEN 3 JUNE 1981

APPENDIX B

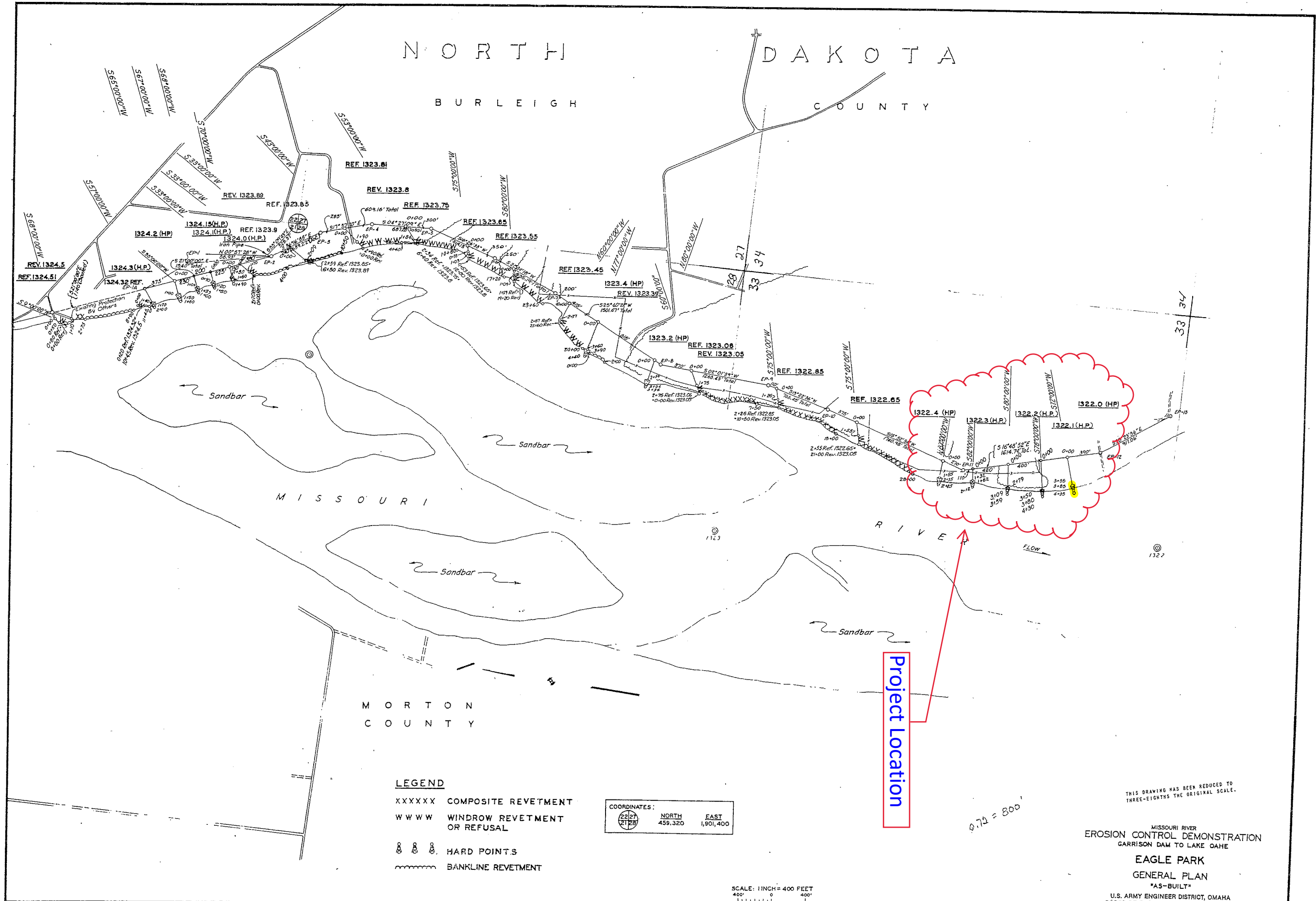
**MISSOURI RIVER**  
**GARRISON DAM TO LAKE OAHE**  
**AERIAL MOSAIC**  
 U.S. ARMY ENGINEER DISTRICT, OMAHA  
 CORPS OF ENGINEERS  
 OMAHA, NEBRASKA  
 AS-BUILT CONDITIONS AS OF OCTOBER 1981



USACE Section 32 - Demonstration Project  
Hogue Island Easement Map



# NORTH DAKOTA BURLEIGH COUNTY



**LEGEND**

- XXXXXX COMPOSITE REVETMENT
- WWW WINDROW REVETMENT OR REFUSAL
- ⊙ HARD POINTS
- ~~~~~ BANKLINE REVETMENT

COORDINATES:	
2227 2128	
NORTH 459,320	EAST 1,901,400

SCALE: 1 INCH = 400 FEET  
400' 0 400'

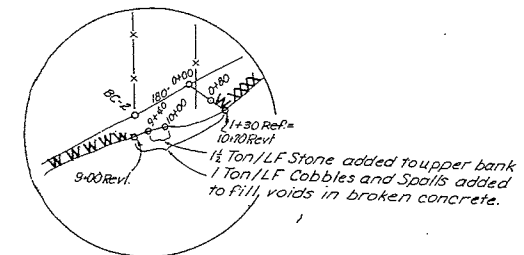
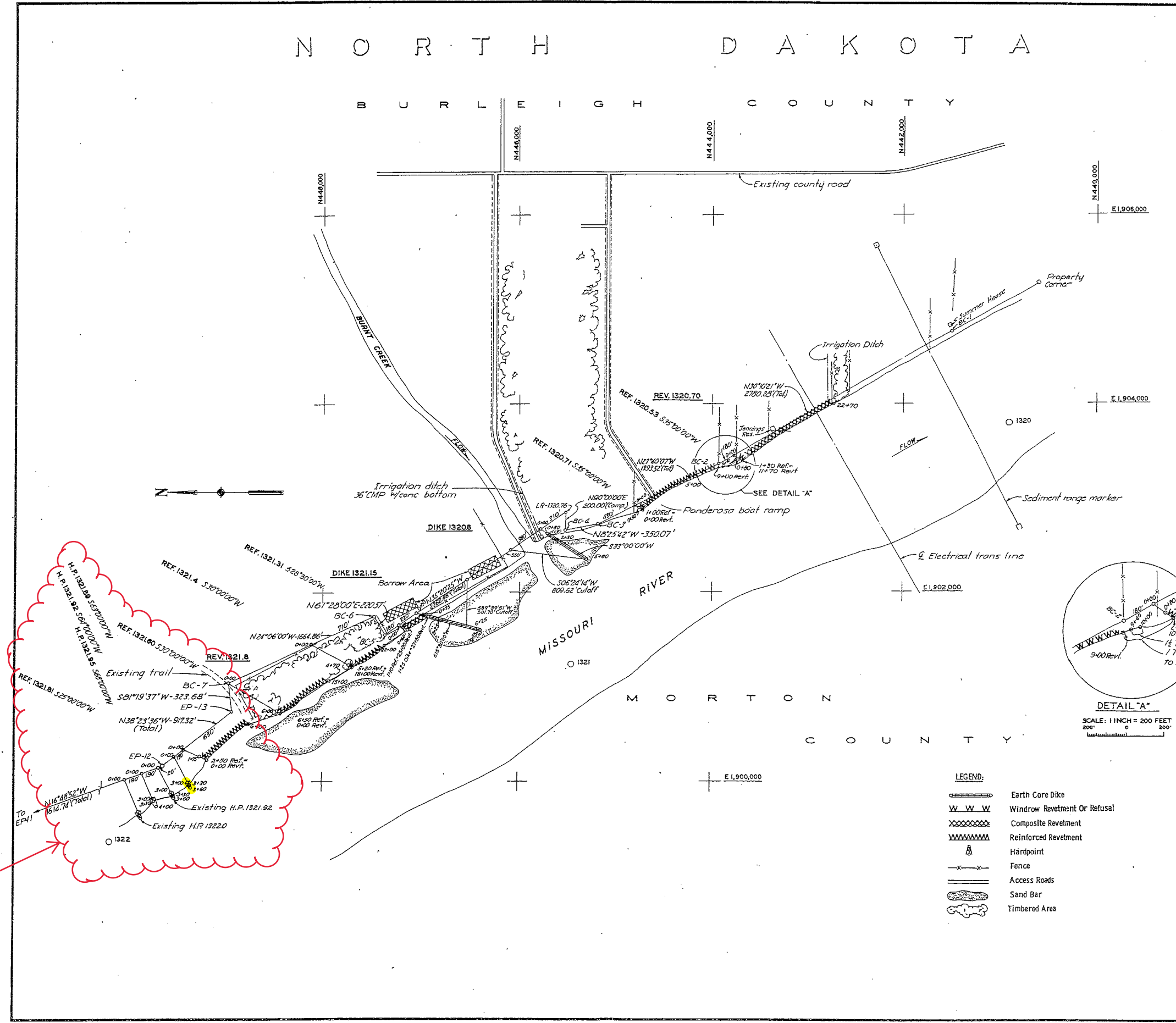
THIS DRAWING HAS BEEN REDUCED TO THREE-EIGHTHS THE ORIGINAL SCALE.

MISSOURI RIVER  
EROSION CONTROL DEMONSTRATION  
GARRISON DAM TO LAKE GAHE  
**EAGLE PARK**  
GENERAL PLAN  
"AS-BUILT"  
U.S. ARMY ENGINEER DISTRICT, OMAHA  
CORPS OF ENGINEERS OMAHA, NEBRASKA

# N O R T H D A K O T A

## B U R L E I G H C O U N T Y

HORIZONTAL CONTROL						
Traverse Station	Monument	Elevation	Distance	Bearing	Grid Coordinates	
					North	East
BC-1	1" Pipe	1638.44	2,780.28	N 30° 10' 21" W	441,529.71	1,904,733.39
BC-2	3/4" Pipe	1642.33	1,313.32	N 27° 40' 07" W	443,933.31	1,903,354.23
BC-3	1" Pipe	1639.75	350.07	N 08° 25' 42" W	445,161.48	1,902,709.12
BC-4	1" Pipe	1644.16	200.00	N 90° 00' 00" E	445,513.77	1,902,657.81
LR-1320.76				N 35° 27' 25" W	445,513.77	1,902,657.81
BC-5	1" Pipe	1637.92	2,262.46	N 61° 28' 00" E	447,359.35	1,901,549.12
BC-6	1" Pipe	1636.58	220.57	N 24° 00' 00" W	447,464.71	1,901,742.90
BC-7				S 81° 19' 37" W	448,984.65	1,901,063.52
EP-13		1639.75		N 38° 27' 36" W	448,935.84	1,900,743.54
EP-12			1,614.74	N 16° 40' 52" W	449,654.81	1,900,173.83
EP-11						



- LEGEND:**
- Earth Core Dike
  - Windrow Revetment Or Refusal
  - Composite Revetment
  - Reinforced Revetment
  - Hardpoint
  - Fence
  - Access Roads
  - Sand Bar
  - Timbered Area

Project Location

THIS DRAWING HAS BEEN REDUCED TO THREE-EIGHTHS THE ORIGINAL SCALE.

MISSOURI RIVER  
**EROSION CONTROL DEMONSTRATION**  
 GARRISON DAM TO LAKE OAHE  
**BURNT CREEK**  
 GENERAL PLAN  
 "AS-BUILT"  
 U.S. ARMY ENGINEER DISTRICT, OMAHA  
 CORPS OF ENGINEERS OMAHA, NEBRASKA

STR. NO.	BANK	STA. to STA.	TYPE	MAX. STRUCTURE ELEVATION	YEAR COMPLETED	STR. NO.	BANK	STA. to STA.	TYPE	MAX. STRUCTURE ELEVATION	YEAR COMPLETED
<b>EAGLE PARK AREA</b>											
1324.51	L	0+50- 0+80	WSFRF (30)	1639.1	1977	1322.65	L	2+00- 3+00	WSFRF (100)	1633.0 (CRP)	1977
1324.5	L	0+00- 4+00	BR (400)	1635.1	1977	1322.4	L	2+40- 2+90	SFRF (50)	1637.5	1977
		4+00- 6+50	BR (250)	1635.1	1977			2+90- 3+40	HP (50)	1637.5	1977
		6+50- 8+50	BR (200)	1635.1	1977	1322.3	L	1+80- 2+10	SFRF	1637.5	1978
		8+50- 8+90	BR (40)	1635.0	1977			2+10- 2+60	HP (50)	1637.5	1978
		10+45-11+45	BR (100)	1635.0	1977	1322.2	L	2+70- 3+00	SFRF	1637.5	1978
1324.32	L	0+00- 0+20	WSFRF (20)	1635.1	1978			3+00- 3+50	HP (50)	1637.5	1978
1324.3	L	1+40- 1+70	SFRF	1639.0	1977	1322.1	L	3+50- 3+80	SFRF	1637.5	1978
		1+70- 2+00	HP (50)	1639.0	1977			3+80- 4+30	HP (50)	1637.5	1978
1324.2	L	1+00- 1+50	SFRF	1639.0	1977	1322.0	L	3+55- 3+85	SFRF	1637.5	1977
		1+50- 1+80	HP (30)	1639.0	1977			3+85- 4+35	HP (50)	1637.5	1977
1324.15	L	1+00- 1+30	SFRF	1639.0	1978	<b>BURNT CREEK AREA</b>					
		1+30- 1+60	HP (50)	1639.0	1978	1321.95	L	3+00- 3+30	SFRF		1979
1324.1	L	0+90- 1+20	SFRF	1639.0	1978			3+30- 4+00	HP (70)		1979
		1+20- 1+50	HP (30)	1639.0	1978	1321.92	L	3+00- 3+30	SFRF		1980
1324.0	L	1+30- 1+60	SFRF	1639.0	1977			3+30- 3+60	HP (30)		1980
		1+60- 1+90	HP (30)	1639.0	1977	<u>1321.89</u>	L	3+00- 3+30	SFRF		1979
1323.9	L	2+50- 3+00	WSFRF (50)		1978			<u>3+30- 3+60</u>	HP (30)		<u>1979</u>
1323.89	L	0+00- 4+00	BR (400)		1978	1321.81	L	1+75- 2+50	WR (75)		1979
		6+50- 10+50	BR (400)		1978	1321.80	L	0+00- 6+00	RR (600)		1979
1323.81	L	2+25- 3+25	WSFRF (100)		1977			9+00-15+00	RR (100)		1979
1323.8	L	0+00- 4+40	WR (440)		1977			18+00-22+00	RR (400)		1979
		6+40- 10+80	WR (440)		1977			25+00-27+50	CR (250)		1979
		12+80-17+20	WR (440)		1977	1321.60	L	6+00- 6+50	WR (50)		1979
		19+20-23+60	WR (440)		1977	1321.40	L	4+70- 5+20	WR (50)		1979
		25+60-30+00	WR (500)		1977	1321.31	L	0+60- 1+10	WR (50)		1979
1323.75	L	2+20- 2+70	WSFRF (50)		1977	Dike 1321.15	L	0+75- 1+25	SFRF		1979
1323.65	L	1+60- 2+10	WSFRF (50)		1977			1+25- 2+25	ECD (00)		1979
1323.55	L	2+40- 2+90	WSFRF (50)	1633.7 (CRP)	1977			1+75-	EG		1979
1323.45	L	3+60- 4+10	WSFRF (50)	1633.6 (CRP)	1977			2+25- 6+75	ECD (450)		1979
1323.4	L	4+00- 4+30	SFRF	1638.5	1977	Dike 1320.8	L	1+30- 2+30	SFRF		1979
		4+30- 4+80	HP (50)	1638.5	1977			1+80	EG		1979
1323.39	L	0+00- 2+00	BR (200)		1979			2+30- 5+80	ECD (350)		1979
1323.2	L	2+20- 2+70	SFRF	1638.3	1977	1320.71	L	0+50- 1+00	WR (50)		1979
		2+70- 3+00	HP (30)	1638.3	1977	1320.70	L	0+00- 5+00	RR (500)		1979
1323.06	L	1+75- 2+75	WSFRF (100)	1633.2 (CRP)	1977			5+00- 9+00	WR (400)		1979
1323.05	L	0+00- 1+00	CR (100)	1633.2 (CRP)	1977			11+70-22+70	CR (1100)		1979
		1+00- 7+50	CR (650)			1320.53	L	0+80- 1+30	WR (50)		1979
		10+50-11+50	CR (100)								
		11+50-18+00	CR (650)								
		21+00-22+00	CR (100)								
		22+00-28+00	CR (600)								
1322.85	L	1+50- 2+50	WSFRF (100)	1633.1 (CRP)	1977						

26928  
299  
27828

Refusal 750  
BR 190  
HP-5 1584  
3045  
WR 2925  
CR 3450  
RR 2100  
2 HP1056  
Dike 900

1584  
2674

1086  
1826  
196

## RELEASE AND TERMINATION OF EASEMENT

THIS INDENTURE, Made this 22<sup>ND</sup> day of AUGUST, 1985, between the Burleigh County Water Resource District, formerly known as the Burleigh County Water Management District, a body politic and a corporation under the laws of the State of North Dakota of Bismarck, North Dakota, party of the first part, and Pete Hogue, a/k/a Peter Hogue residing north of Bismarck, North Dakota, party of the second part;

## WITNESSETH:

WHEREAS, On September 13, 1976, the party of the second part granted a perpetual easement to the party of the first part to, among other things, enter upon, occupy and use portions of the land described as the West Half (W-1/2) of Section Twenty-seven (27) in Township One Hundred Forty (140) North, Range Eighty-one (81) West in Burleigh County, North Dakota, which easement was filed in the Office of the Register of Deeds at 9:45 A.M., on September 22, 1976, and there recorded as Document No. 272818, and;

WHEREAS, On September 13, 1976, the party of the second part granted a perpetual easement to the party of the first part to, among other others, enter upon, occupy and use portions of the land described as the East Half (E-1/2) of Section Twenty-eight (28) in Township One Hundred Forty (140) North, Range Eighty-one (81) West in Burleigh County, North Dakota, which easement was filed in the Office of the Register of Deeds at 9:45 A.M., on September 22, 1976, and there recorded as Document No. 272820.

NOW, THEREFORE, In consideration of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, the party of the first part hereby releases to the party of the second part the easements described above, it being the intention of the parties to terminate said easement.

IN TESTIMONY WHEREOF, The said grantor has caused these presents to be executed in its corporate name by its Chairman and

## PERPETUAL EASEMENT

THIS INDENTURE, made this 13<sup>th</sup> day of September 1976, by and between Pete Hogue, hereinafter referred to as the Grantor, and the Burleigh County Water Management District, hereinafter referred to as the District.

## WITNESSETH:

WHEREAS, the Grantor is owner in fee of the following tract of land situated in Burleigh County, State of North Dakota, to wit:

All that portion of the E $\frac{1}{2}$  of Section 28, Township 140 North, Range 81 West, 5th P. M., lying within a strip of land east of the left bank of the Missouri River and located on the westerly side of and measured at right angles to the following described Corps of Engineers centerline as surveyed and staked. Said easement is for the purpose of bank protection.

Beginning at a point N 53° 09' 43" W five hundred twenty-eight point three seven feet (528.37') from the common corner of Sections 21-22 and 27-28 said Township and Range, thence S 00° 57' 28" E fifty-six point nine three feet (56.93') to the true point of beginning, thence running S 36° 16' 55" E six hundred thirty-nine point twenty-two feet (639.22') to a point, thence running S 17° 37' 10" E six hundred nine point sixteen feet (609.16') to a point, thence running S 04° 27' 09" E six hundred eighty-seven point twenty-eight feet (687.28') to a point, thence running S 16° 26' 33" W eight hundred fourteen point thirteen feet (814.13') to a point, thence running S 21° 34' 18" W eight hundred thirty-five point nineteen feet (835.19') to a point, thence S 25° 40' 21" W one thousand five hundred one point forty-seven feet (1501.47') to a point, thence running S 02° 01' 39" W until said line crosses the south line of said E $\frac{1}{2}$ , excepting all that portion belonging to Raymond and Betty Martel and a tract belonging to the Fraternal Order of Eagles. Tract contains 31.73 acres, more or less, also including all right of access, including ingress to and egress from the remaining property.

WHEREAS, said tract of land is needed by the District, the North Dakota State Water Commission, and the United States Army Corps of Engineers in connection with the construction and subsequent maintenance and operation of a bank stabilization and protection project along the Missouri River.

NOW, THEREFORE, in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, and the benefits to be derived by the Grantor from the construction, maintenance and operation of said Missouri River bank stabilization and protection project, the Grantor does hereby grant, bargain, sell and convey to the District and its assigns, a perpetual right and easement to enter upon, occupy and use the aforesaid tract of land for the purpose of constructing, maintaining,

and operating bank stabilization and protection devices, structures and facilities, and appurtenant devices, structures and facilities in connection with said bank stabilization and protection project, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, and obstructions that interfere with the construction, maintenance or operation of said bank stabilization project, together with the right to perform any and all acts thereupon necessary and incident thereto and all right of access, including ingress to and egress from each aforesaid tract of land.

AND IN FURTHER consideration of the aforesaid sum of money and the benefits to be derived by the Grantor as hereinbefore set forth, the Grantor does hereby grant, bargain, sell and convey to the District and its assigns, a perpetual right and easement over and across the aforesaid described tract for the purpose of constructing and maintaining access roads. In order to confine to a minimum the impact of construction operations on the natural environment, the clearing of timber and brush within right-of-way areas shall be limited to the minimum amount necessary to provide haul roads. The width and amount of such haul roads shall be limited to the amount actually necessary to provide access to construction sites and dike abutments.

All alterations shall be restored as nearly as possible to original conditions after completion of contract work. Where additional required right-of-way is not covered by this easement, the contractor shall make all necessary arrangements with the landowner for the utilization, clearing and restoration of the required areas.

RESERVING, however, to the Grantor and his assigns, all such rights and privileges in said tract of land not specifically granted to the District by this instrument.

TO HAVE AND TO HOLD, the rights and easements hereunto granted to the District and its assigns, forever; the Grantor for himself and his assigns, do hereby covenant with the District, and its assigns, that he has good and sufficient right, title and interest in and to said tract of land to sell and convey the rights and easements as aforesaid, and that he will warrant and defend the title to the District and its assigns, against the lawful claims and demands of all persons.

WITNESS

  
Pete Hogue

STATE OF NORTH DAKOTA }  
COUNTY OF BURLEIGH }

On this 13<sup>th</sup> day of September, 1976, before me, a Notary Public within and for said County, personally appeared Fete Hogue, who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.

*James T. Eastgate*  
Notary Public, Burleigh County  
State of North Dakota



My Commission Expires:  
JAMES T. EASTGATE  
Notary Public, BURLEIGH CO., N. Dak.  
My Commission Expires Aug. 4, 1977.



STATE OF NORTH DAKOTA )  
COUNTY OF BURLEIGH, ) ss  
I hereby certify that the within instru-  
ment was filed in this office for record on  
the 13<sup>th</sup> day of SEP 22 1976  
19... at 9:45 o'clock P. M. and  
was duly recorded **DOCUMENT NO. 272820**  
*Sharon Helms*  
REGISTER OF DEEDS  
By \_\_\_\_\_ Deputy



## PERPETUAL EASEMENT

THIS INDENTURE, Made this 22<sup>nd</sup> day of August, 1985, by and between Pete Hogue, a/k/a Peter Hogue, hereinafter referred to as the Grantor, and the Burleigh County Water Resource District, hereinafter referred to as the District.

## WITNESSETH:

WHEREAS, The Grantor is the owner in fee of the following tract of land situated in Burleigh County, State of North Dakota, to-wit:

All that part of Sections Twenty-seven (27) and Twenty-eight (28) in Township One Hundred Forty (140) North, Range Eighty-one (81) West, Fifth Principal Meridian, that lies within the plat of "Bourgeois Island" as shown on said plat in Document No. 139893 recorded in the Office of the Register of Deeds of said Burleigh County and that lies within one hundred (100) feet of the left bank of the Missouri River, as the same is now or may hereafter be situated.

WHEREAS, Said tract of land is needed by the District, the North Dakota State Water Commission, and the United States Army Corps of Engineers in connection with the construction, maintenance and operation of a bank stabilization and protection project along the Missouri River.

NOW, THEREFORE, In consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, and the benefits to be derived by the Grantor from the construction, maintenance and operation of said Missouri River bank stabilization and protection project, the Grantor does hereby grant, bargain, sell and convey to the District and its assigns, a perpetual right and

easement to enter upon, occupy and use the aforesaid tract of land for the purpose of constructing, maintaining, and operating bank stabilization and protection devices, structures and facilities, and appurtenances, devices, structures and facilities in connection with said bank stabilization and protection project, including the right to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, and obstructions that interfere with the construction, maintenance or operation of said bank stabilization project, together with the right to perform any and all acts thereupon necessary and incident thereto.

AND IN FURTHER Consideration of the aforesaid sum of money and the benefits to be derived by the Grantor as hereinbefore set forth, the Grantor does hereby grant, bargain, sell and convey to the District and its assigns, a perpetual right and easement over and across the aforesaid described tract for the purpose of constructing and maintaining access roads. In order to confine to a minimum the impact of construction operations on the natural environment, the clearing of timber and brush within right-of-way areas shall be limited to the minimum amount necessary to provide haul roads. The width and amount of such haul roads shall be limited to the amount actually necessary to provide access to construction sites and dike abutments.

All alterations shall be restored as nearly as possible to original conditions after completion of contract work. Where additional required right-of-way is not covered by this easement, the contractor shall make all necessary arrangements with the landowner for the utilization, clearing and restoration of the

required areas.

ALSO IN FURTHER Consideration of the aforesaid benefits to be derived by the Grantor, the Grantor does hereby grant, bargain, sell and convey to the District and its assigns, for the purpose of providing access to and from the above described tracts only, a perpetual right and easement over and across the following described land, to-wit:

All that part of Section Twenty-eight (28), Township One Hundred Forty (140) North, Range Eighty-one (81) West, Burleigh County, North Dakota, shown on the survey of Bourgois Island as recorded in the Burleigh County Courthouse as Document No. 139893 and that lies within the following described traverse:

Beginning at the southeast corner of Lot One (1), Block One (1), Riverside Subdivision; thence southwesterly and to the left on a 840.00 foot radius curve, the radius of which bears S. 71°22'33" E. from said point, along an extension of the west line of Island Road, an arc distance of 40.00 feet; thence N. 88°00'00" W. a distance of 388 feet, more or less to the east bank of the Missouri River; thence northeasterly along said east bank a distance of 151 feet, more or less to the southwest corner of Lot One (1), Block One (1) Riverside Subdivision; thence S. 71°22'33" E. along the south line of said Lot One (1) a distance of 375 feet, more or less to the point of beginning.

RESERVING, However, to the Grantor and his assigns, all such rights and privileges in said tract of land not specifically granted to the District by this instrument.

TO HAVE AND TO HOLD, The rights and easements hereunto granted to the District and its assigns, forever; the Grantor for himself and his assigns, does hereby covenant with the District, and its assigns, that he has good and sufficient right, title and interest in and to said tract of land to sell and convey the

rights and easements as aforesaid, and that he will warrant and defend the title to the District and its assigns, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, The said party of the first part hereunto set his hand the day and year first above written.

Pete Hogue  
Pete Hogue

STATE OF NORTH DAKOTA )  
COUNTY OF BURLEIGH ) ss.

On this 22nd day of AUGUST A.D. 1985, before me personally appeared Pete Hogue known to me to be the same person who is described in and who executed the within and foregoing instrument and acknowledged to me that he executed the



Norman A. Steidle  
Notary Public  
Burleigh County, North Dakota

My Commission Expires:

July 11, 1987



**STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH**

HEREBY CERTIFY THAT THE WITHIN INSTRUMENT  
WAS FILED IN THIS OFFICE FOR RECORD ON  
SEP 3 1985 AT 9:15 O'CLOCK A. M. AND  
RECORDED AS DOCUMENT No. 302794  
BY Norman A. Steidle  
DEPUTY REGISTER OF DEEDS

## ***Appendix D - Regulatory Considerations***

### ***Hogue Island Bank Stabilization***

#### ***Special Assessment District***

The following is a summary of the regulatory considerations as it relates to the permitting of the restoration/rehabilitation of the Section 32 Demonstration Project (i.e., hardpoints) and the previously existing residential bank stabilization.

1. The USACE Section 32 Demonstration project areas include not only specific revetments, but all properties located along the designated/protected river reach. Subsequently, the residential segments between the hardpoints are considered “project lands”. The access easement provided by the Burleigh County Water Resource District (BCWRD) included the entire bank line along with a larger inland area. This easement was narrowed, however, to 100 feet from the top of bank to allow rural residential development. Unfortunately, this easement line was not included on the plat documents, which has created issues over the years and undesirable encroachments that influence access.
2. The USACE anticipated erosion between these hardpoints would occur, which was a design consideration and part of their original environmental review. Understand at the time there were no residential properties in this area, nor were any anticipated, so the demonstration project revetments were not designed nor intended to protect such property. The design erosion has now occurred or been exceeded (i.e., hardpoint failure); therefore, stabilization of the bank line is no longer an issue regarding river sediments within the permitting process.
3. Most of the residential stabilization previously installed in this reach was neither authorized or permitted, via the USACE, Sovereign Land, or within the BCWRD’s easement. In some instances, there are direct violations with construction occurring within the easements, creating potential title issues for these properties. The new bank erosion has complicated this by placing more structures within the access easements, as the landward boundary moves with the top of bank location. Subsequently, revised easements are recommended after the project restoration/rehabilitation and new residential stabilization is completed. If the residential stabilization is not completed under a combined project the easements would likely not be modified and the property subject to that which exists today.
4. Typical residential stabilization projects, via contractors, do not always comply with recommended design standards, as the regulatory review does not require. The recent private contractor applications are an indication of that lower standard. A separate technical review of these applications was completed and will be provided to the regulatory agencies if they were to proceed independently.

5. Given erosion risks associated with this river reach, along with the North Dakota Department of Water Resources (DWR) and BCWRD obligations to Operate and Maintain the Section 32 features, it is recommended all protection measures, including the residential stabilization, comply with reasonable USACE design standards. This is included in the Preliminary Engineering Report plan set and is necessary to protect the Section 32 rehabilitated/restored facilities, as well as reduce the risks to the residential properties.
6. Subsequently, the project, Section 32 and residential stabilization features, must be submitted under a single regulatory permit application, however the USACE or NDDWR may elect to create individual permits for the various residents to assign responsibility and maintenance provisions. Given the nature of the regulatory permitting and physical interaction of the protective measures individually permitting segments is not recommended as it complicates the regulatory review and comment timelines. The timeline for construction is already shortened by the design, financing, and potential individual permit process. If evaluated un separate applications the impacts of each facility on the other is required, therefore, combining them would significantly streamline the process.
7. Subsequently, leaving segments to be permitted separately is unacceptable if the full regulatory review and construction is to occur in 2023. In addition, to control the quality and compliance with construction specifications by individuals under separate contractors is not recommended. Such individual work, and potentially substandard design/construction places other properties owners at risk along this reach. Construction of individual segments also increases the risk for bank line erosion and failure that may affect other properties not currently impacted.
8. Relating to costs, the project will be publicly bid, offering the selection of the responsible lowest bid. This is required for the Section 32 rehabilitation/restoration and the economy of scale would apply to the residential stabilization features. Expenses associated with engineering design, regulatory permitting and administrative fees will be prorated to the various public and private revetments. Each parcel will be assessed its share under the special assessment district process, based on actual costs. Some residents have noted they would be unable to pay for these improvements out of pocket, therefore, their only means to accomplish the desired protection is through the special assessment district. If the vote fails, the project would not be completed, and those unprotected areas would create a greater risk to those areas that may later be protected by individual landowner actions.
9. The project also requires a *floodplain development permit* from the Burleigh County Floodplain Administrator, which may include a no-rise evaluation to evaluate work located within the floodway.

# CONSTRUCTION PLANS FOR BURLEIGH COUNTY WATER RESOURCE DISTRICT HOGUE ISLAND BANK STABILIZATION

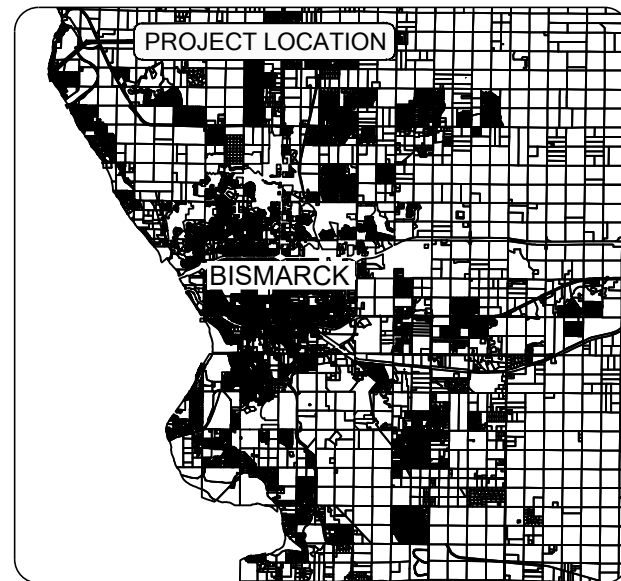
BISMARCK, ND  
JUNE, 2023

APPENDIX E



**SHEET INDEX**

1	COVER SHEET
2	ESTIMATED QUANTITIES
3	EXISTING CONDITIONS
4	PROPOSED CONDITIONS
5	HARDPOINT DETAILS
6	TYPICAL SECTION
7 - 14	LANDOWNER LOTS



**VICINITY MAP**



**LOCATION MAP**

**GOVERNING STANDARDS:**

MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), 2009 EDITION. THIS SPECIFICATION INCLUDES THE SHAPES, COLORS, AND FONTS USED IN ROAD MARKINGS AND SIGNS. ALL TRAFFIC CONTROL DEVICES MUST CONFORM TO THESE STANDARDS.

**GOVERNING SPECIFICATIONS:**

CONSTRUCTION SPECIFICATIONS FOR MUNICIPAL PUBLIC WORKS IMPROVEMENTS, ADOPTED BY THE CITY OF BISMARCK, NORTH DAKOTA, SHALL APPLY TO ALL STANDARD DRAWINGS CURRENTLY IN EFFECT AND OTHER CONTRACT PROVISIONS SUBMITTED HEREIN:

**UTILITY NOTE:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, AS-BUILT MAPS AS PROVIDED BY MUNICIPALITIES OR UTILITY COMPANIES, AND/OR EXISTING DRAWINGS. THERE IS NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN INDICATE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. NOR IS THERE A GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MAY RESULT FROM THEIR FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UTILITIES.

**PRELIMINARY**  
NOT FOR CONSTRUCTION

ESTIMATED QUANTITIES

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY
1	CONTRACT BOND	LSUM	1
2	MOBILIZATION	LSUM	1
3	RIPRAP D50	TONS	10213
4	GEOTEXTILE FABRIC	SY	3005
5	TOPSOIL	CY	269
6	SEEDING & MULCHING	AC	0.66

ESTIMATED QUANTITIES BY STATION

STATION RANGE		UNIT	QUANTITY
<b>RIPRAP D50</b>			
STA 0+00.00 TO STA 0+98.77	RESIDENTIAL RESTORATION (BEIERLE)	TONS	35
STA 0+00.00 TO STA 0+07.21	SECTION 32 REVETMENT (STRUCTURE 2)	TONS	626
STA 0+98.77 TO STA 2+37.21	RESIDENTIAL RESTORATION (NEIS)	TONS	780
STA 2+37.21 TO STA 3+52.45	RESIDENTIAL RESTORATION (HOMELVIG)	TONS	649
STA 3+52.45 TO STA 4+80.20	RESIDENTIAL RESTORATION (CARLSON & COLEMAN)	TONS	720
STA 4+80.20 TO STA 6+41.09	RESIDENTIAL RESTORATION (N. STRUTZ)	TONS	906
STA 4+88.59 TO STA 5+34.62	SECTION 32 REVETMENT (STRUCTURE 3)	TONS	2147
STA 6+41.09 TO STA 8+17.55	RESIDENTIAL RESTORATION (W. STRUTZ)	TONS	994
STA 7+18.99 TO STA 7+53.83	SECTION 32 REVETMENT (STRUCTURE 4)	TONS	1701
STA 8+17.55 TO STA 9+12.10	RESIDENTIAL RESTORATION (BRIERLY)	TONS	533
STA 9+12.10 TO STA 10+00.00	RESIDENTIAL RESTORATION (BEYER)	TONS	495
STA 9+61.36 TO STA 9+91.73	SECTION 32 REVETMENT (STRUCTURE 5)	TONS	627
<b>GEOTEXTILE FABRIC</b>			
STA 0+00.00 TO STA 0+98.77	RESIDENTIAL RESTORATION (BEIERLE)	SY	148
STA 0+98.77 TO STA 2+37.21	RESIDENTIAL RESTORATION (NEIS)	SY	439
STA 2+37.21 TO STA 3+52.45	RESIDENTIAL RESTORATION (HOMELVIG)	SY	365
STA 3+52.45 TO STA 4+80.20	RESIDENTIAL RESTORATION (CARLSON & COLEMAN)	SY	405
STA 4+80.20 TO STA 6+41.09	RESIDENTIAL RESTORATION (N. STRUTZ)	SY	510
STA 6+41.09 TO STA 8+17.55	RESIDENTIAL RESTORATION (W. STRUTZ)	SY	559
STA 8+17.55 TO STA 9+12.10	RESIDENTIAL RESTORATION (BRIERLY)	SY	300
STA 9+12.10 TO STA 10+00.00	RESIDENTIAL RESTORATION (BEYER)	SY	279
<b>TOPSOIL</b>			
STA 0+00.00 TO STA 0+98.77	RESIDENTIAL RESTORATION (BEIERLE)	CY	13
STA 0+00.00 TO STA 0+07.21	SECTION 32 REVETMENT (STRUCTURE 2)	CY	2
STA 0+98.77 TO STA 2+37.21	RESIDENTIAL RESTORATION (NEIS)	CY	39
STA 2+37.21 TO STA 3+52.45	RESIDENTIAL RESTORATION (HOMELVIG)	CY	32
STA 3+52.45 TO STA 4+80.20	RESIDENTIAL RESTORATION (CARLSON & COLEMAN)	CY	36
STA 4+80.20 TO STA 6+41.09	RESIDENTIAL RESTORATION (N. STRUTZ)	CY	32
STA 4+88.59 TO STA 5+34.62	SECTION 32 REVETMENT (STRUCTURE 3)	CY	13
STA 6+41.09 TO STA 8+17.55	RESIDENTIAL RESTORATION (W. STRUTZ)	CY	40
STA 7+18.99 TO STA 7+53.83	SECTION 32 REVETMENT (STRUCTURE 4)	CY	10
STA 8+17.55 TO STA 9+12.10	RESIDENTIAL RESTORATION (BRIERLY)	CY	27
STA 9+12.10 TO STA 10+00.00	RESIDENTIAL RESTORATION (BEYER)	CY	16
STA 9+61.36 TO STA 9+91.73	SECTION 32 REVETMENT (STRUCTURE 5)	CY	9
<b>SEEDING &amp; MULCHING</b>			
STA 0+00.00 TO STA 0+98.77	RESIDENTIAL RESTORATION (BEIERLE)	AC	0.02
STA 0+00.00 TO STA 0+07.21	SECTION 32 REVETMENT (STRUCTURE 2)	AC	0.01
STA 0+98.77 TO STA 2+37.21	RESIDENTIAL RESTORATION (NEIS)	AC	0.10
STA 2+37.21 TO STA 3+52.45	RESIDENTIAL RESTORATION (HOMELVIG)	AC	0.08
STA 3+52.45 TO STA 4+80.20	RESIDENTIAL RESTORATION (CARLSON & COLEMAN)	AC	0.09
STA 4+80.20 TO STA 6+41.09	RESIDENTIAL RESTORATION (N. STRUTZ)	AC	0.08
STA 4+88.59 TO STA 5+34.62	SECTION 32 REVETMENT (STRUCTURE 3)	AC	0.03
STA 6+41.09 TO STA 8+17.55	RESIDENTIAL RESTORATION (W. STRUTZ)	AC	0.10
STA 7+18.99 TO STA 7+53.83	SECTION 32 REVETMENT (STRUCTURE 4)	AC	0.02
STA 8+17.55 TO STA 9+12.10	RESIDENTIAL RESTORATION (BRIERLY)	AC	0.07
STA 9+12.10 TO STA 10+00.00	RESIDENTIAL RESTORATION (BEYER)	AC	0.04
STA 9+61.36 TO STA 9+91.73	SECTION 32 REVETMENT (STRUCTURE 5)	AC	0.02

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No.	Revision	Date	By



Drawn by	Date
CD	6-2-23
Checked by	Scale
MG	AS SHOWN

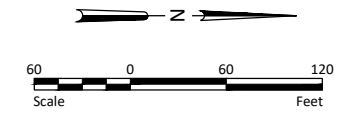
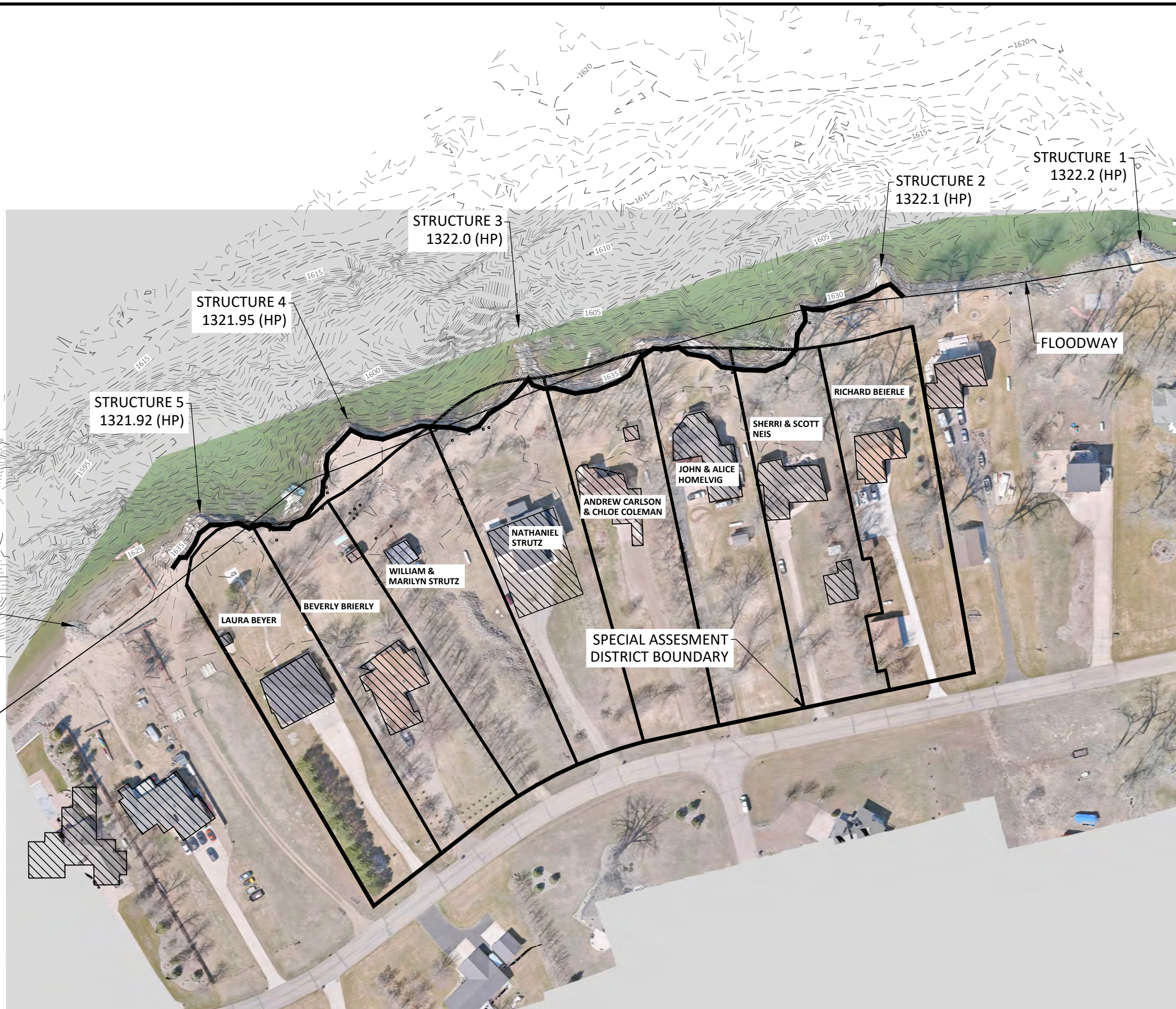
HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

ESTIMATED QUANTITIES  
PROJECT NO. 6025-0021 of 185  
BCWRD July 2023

SHEET  
2



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LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS  
 DATUM: NGVD 29  
 CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30  
 LEGEND:  
 LOT LINES  
 BANK LINE POST-EROSION  
 BUILDING FOOTPRINT  
 MINOR CONTOUR  
 MAJOR CONTOUR  
 SPECIAL ASSESSMENT DISTRICT BOUNDARY

**PRELIMINARY**  
 NOT FOR CONSTRUCTION

No.	Revision	Date	By



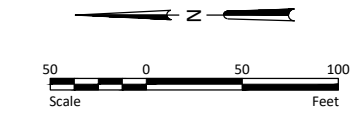
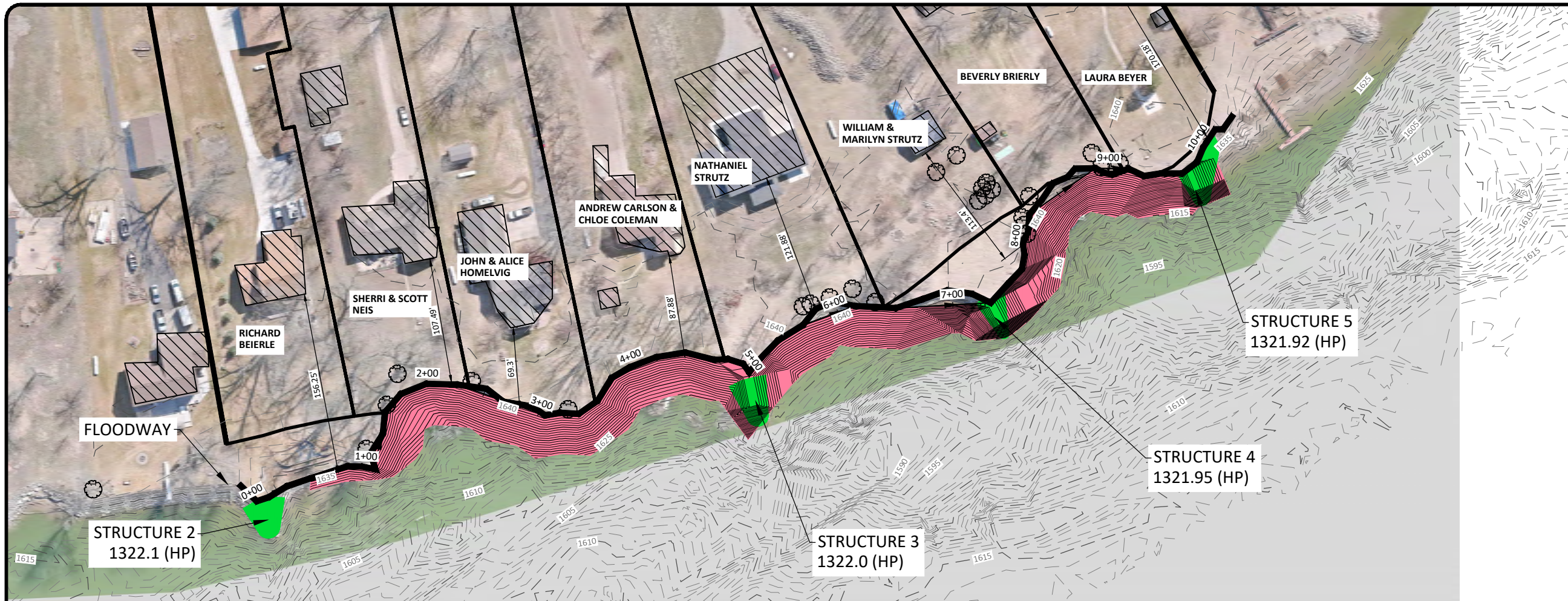
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 Checked by MG Scale AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

EXISTING CONDITIONS  
 PROJECT NO. 6025-0021 of 185  
 BCWRD, July 2023

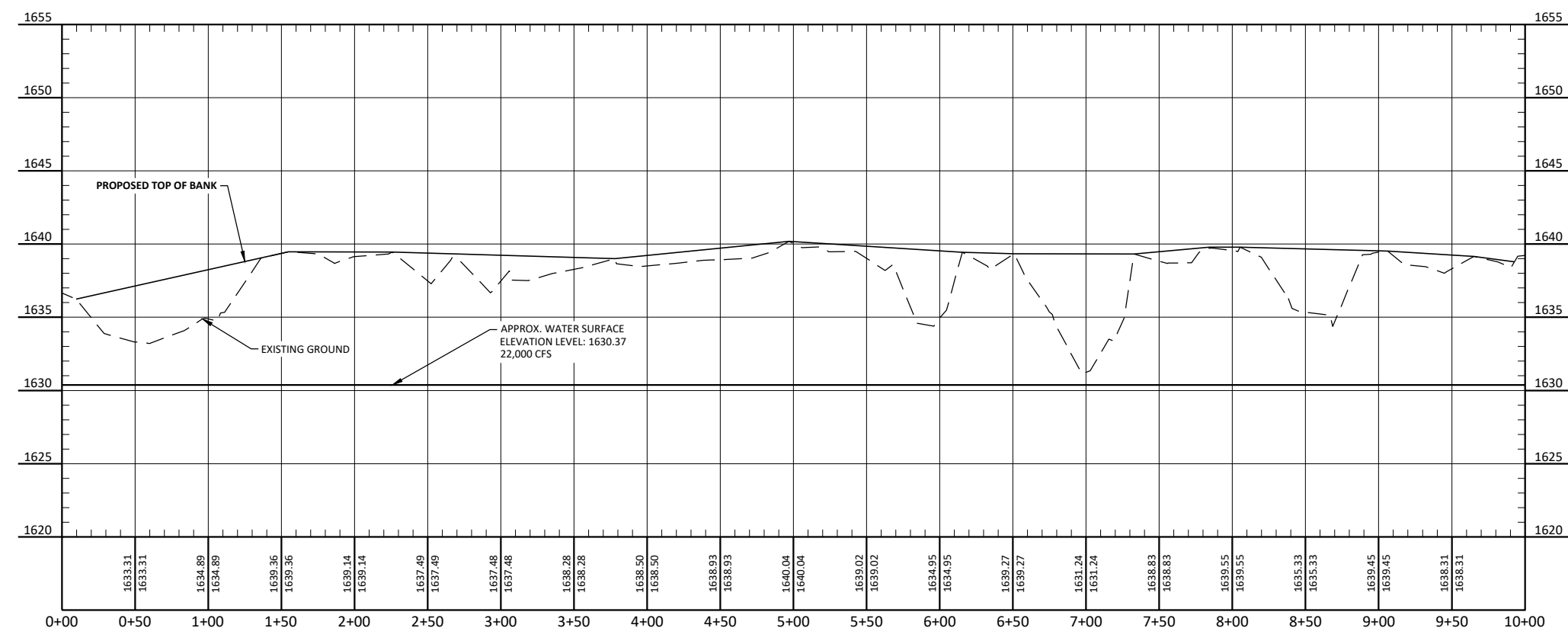
SHEET  
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APPROX. 0.74 DISTURBED ACRES  
 LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS  
 DATUM: NGVD 29  
 CONSTRUCTION REFERENCE PLANE ELEVATION: 1633.30  
**LEGEND:**  
 RESTORATION AREA [Pink shaded area]  
 STRUCTURE RESTORATION AREA [Green shaded area]  
 LOT LINES [Thin black line]  
 BANK LINE POST-EROSION [Thick black line]  
 BUILDING FOOTPRINT [Hatched area]  
 EXISTING MINOR CONTOUR [Thin grey line]  
 EXISTING MAJOR CONTOUR [Thin black line]  
 PROPOSED MINOR CONTOUR [Thin grey line]  
 PROPOSED MAJOR CONTOUR [Thin black line]  
 SPECIAL ASSESSMENT DISTRICT BOUNDARY [Thick black line]

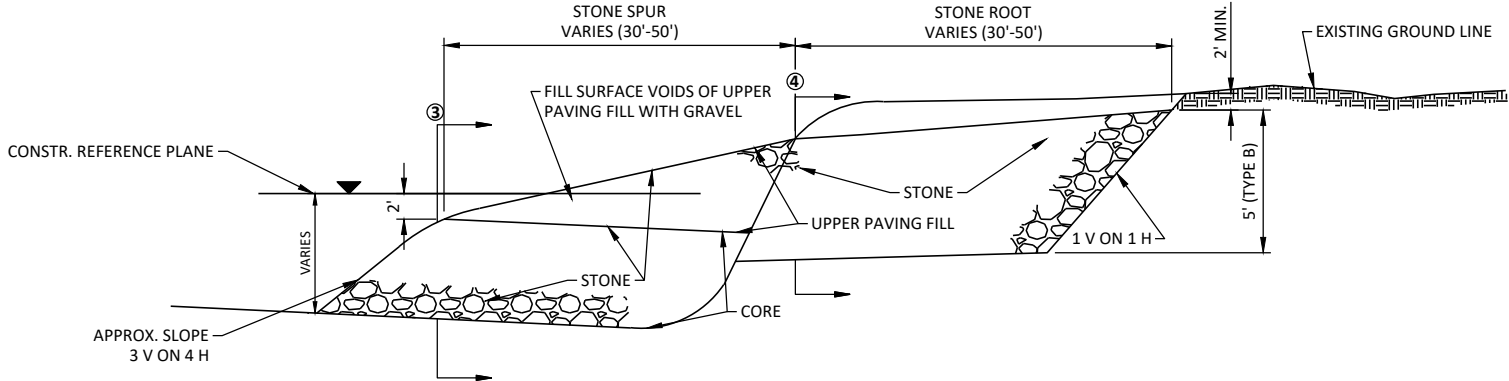
**NOTES:**  
 1. CONTRACTOR TO PLACE RIPRAP ON SLOPES INSTEAD OF EXCAVATING WHERE EXCAVATION WOULD BE SHOWN ON PLAN SHEETS.



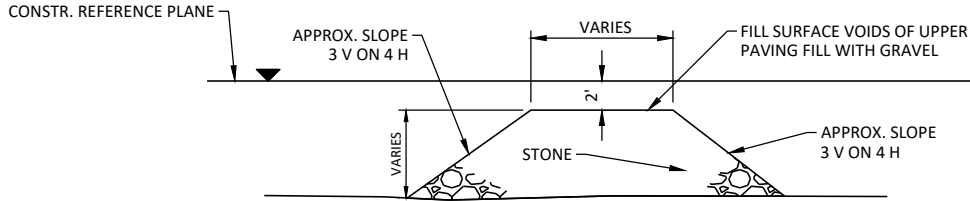
**PRELIMINARY**  
 NOT FOR CONSTRUCTION

No.		Revision		Date	By		Drawn by CD Checked by MG	Date 6-2-23 Scale AS SHOWN	HOGUE ISLAND BANK STABILIZATION BURLEIGH COUNTY WATER RESOURCE DISTRICT BISMARCK, ND	PROPOSED CONDITIONS PROJECT NO. 6025-0021 of 185 BCWRD, July 2023	SHEET 4
No.		Revision		Date	By						

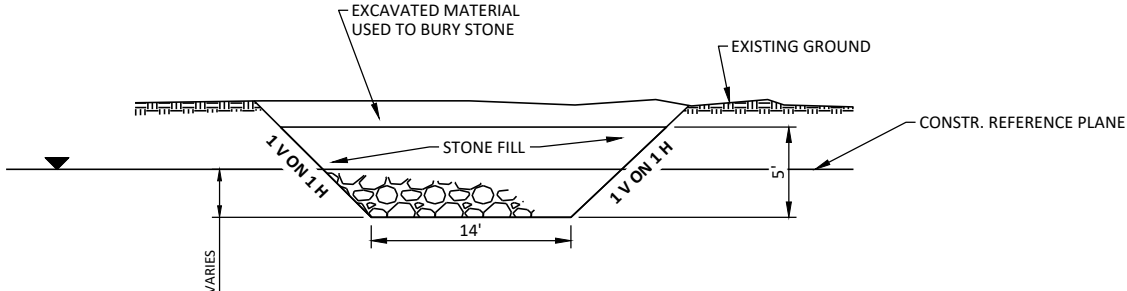
# SECTION 32 REVETMENTS



**HARD POINT - TYPE II**  
NOT TO SCALE



**SECTION 3 STONE SPUR**  
NOT TO SCALE



**SECTION 4 STONE ROOT - TYPE B**  
NOT TO SCALE

**PRELIMINARY**  
NOT FOR CONSTRUCTION

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No.	Revision	Date	By



Drawn by CD	Date 6-2-23
Checked by MG	Scale AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

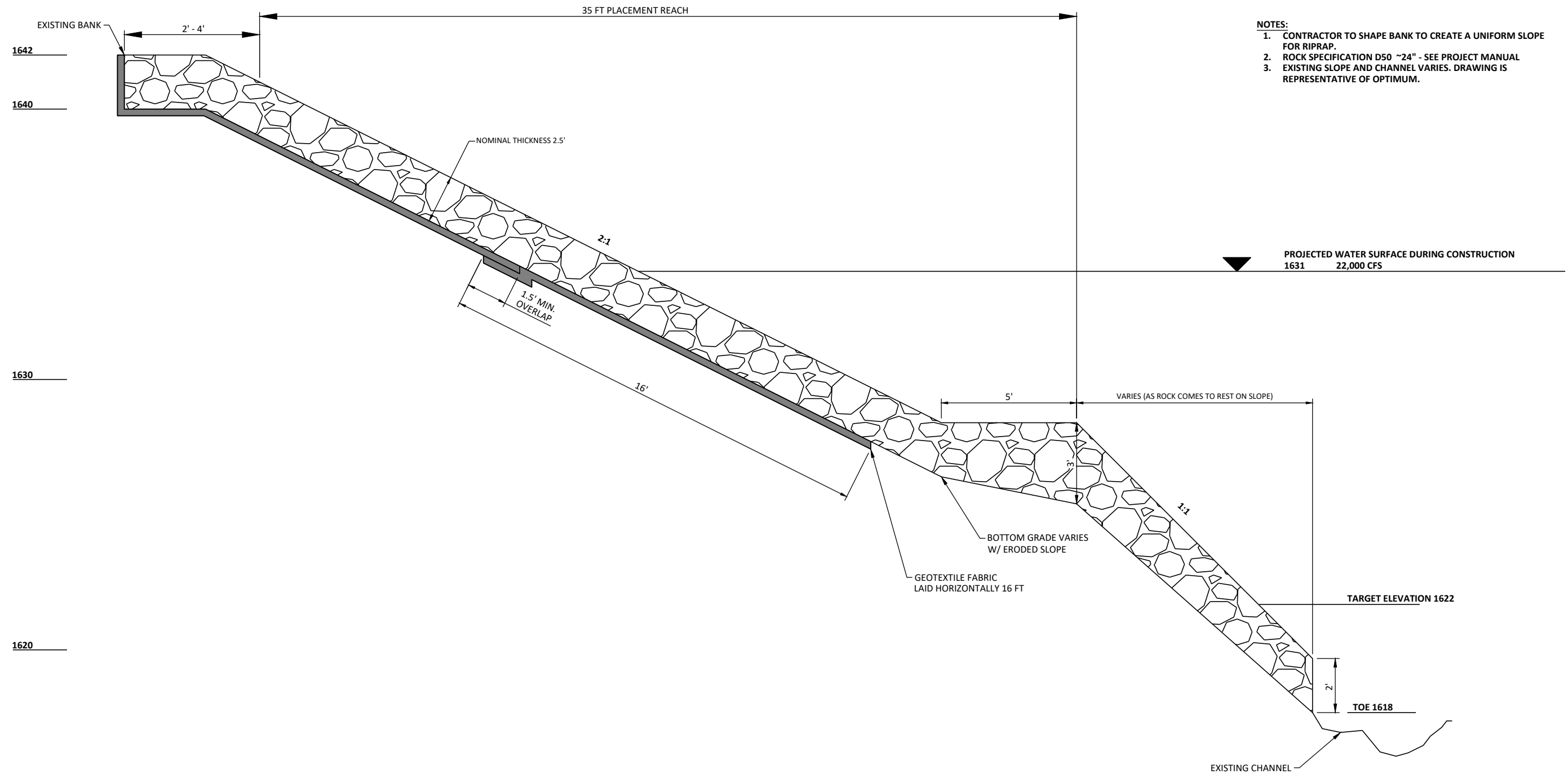
HARDPOINT DETAILS

PROJECT NO. 6025-0021 of 185  
BCWRD, July 2023

SHEET

5

# RESIDENTIAL STABILIZATION



- NOTES:**
1. CONTRACTOR TO SHAPE BANK TO CREATE A UNIFORM SLOPE FOR RIPRAP.
  2. ROCK SPECIFICATION D50 ~24" - SEE PROJECT MANUAL
  3. EXISTING SLOPE AND CHANNEL VARIES. DRAWING IS REPRESENTATIVE OF OPTIMUM.

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NOT FOR CONSTRUCTION

No.	Revision	Date	By

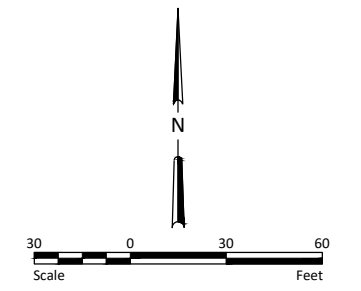
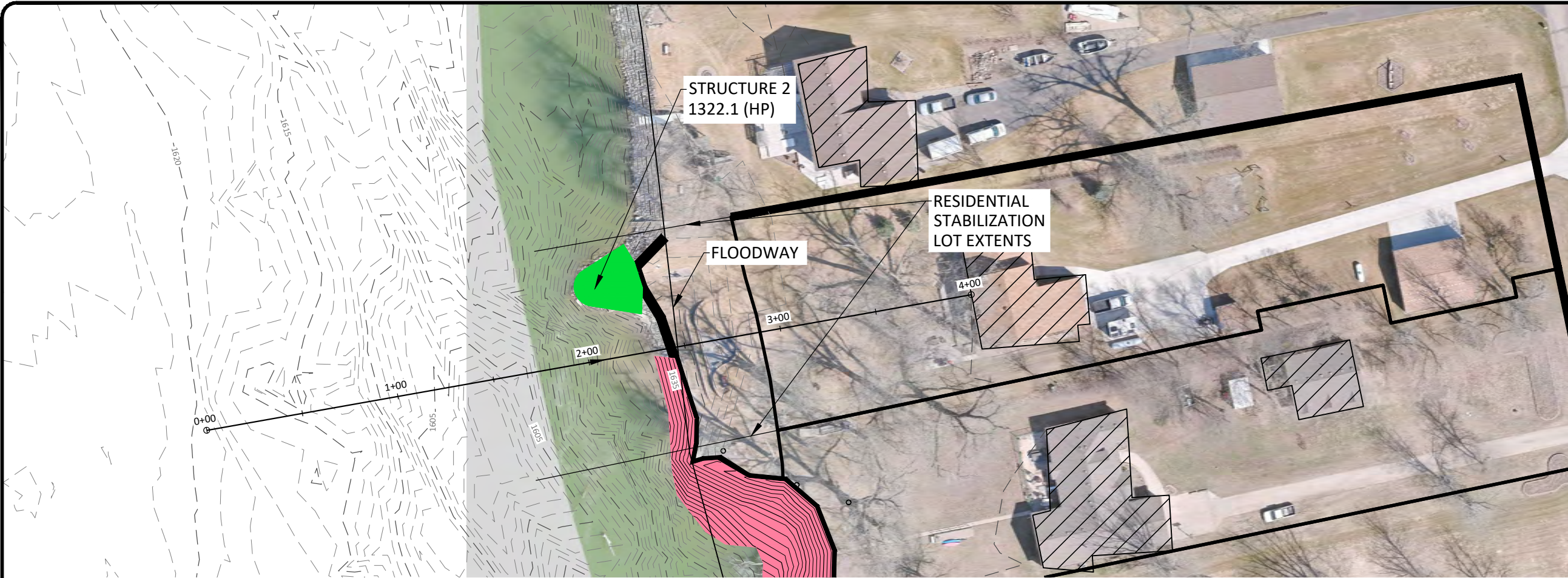


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CD  
Date  
6-2-23  
Checked by  
MG  
Scale  
AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

TYPICAL SECTION  
PROJECT NO. 6025-0021 of 185  
BCWRD July 2023

SHEET  
6



- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESTORATION AREA
  - STRUCTURE RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR  1601
  - EXISTING MAJOR CONTOUR  1600
  - PROPOSED MINOR CONTOUR  1601
  - PROPOSED MAJOR CONTOUR  1600
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

- NOTE:
1. PROTECT EXISTING LANDSCAPING AND RETAINING WALL.
  2. STRUCTURE 2 RIPRAP TO SUPPLEMENT EXISTING RIPRAP AND REINFORCE STRUCTURE.

LOT INFORMATION

NAME: RICHARD BEIERLE  
 ADDRESS: 8822 ISLAND RD  
 LOT & BLOCK: LOT 3 & 4A BLOCK 10  
 SUBDIVISION: ISLAND PARK ESTATES  
 PARCEL NO.: 23-140-81-50-10-030

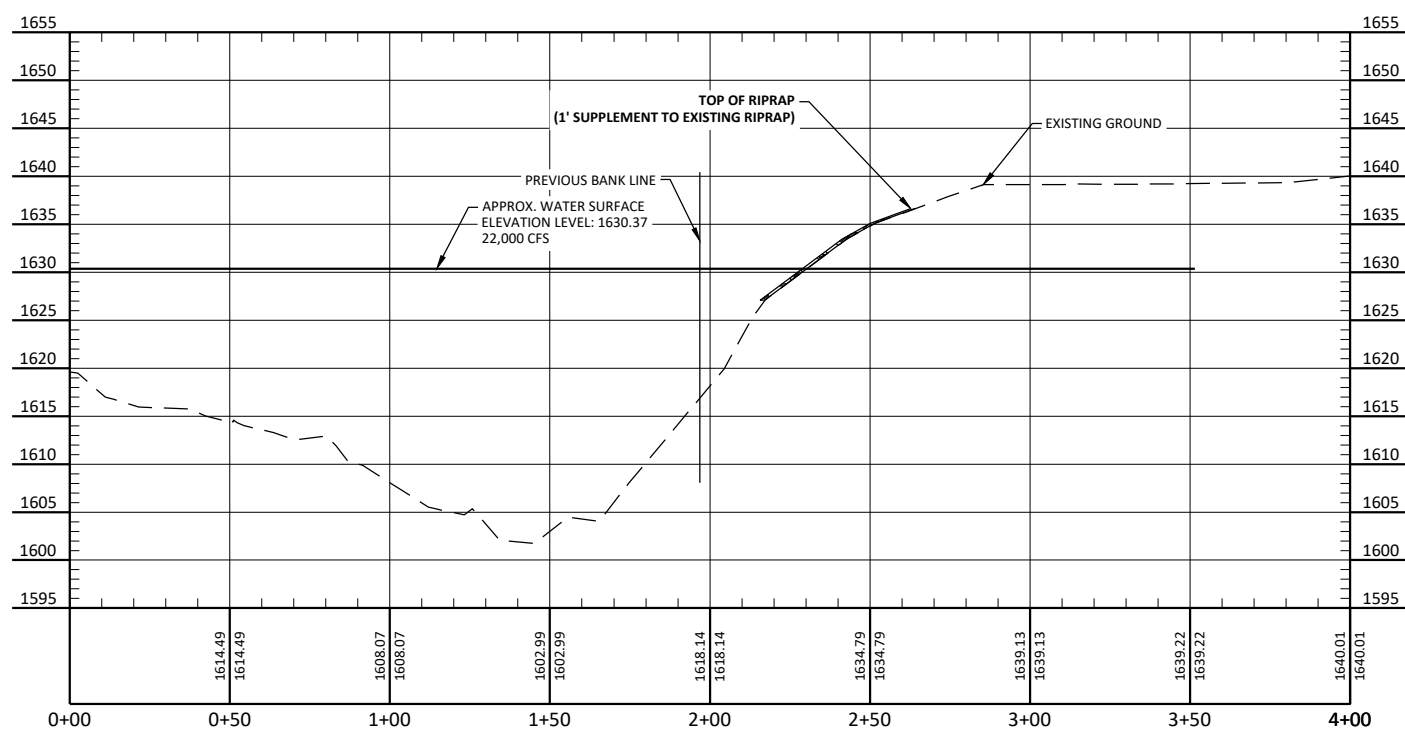
STA 0+00.00 TO STA 0+98.77

ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:

GEOTEXTILE FABRIC	148 SY
RESIDENTIAL RIPRAP	APPROX. 35 TONS
TOPSOIL	13 CY

ESTIMATED SECTION 32 REVETMENT QUANTITIES:

STRUCTURE 2 RIPRAP	APPROX. 626 TONS
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PRELIMINARY

NOT FOR CONSTRUCTION

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No.	Revision	Date	By



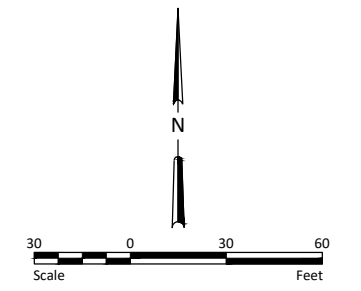
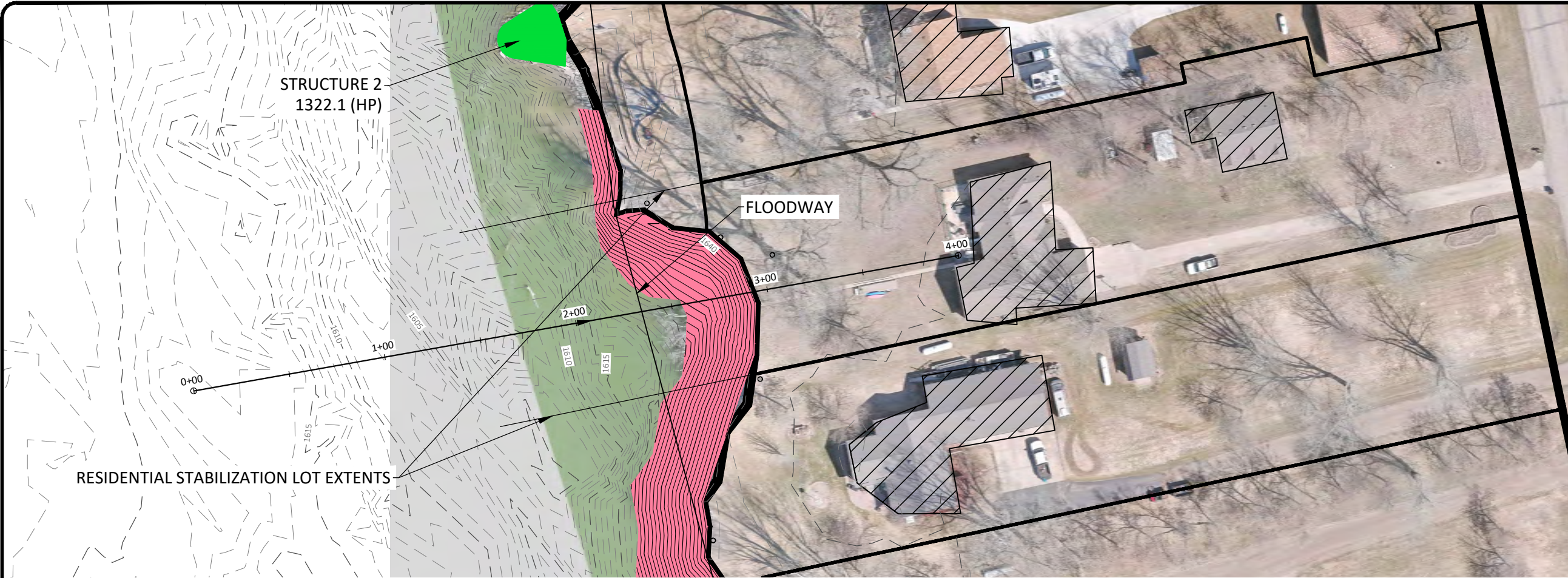
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Date  
6-2-23

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MG  
Scale  
AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

BEIERLE LOT  
 PROJECT NO. 6025-0021 of 185  
 BCWRD July 2023

SHEET  
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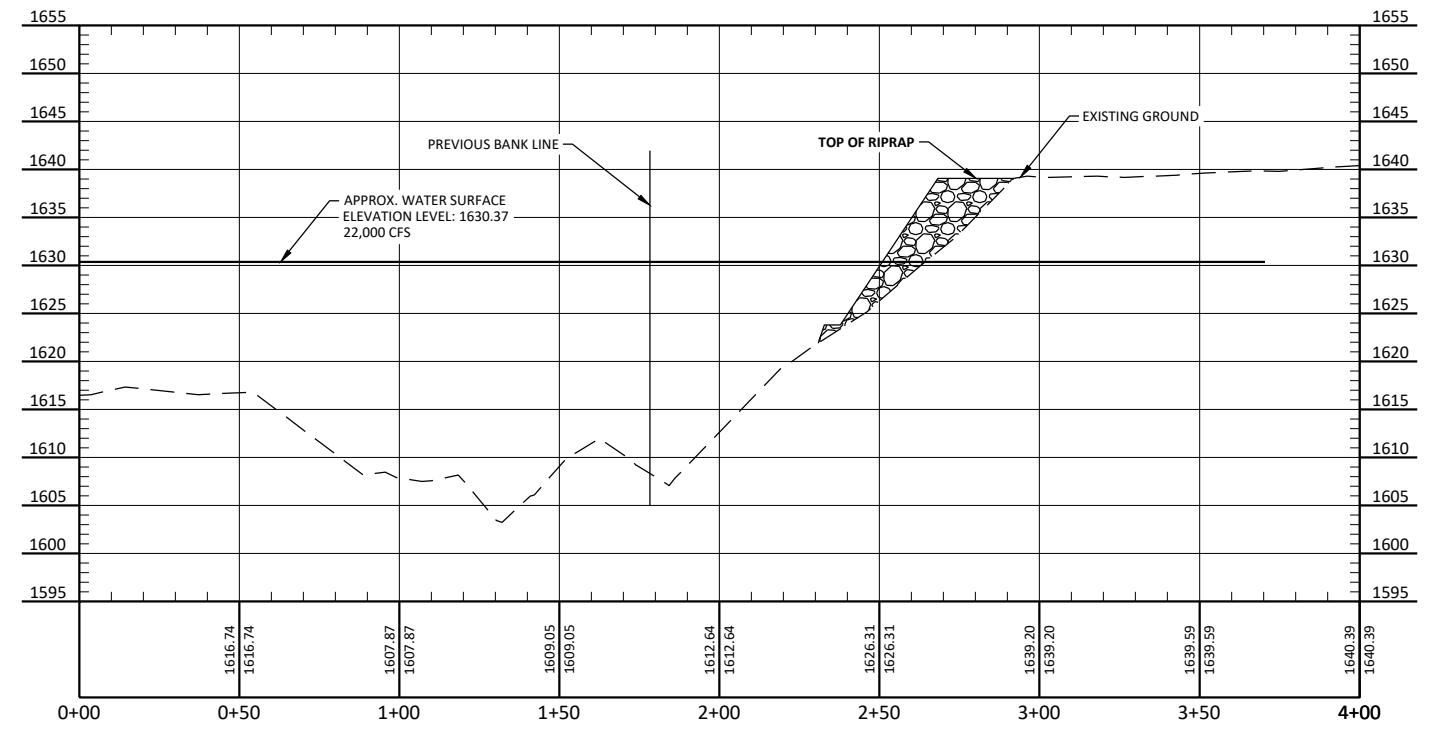


- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA
  - SECTION 32 RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - PROPOSED MINOR CONTOUR
  - PROPOSED MAJOR CONTOUR
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

NOTE:  
1. REMOVE FALLEN TREES PRIOR TO RIPRAP PLACEMENT.

LOT INFORMATION  
 NAME: SHERRI & SCOTT NEIS  
 ADDRESS: 8812 ISLAND RD  
 LOT & BLOCK: LOT 3A & 4 BLOCK 10  
 SUBDIVISION: ISLAND PARK ESTATES  
 PARCEL NO.: 23-140-81-50-10-040

STA 0+98.77 TO STA 2+37.21  
 ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:  
 GEOTEXTILE FABRIC 439 SY  
 RESIDENTIAL RIPRAP APPROX. 780 TONS  
 TOPSOIL 39 CY



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No.	Revision	Date	By

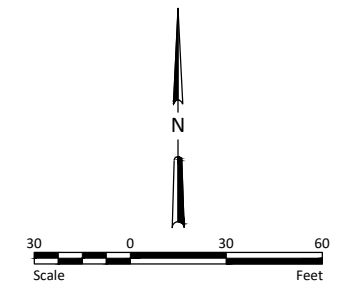
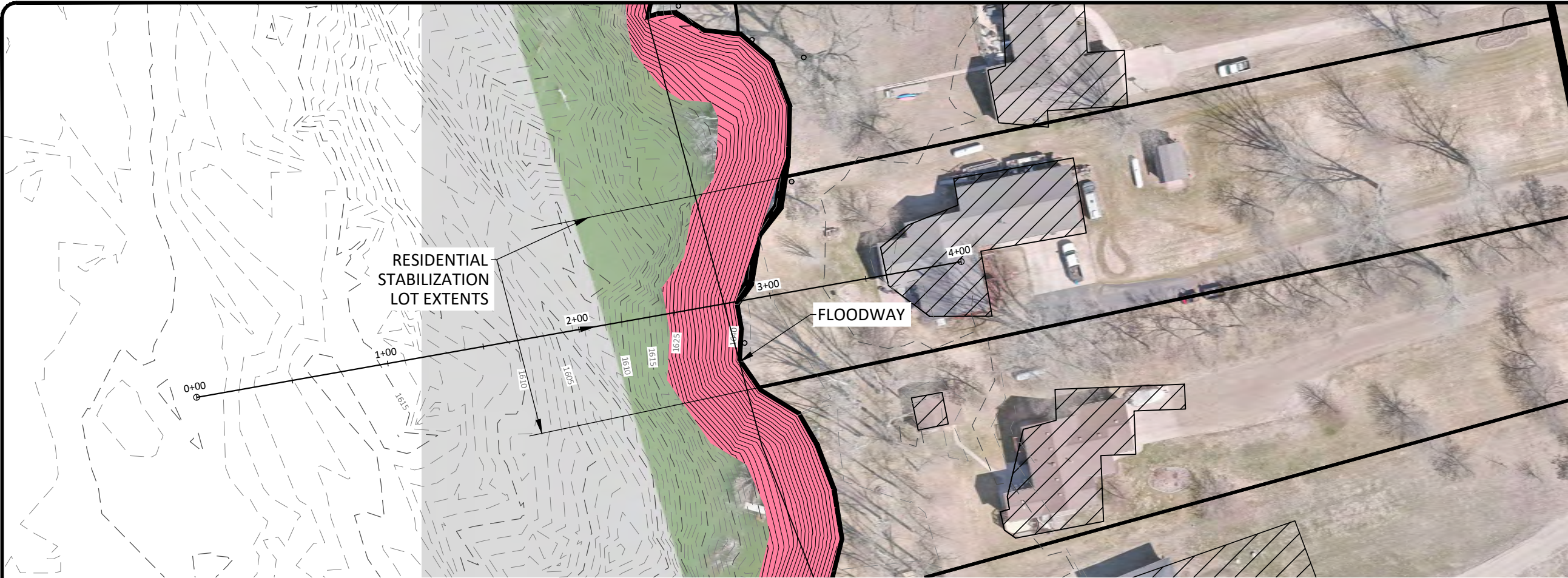


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Checked by  
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HOGUE ISLAND BANK STABILIZATION  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

NEIS LOT  
 PROJECT NO. 6025-0021 of 185  
 BCWRD, July 2023

SHEET  
8



- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA
  - SECTION 32 RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR  1601
  - EXISTING MAJOR CONTOUR  1600
  - PROPOSED MINOR CONTOUR  1601
  - PROPOSED MAJOR CONTOUR  1600
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

NOTES:

- PROTECT EXISTING LANDSCAPE FEATURES OR COORDINATE REMOVAL WITH HOMEOWNER.

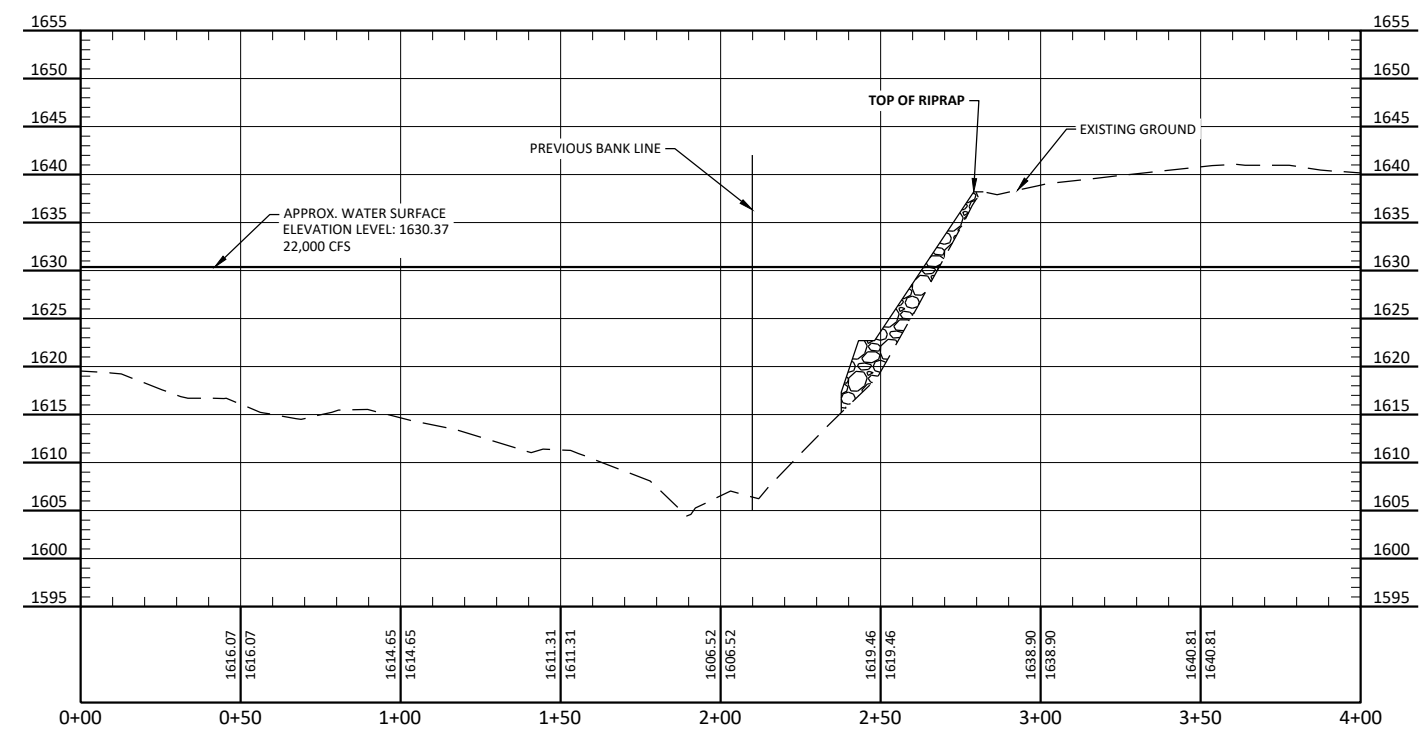
LOT INFORMATION

NAME: JOHN & ALICE HOMELVIG  
 ADDRESS: 8800 ISLAND RD  
 LOT & BLOCK: LOT 5 BLOCK 10  
 SUBDIVISION: ISLAND PARK ESTATES  
 PARCEL NO.: 23-140-81-50-10-050

STA 2+37.21 TO STA 3+52.45

ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:

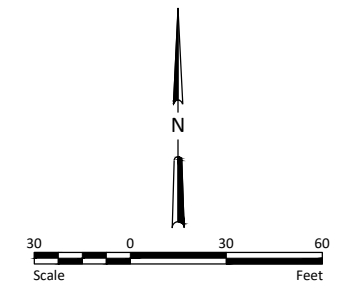
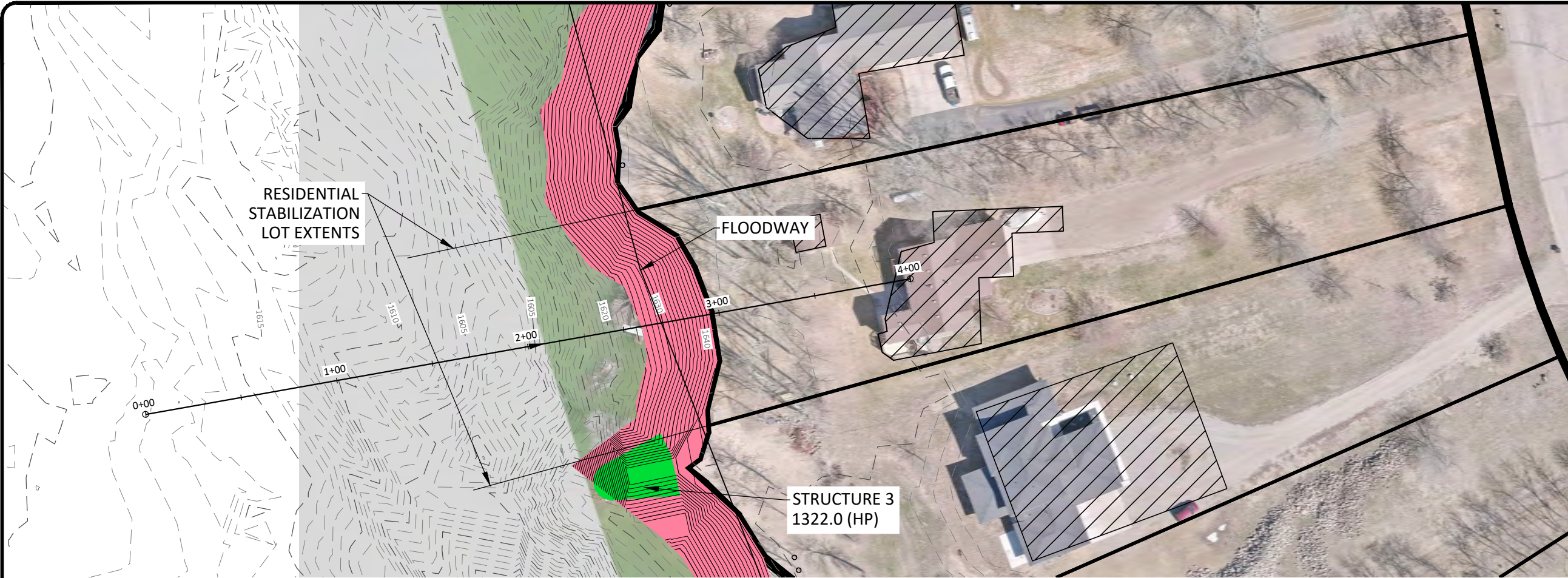
GEOTEXTILE FABRIC	365 SY
RESIDENTIAL RIPRAP	APPROX. 649 TONS
TOPSOIL	32 CY



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					Drawn by CD Date 6-2-23	<b>HOGUE ISLAND BANK STABILIZATION</b> BURLEIGH COUNTY WATER RESOURCE DISTRICT BISMARCK, ND	HOMELVIG LOT PROJECT NO. 6025-0021 of 185 BCWRD July 2023	SHEET <b>9</b>
No.	Revision	Date	By	Checked by MG	Scale AS SHOWN			



- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA █
  - SECTION 32 RESTORATION AREA █
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - PROPOSED MINOR CONTOUR
  - PROPOSED MAJOR CONTOUR
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

NOTE:

1. REMOVE FALLEN TREES PRIOR TO RIPRAP PLACEMENT.

LOT INFORMATION

NAME: ANDREW CARLSON & CHLOE COLEMAN

ADDRESS: 8730 ISLAND RD

LOT & BLOCK: LOT 6 BLOCK 10

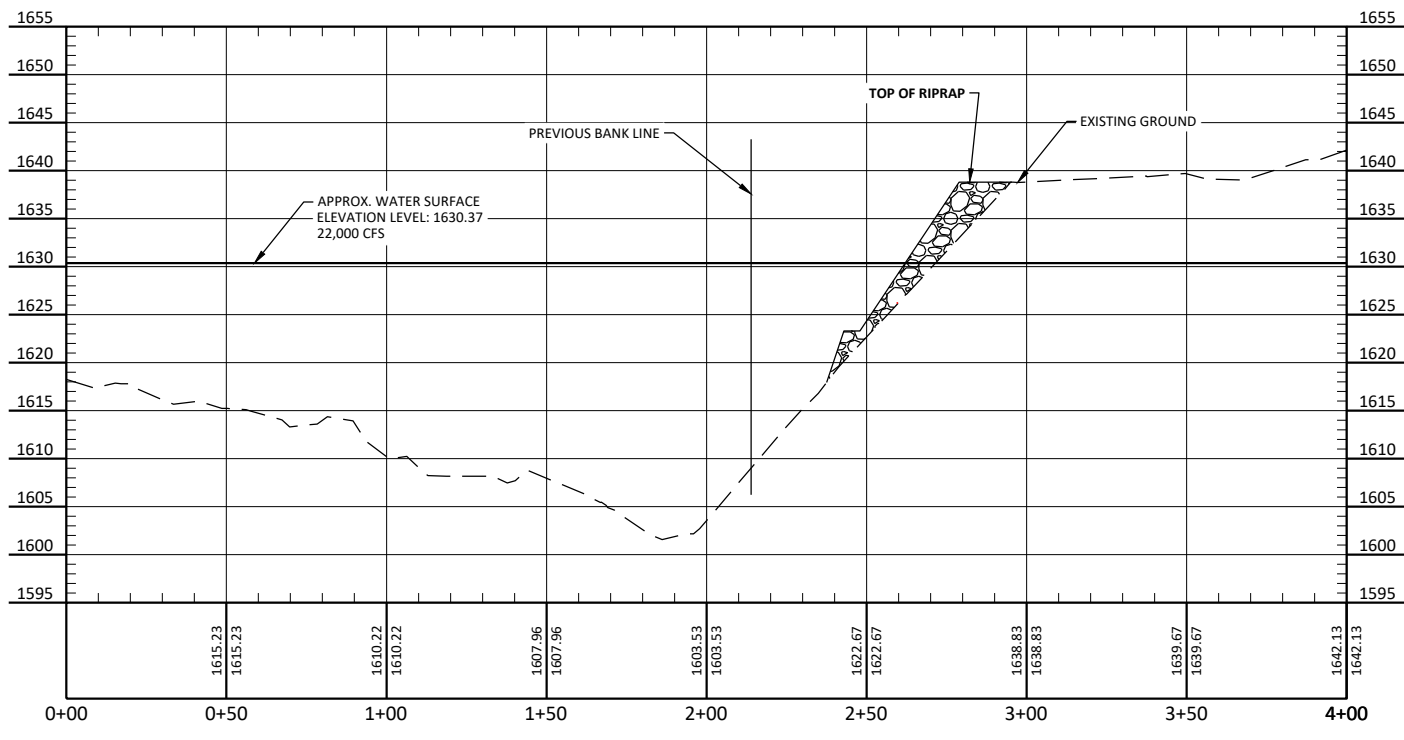
SUBDIVISION: ISLAND PARK ESTATES

PARCEL NO.: 23-140-81-50-10-060

STA 3+52.45 TO STA 4+80.20

ESTIMATED RESIDENTIAL RESTORATION QUANTITIES:

GEOTEXTILE FABRIC	405 SY
RESIDENTIAL RIPRAP	APPROX. 720 TONS
TOPSOIL	36 CY



**PRELIMINARY**  
NOT FOR CONSTRUCTION

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No.	Revision	Date	By



Drawn by CD Date 6-2-23

Checked by MG Scale AS SHOWN

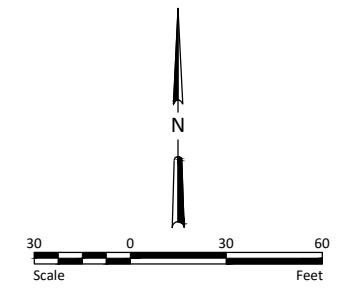
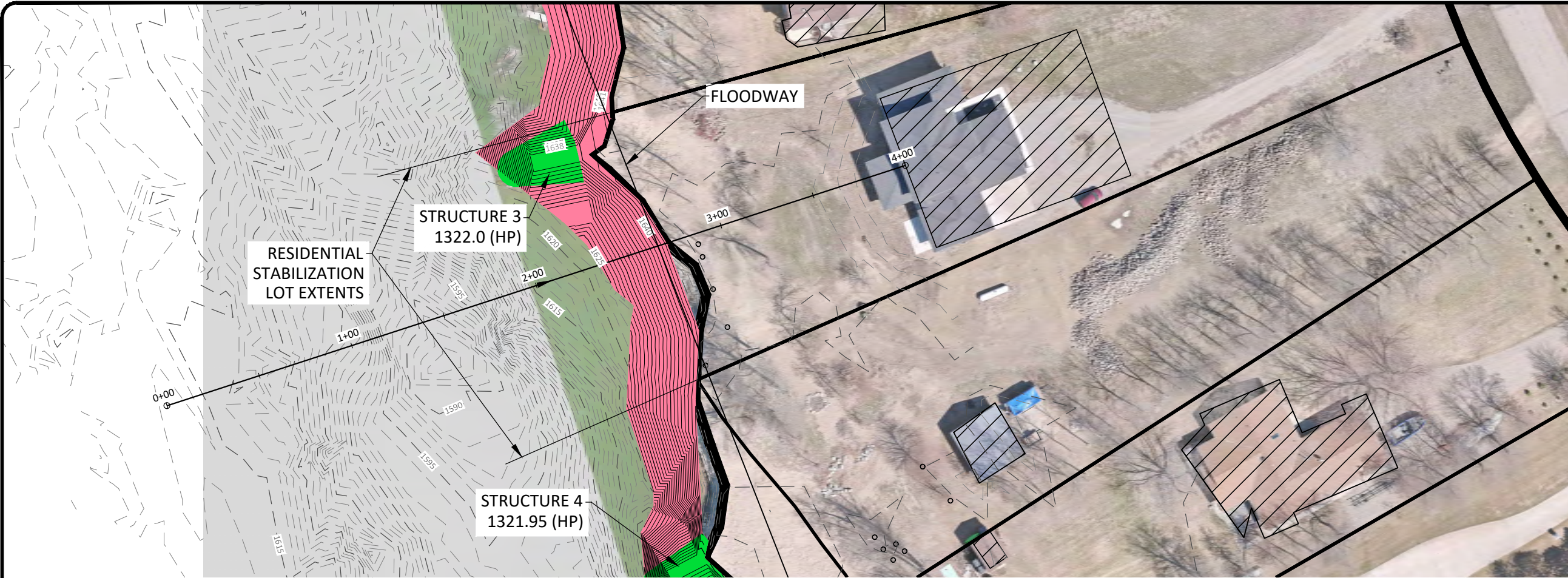
HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

CARLSON & COLEMAN LOT

PROJECT NO. 6025-0021 of 185  
BCWRD, July 2023

SHEET 10





- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA █
  - SECTION 32 RESTORATION AREA █
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR  1601
  - EXISTING MAJOR CONTOUR  1600
  - PROPOSED MINOR CONTOUR  1601
  - PROPOSED MAJOR CONTOUR  1600
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY
- LOT INFORMATION
- NAME: NATHANIEL STRUTZ  
 ADDRESS: 8720 ISLAND RD  
 LOT & BLOCK: LOT 7 BLOCK 10  
 SUBDIVISION: ISLAND PARK ESTATES  
 PARCEL NO.: 23-140-81-50-10-070

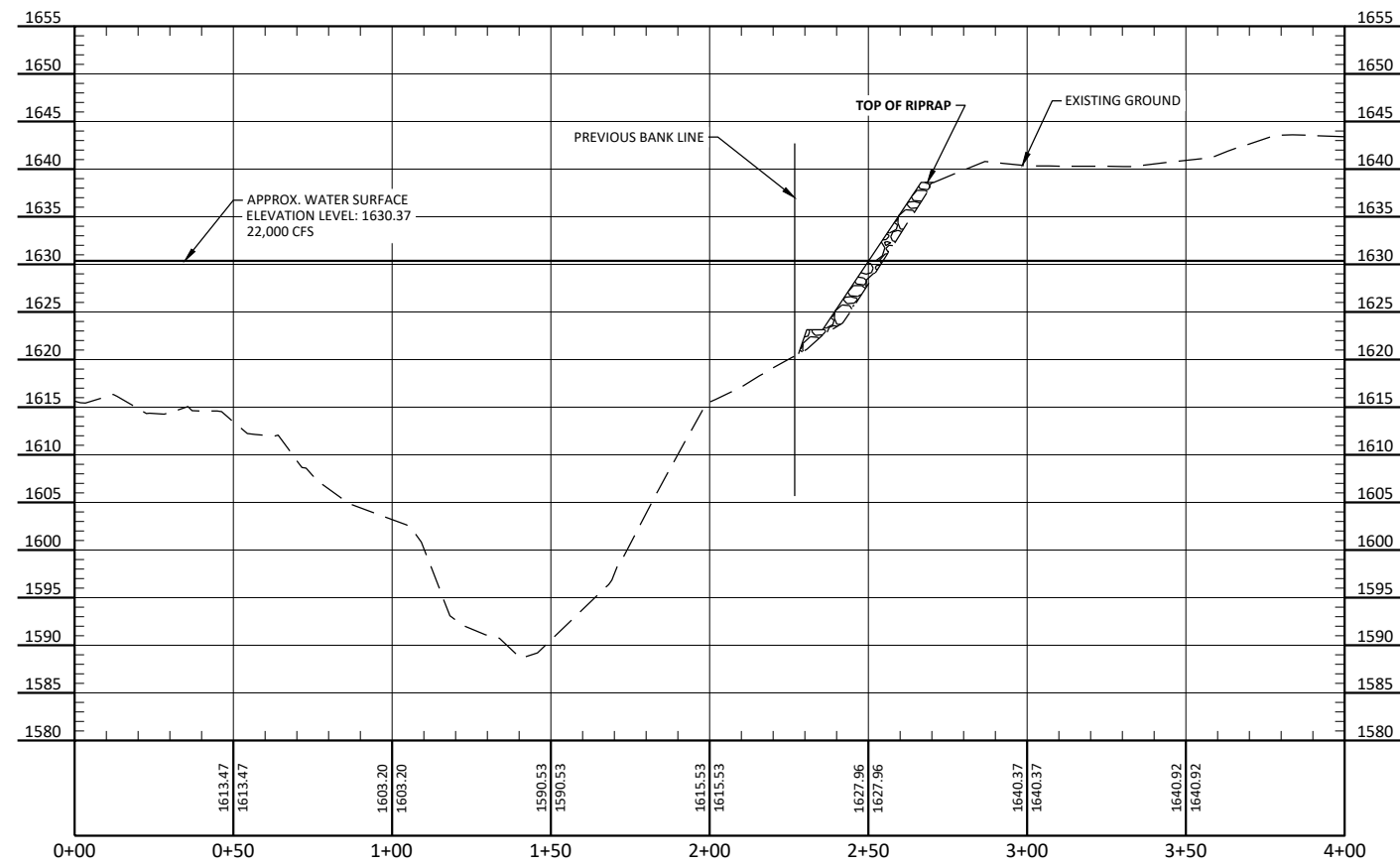
STA 4+80.20 TO STA 6+41.09

ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:

GEOTEXTILE FABRIC	510 SY
RESIDENTIAL RIPRAP	APPROX. 906 TONS
TOPSOIL	45 CY

ESTIMATED SECTION 32 REVETMENT QUANTITIES:

STRUCTURE 3 RIPRAP	APPROX. 2147 TONS
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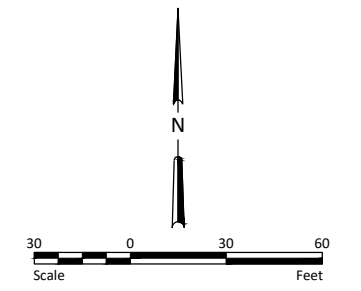
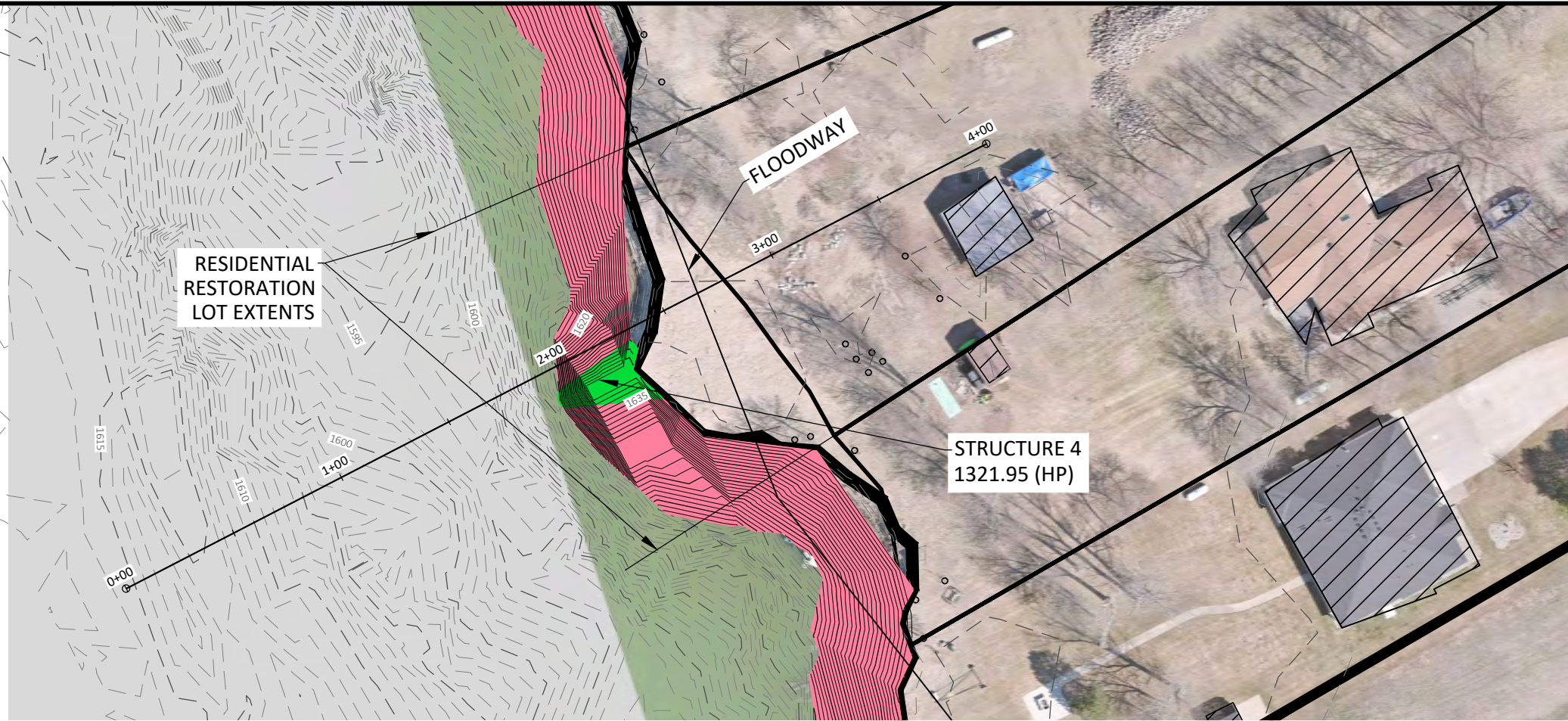


**PRELIMINARY**  
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No.	Revision	Date	By	<b>HOUSTON</b> engineering, inc.		Drawn by CD	Date 6-2-23
						Checked by MG	Scale AS SHOWN
				HOGUE ISLAND BANK STABILIZATION BURLEIGH COUNTY WATER RESOURCE DISTRICT BISMARCK, ND			N. STRUTZ LOT PROJECT NO. 6025-0021 of 185 BCWRD July 2023
						SHEET <b>11</b>	

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- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA
  - SECTION 32 RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR  1601
  - EXISTING MAJOR CONTOUR  1600
  - PROPOSED MINOR CONTOUR  1601
  - PROPOSED MAJOR CONTOUR  1600
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

LOT INFORMATION

NAME: WILLIAM & MARILYN STRUTZ

ADDRESS: 8710 ISLAND RD

LOT & BLOCK: LOT 8 BLOCK 10

SUBDIVISION: ISLAND PARK ESTATES

PARCEL NO.: 23-140-81-50-10-080

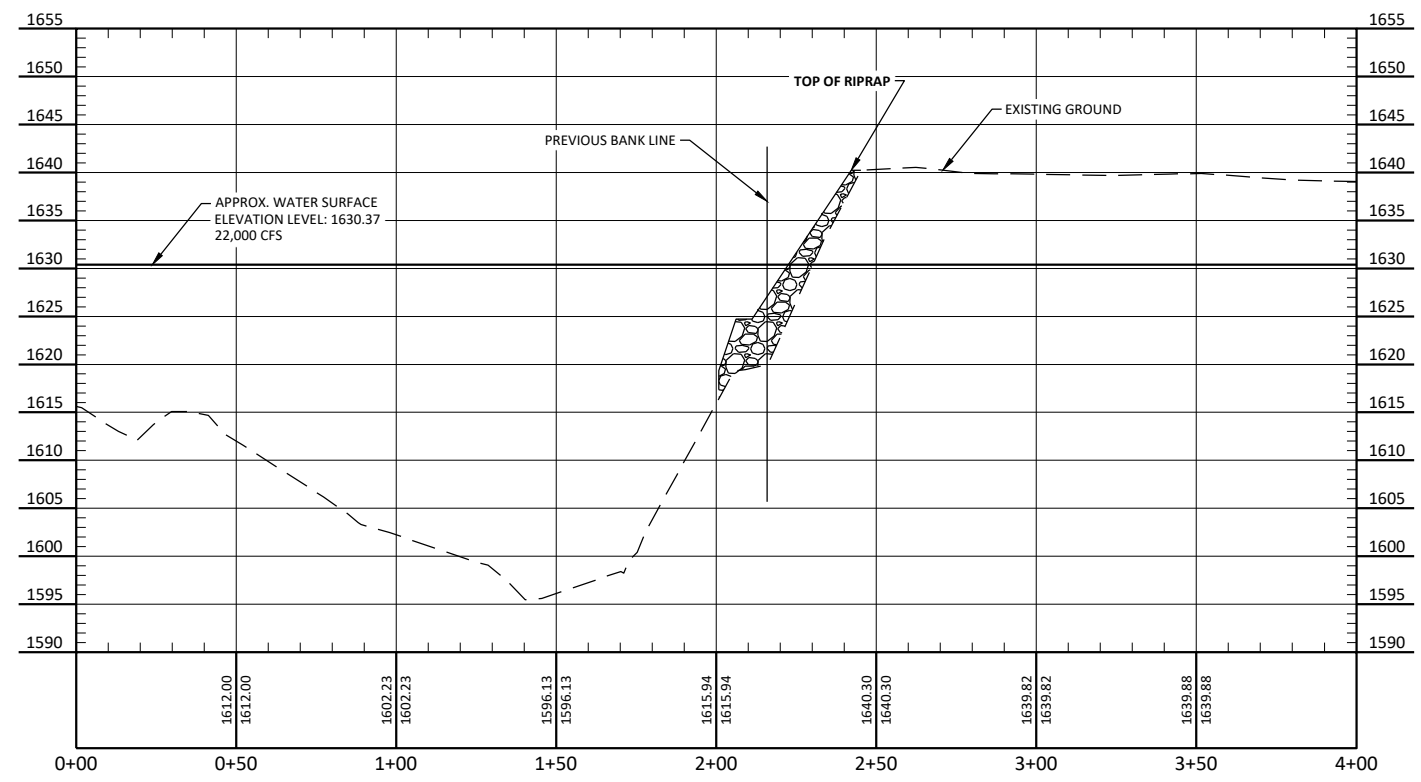
STA 6+41.09 TO STA 8+17.55

ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:

GEOTEXTILE FABRIC	559 SY
RESIDENTIAL RIPRAP	APPROX. 994 TONS
TOPSOIL	49 CY

ESTIMATED SECTION 32 REVETMENT QUANTITIES:

STRUCTURE 4 RIPRAP	APPROX. 1701 TONS
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PRELIMINARY

NOT FOR CONSTRUCTION

No.	Revision	Date	By



Drawn by CD Date 6-2-23

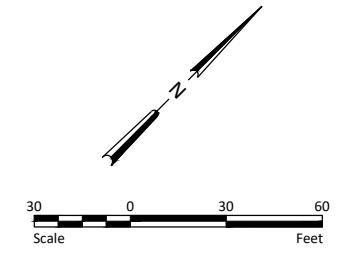
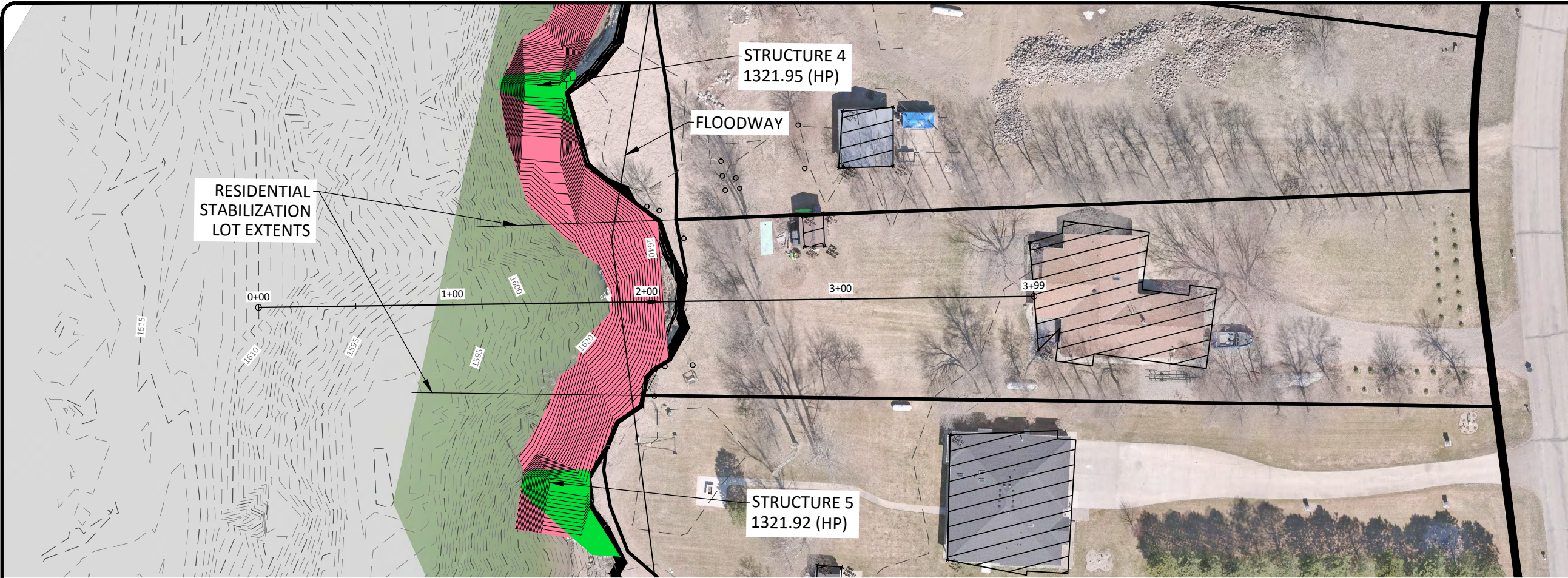
Checked by MG Scale AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

W. STRUTZ LOT

PROJECT NO. 6025-0021 of 185  
BCWRD July 2023

SHEET 12



- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA
  - SECTION 32 RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR  1601
  - EXISTING MAJOR CONTOUR  1600
  - PROPOSED MINOR CONTOUR  1601
  - PROPOSED MAJOR CONTOUR  1600
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY

LOT INFORMATION

NAME: BEVERLY BRIERLY

ADDRESS: 8700 ISLAND RD

LOT & BLOCK: LOT 9 BLOCK 10

SUBDIVISION: ISLAND PARK ESTATES

PARCEL NO.: 23-140-81-50-10-090

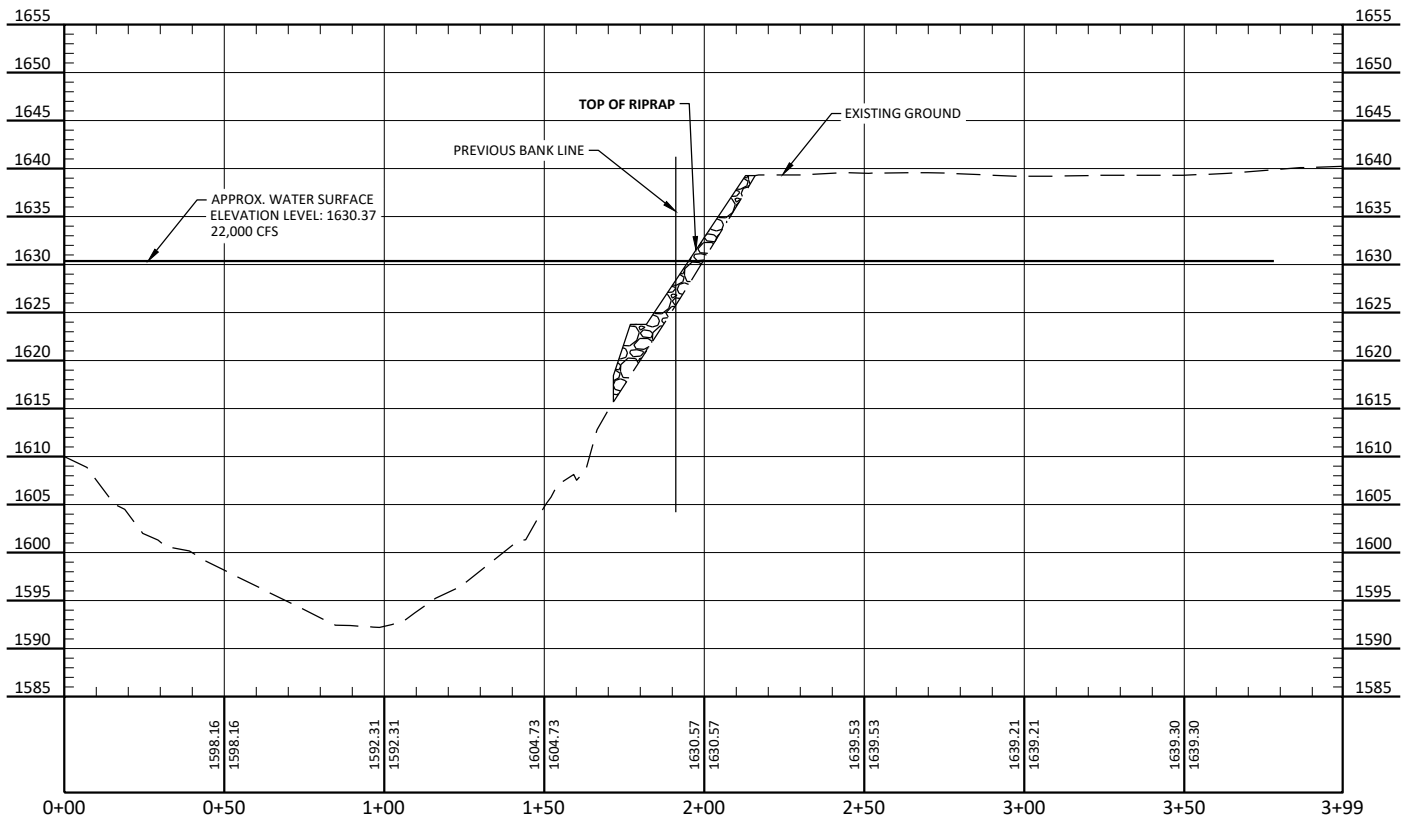
NOTE:

1. REMOVE FALLEN TREES PRIOR TO PLACING RIPRAP.

STA 8+17.55 TO STA 9+12.10

ESTIMATED RESIDENTIAL RESTORATION QUANTITIES:

GEOTEXTILE FABRIC	300 SY
RESIDENTIAL RIPRAP	APPROX. 533 TONS
TOPSOIL	27 CY



**PRELIMINARY**  
NOT FOR CONSTRUCTION

H:\JBN\6025\6025\_0021 Missouri River Bank Stabli\191514 Island Road Bank Erosion\CAD\Plans\2023\Lot 8 Cross Section.dwg-Layout-6/8/2023 4:44 PM-(cdoll)

No.	Revision	Date	By



Drawn by CD Date 6-2-23

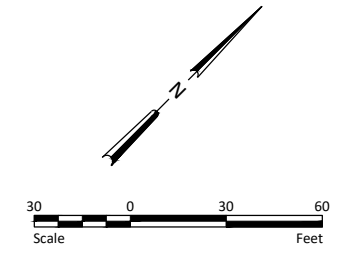
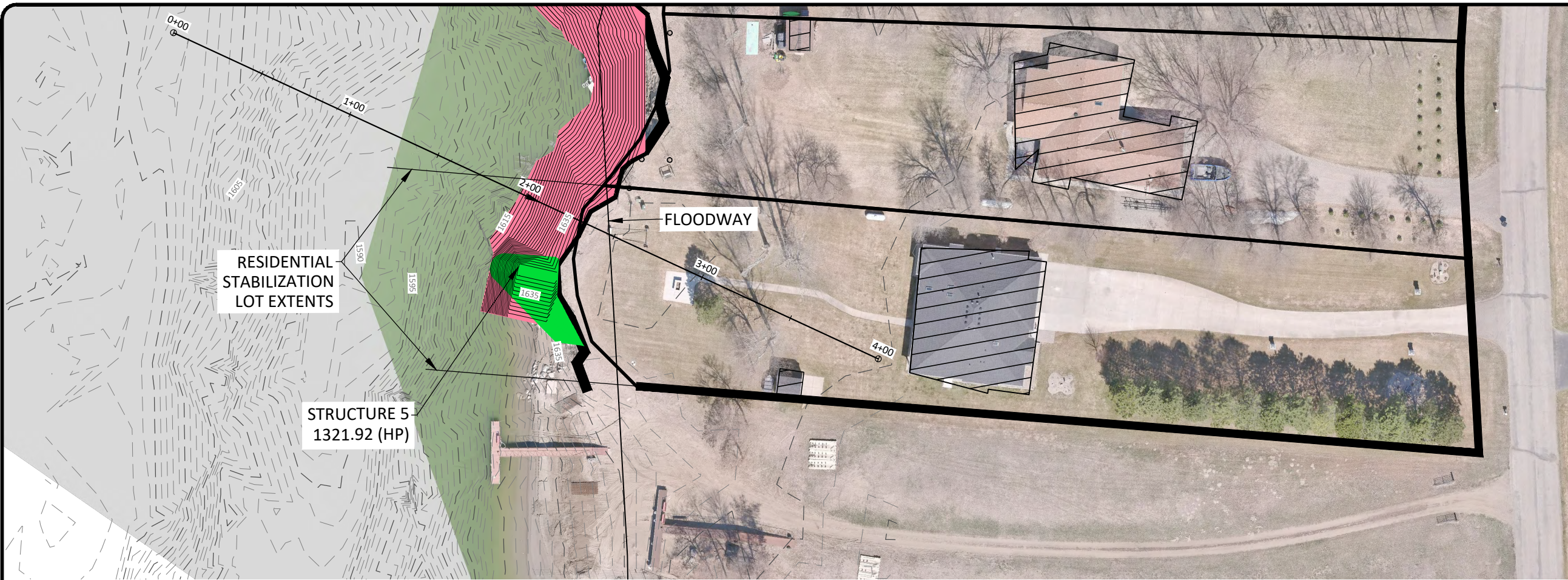
Checked by MG Scale AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BISMARCK, ND

BRIERLY LOT

PROJECT NO. 6025-0021 of 185  
BCWRD July 2023

SHEET  
13



- LOT LINES FROM BURLEIGH COUNTY GIS & CITY OF BISMARCK GIS
- DATUM: NGVD 29
- CONSTRUCTION REFERENCE PLAIN ELEVATION: 1633.30
- LEGEND:
- RESIDENTIAL RESTORATION AREA
  - SECTION 32 RESTORATION AREA
  - LOT LINES
  - BANK LINE POST-EROSION
  - BUILDING FOOTPRINT
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - PROPOSED MINOR CONTOUR
  - PROPOSED MAJOR CONTOUR
  - SPECIAL ASSESSMENT DISTRICT BOUNDARY
- LOT INFORMATION
- NAME: LAURA BEYER  
 ADDRESS: 8636 ISLAND RD  
 LOT & BLOCK: LOT 10 BLOCK 10  
 SUBDIVISION: ISLAND PARK ESTATES  
 PARCEL NO.: 23-140-81-50-10-100

NOTE:

1. PROTECT EXISTING ELECTRICAL AND IRRIGATION FEATURES OR COORDINATE REMOVAL WITH HOMEOWNER.

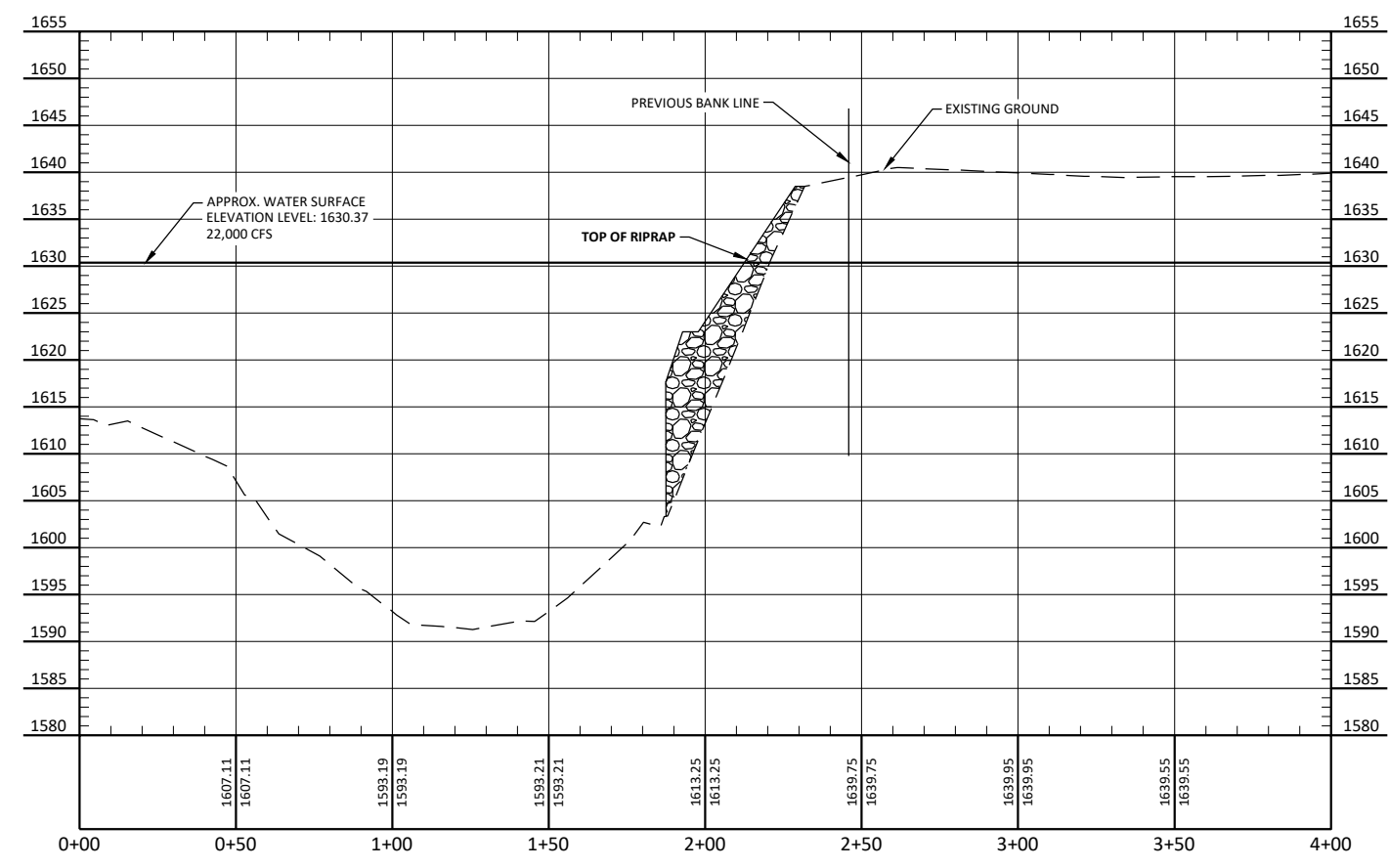
STA 9+12.10 TO STA 10+00.00

ESTIMATED RESIDENTIAL STABILIZATION QUANTITIES:

GEOTEXTILE FABRIC	279 SY
RESIDENTIAL RIPRAP	APPROX. 495 TONS
TOPSOIL	25 CY

ESTIMATED SECTION 32 REVETMENT QUANTITIES:

STRUCTURE 5 RIPRAP	APPROX. 627 TONS
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PRELIMINARY

NOT FOR CONSTRUCTION

H:\JBN\6025\6025\_0021 Missouri River Bank Stabl\9514 Island Road Bank Erosion\CAD\Plans\2023\Lot 9 Cross Section.dwg-Layout-6/8/2023 4:45 PM-(cdoll)

No.	Revision	Date	By



Drawn by  
CD

Checked by  
MG

Date  
6-2-23

Scale  
AS SHOWN

HOGUE ISLAND BANK STABILIZATION  
 BURLEIGH COUNTY WATER RESOURCE DISTRICT  
 BISMARCK, ND

BEYER LOT

PROJECT NO. 6025-002 of 185  
 BCWRD July 2023

SHEET  
14

U.S. Army Corps of Engineers (USACE)  
**NATIONWIDE PERMIT PRE-CONSTRUCTION NOTIFICATION (PCN)**  
 For use of this form, see 33 CFR 330; the proponent agency is CECW-CO-R.

*Form Approved -*  
*OMB No. 0710-0003*  
*Expires: 08-31-2023*

**DATA REQUIRED BY THE PRIVACY ACT OF 1974**

**Authority** Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Program of the Corps of Engineers (Corps); Final Rule 33 CFR 320-332.

**Principal Purpose** Information provided on this form will be used in evaluating the nationwide permit pre-construction notification.

**Routine Uses** This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of the agency coordination process.

**Disclosure** Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued.

The public reporting burden for this collection of information, 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at . Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

**PLEASE DO NOT RETURN YOUR RESPONSE TO THE ABOVE EMAIL.**

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see *sample drawings and/or instructions*) and be submitted to the district engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

**(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPUS)**


1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE
--------------------	----------------------	------------------	------------------------------

**(ITEMS BELOW TO BE FILLED BY APPLICANT)**

<p>5. APPLICANT'S NAME</p> <p>First - James Middle - Last - Landenberger</p> <p>Company - Burleigh County Water Resource District</p> <p>Company Title - Chairman</p> <p>E-mail Address - james.landenberger@bartwest.com</p>	<p>8. AUTHORIZED AGENT'S NAME AND TITLE (<i>agent is not required</i>)</p> <p>First - Travis Middle - Last - Johnson</p> <p>Company - Houston Engineering, Inc.</p> <p>E-mail Address - tjohnson@houstoneng.com</p>
<p>6. APPLICANT'S ADDRESS</p> <p>Address- PO Box 1255</p> <p>City - Bismarck State - ND Zip - 58502 Country - USA</p>	<p>9. AGENT'S ADDRESS</p> <p>Address- 3712 Lockport Street</p> <p>City - Bismarck State - ND Zip - 58503 Country - USA</p>
<p>7. APPLICANT'S PHONE NOs. with AREA CODE</p> <p>a. Residence b. Business c. Fax d. Mobile</p> <p>701-221-8332 701-426-6439</p>	<p>10. AGENT'S PHONE NOs. with AREA CODE</p> <p>a. Residence b. Business c. Fax d. Mobile</p> <p>701-751-6287 701-226-0227</p>

**STATEMENT OF AUTHORIZATION**

11. I hereby authorize, Houston Engineering to act in my behalf as my agent in the processing of this nationwide permit pre-construction notification and to furnish, upon request, supplemental information in support of this nationwide permit pre-construction notification.

  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT

6/15/2023  
 \_\_\_\_\_  
 DATE

**NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY**

12. PROJECT NAME or TITLE (*see instructions*)  
 Hoge Island Bank Stabilization

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

13. NAME OF WATERBODY, IF KNOWN (if applicable)  
 Missouri River

15. LOCATION OF PROPOSED ACTIVITY (see instructions)  
 Latitude °N                      Longitude °W  
 46-53'58.89" N                      100-54'5.55" W

14. PROPOSED ACTIVITY STREET ADDRESS (if applicable)  
 8700 to 8820 Island Road

City:    State:    Zip:  
 Bismarck    ND    58503

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions)

State Tax Parcel ID    Municipality  
 Multiple    Burleigh County

Section    Township    Range  
 33    140    81

17. DIRECTIONS TO THE SITE  
 U.S. Hwy 1804 north from Bismarck to 97th Ave NW. Then left on 97th Ave NW 0.67 miles to Hogue Road. Left on Hogue Road 0.75 miles to Kingswood Road. Right on Kingswood Road 0.63 miles to the site on the east bank of the Missouri River.

18. IDENTIFY THE SPECIFIC NATIONWIDE PERMIT(S) YOU PROPOSE TO USE  
 Project includes repair of three existing Section 32 structures that have failed and reinforcement of a fourth to prevent failure.

19. DESCRIPTION OF PROPOSED NATIONWIDE PERMIT ACTIVITY (see instructions)  
 Placement of rock riprap to cover and stabilize eroding soils and failing banks at an erosion scour across multiple properties on approximately 950 feet total of bankline on the Missouri River.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (see instructions)  
 Placement of rock for bank stabilization of an avulsive event along the Missouri River.

21. PURPOSE OF NATIONWIDE PERMIT ACTIVITY (Describe the reason or purpose of the project, see instructions)  
 The purpose is to stabilize the bank and prevent further erosion and loss of property.

22. QUANTITY OF WETLANDS, STREAMS, OR OTHER TYPES OF WATERS DIRECTLY AFFECTED BY PROPOSED NATIONWIDE PERMIT ACTIVITY (see instructions)

Acres	Linear Feet	Cubic Yards Dredged or Discharged
	950	6383

**Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.**

23. List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. (see instructions)

24. If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and requires pre-construction notification, explain how the compensatory mitigation requirement in paragraph (c) of general condition 23 will be satisfied, or explain why the adverse environmental effects are no more than minimal and why compensatory mitigation should not be required for the proposed activity.

25. Is any portion of the nationwide permit activity already complete?  Yes  No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. (see *instructions*)

27. List any historic properties that have the potential to be affected by the proposed NWP activity or include a vicinity map indicating the location of the historic property or properties. (see *instructions*)

28. For a proposed NWP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

29. If the proposed NWP activity also requires permission from the Corps pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the Corps district having jurisdiction over that project?  Yes  No

If "yes", please provide the date your request was submitted to the Corps district:

30. If the terms of the NWP(s) you want to use require additional information to be included in the PCN, please include that information in this space or provide it on an additional sheet of paper marked Block 30. (see *instructions*)

31. Pre-construction notification is hereby made for one or more nationwide permit(s) to authorize the work described in this notification. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.



SIGNATURE OF APPLICANT

6/15/2023

DATE



SIGNATURE OF AGENT

6/14/23

DATE

The pre-construction notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in Block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

**Instructions for Preparing a  
Department of the Army  
Nationwide Permit (NWP) Pre-Construction Notification (PCN)**

**Blocks 1 through 4.** To be completed by the Corps of Engineers.

**Block 5. Applicant's Name.** Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the preconstruction notification, please attach a sheet of paper with the necessary information marked Block 5.

**Block 6. Address of Applicant.** Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

**Block 7. Applicant's Telephone Number(s).** Please provide the telephone number where you can usually be reached during normal business hours.

**Blocks 8 through 11.** To be completed, if you choose to have an agent.

**Block 8. Authorized Agent's Name and Title.** Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

**Blocks 9 and 10. Agent's Address and Telephone Number.** Please provide the complete mailing address of the agent, along with the telephone number where he / she can be reached during normal business hours.

**Block 11. Statement of Authorization.** To be completed by the applicant, if an agent is to be employed.

**Block 12. Proposed Nationwide Permit Activity Name or Title.** Please provide a name identifying the proposed NWP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

**Block 13. Name of Waterbody.** Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the NWP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

**Block 14. Proposed Activity Street Address.** If the proposed NWP activity is located at a site having a street address (not a box number), please enter it in Block 14.

**Block 15. Location of Proposed Activity.** Enter the latitude and longitude of where the proposed NWP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

**Block 16. Other Location Descriptions.** If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

**Block 17. Directions to the Site.** Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed NWP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed NWP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed NWP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

**Block 18. Identify the Specific Nationwide Permit(s) You Propose to Use.** List the number(s) of the Nationwide Permit(s) you want to use to authorize the proposed activity (e.g., NWP 29).

**Block 19. Description of the Proposed Nationwide Permit Activity.** Describe the proposed NWP activity, including the direct and indirect adverse environmental effects the activity would cause. The description of the proposed activity should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide sketches when necessary to show that the proposed NWP activity complies with the terms of the applicable NWP(s). Sketches usually clarify the activity and result in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed NWP activity (e.g., a conceptual plan), but do not need to be detailed engineering plans.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.



**Block 20. Description of Proposed Mitigation Measures.** Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed NWP activity. The description of any proposed mitigation measures should be sufficiently detailed to allow the district engineer to determine that the adverse environmental effects of the activity will be no more than minimal and to determine the need for compensatory mitigation or additional mitigation measures.

**Block 21. Purpose of Nationwide Permit Activity.** Describe the purpose and need for the proposed NWP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

**Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed Nationwide Permit Activity.** For discharges of dredged or fill material into waters of the United States, provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed NWP activity. For structures or work in navigable waters of the United States subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, or occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed NWP activity.

For multiple NWPs, or for separate and distant crossings of waters of the United States authorized by NWPs 12 or 14, attach an extra sheet of paper marked Block 21 to provide the quantities of wetlands, streams, or other types of waters filled, flooded, excavated, or drained (or dredged or occupied by structures, if in waters subject to Section 10 of the Rivers and Harbors Act of 1899) for each NWP. For NWPs 12 and 14, include the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained for each separate and distant crossing of waters or wetlands. If more space is needed, attach an extra sheet of paper marked Block 22.

**Block 23. Identify Any Other Nationwide Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity.** List any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by NWPs 12 or 14 that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

**Block 24. Compensatory Mitigation Statement for Losses of Greater Than 1/10-Acre of Wetlands When Pre-Construction Notification is Required.** Paragraph (c) of NWP general condition 23 requires compensatory mitigation at a minimum one-for-one replacement ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed NWP activity are no more than minimal without compensatory mitigation, and provides an activity-specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than 1/10 acre, or provide an explanation of why the district engineer should not require wetland compensatory mitigation for the proposed NWP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

**Block 25. Is Any Portion of the Nationwide Permit Activity Already Complete?** Describe any work that has already been completed for the NWP activity.

**Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the Nationwide Permit Activity.** If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed NWP activity, or if the proposed NWP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed NWP activity or utilize the designated critical habitat that might be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

**Block 27. List Any Historic Properties that Have the Potential to be Affected by the Nationwide Permit Activity.** If you are not a Federal agency, and if any historic properties have the potential to be affected by the proposed NWP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed NWP activity. If you are a Federal agency, and the proposed NWP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

**Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the Nationwide Permit Activity Would Occur in such a River.** If the proposed NWP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit .

**Block 29. Nationwide Permit Activities that also Require Permission from the Corps Under 33 U.S.C. 408.** If the proposed NWP activity also requires permission from the Corps under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a Corps federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the Corps district having jurisdiction over that project.

**Block 30. Other Information Required For Nationwide Permit Pre-Construction Notifications.** The terms of some of the Nationwide Permits include additional information requirements for preconstruction notifications:

- \* NWP 3, Maintenance –information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- \* NWP 31, Maintenance of Existing Flood Control Facilities –a description of the maintenance baseline and the dredged material disposal site.
- \* NWP 33, Temporary Construction, Access, and Dewatering –a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
- \* NWP 44, Mining Activities –if reclamation is required by other statutes, then a copy of the final reclamation plan must be submitted with the pre-construction notification.
- \* NWP 45, Repair of Uplands Damaged by Discrete Events –documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
- \* NWP 48, Commercial Shellfish Aquaculture Activities –(1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this NWP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).
- \* NWP 49, Coal Remining Activities –a document describing how the overall mining plan will result in a net increase in aquatic resource functions must be submitted to the district engineer and receive written authorization prior to commencing the activity.
- \* NWP 50, Underground Coal Mining Activities –if reclamation is required by other statutes, then a copy of the reclamation plan must be submitted with the pre-construction notification.

If more space is needed, attach an extra sheet of paper marked Block 30.

**Block 31. Signature of Applicant or Agent.** The PCN must be signed by the person proposing to undertake the NWP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the NWP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the NWP activity (including compliance with special conditions, mitigation, etc.).

#### DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 45 day PCN review period will not start until the delineation is submitted or has been completed by the Corps.

#### DRAWINGS AND ILLUSTRATIONS

##### General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross-Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one original, or good quality copy, of all drawings on 8½x11 inch plain white paper (electronic media may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross-section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

#### ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed NWP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived (see NWP general condition 25). Some States, Tribes, or EPA have issued water quality certification for one or more NWPs. Please check the appropriate Corps district web site to see if water quality certification has already been issued for the NWP(s) you wish to use. For proposed NWP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur (see NWP general condition 26). Some States have issued Coastal Zone Management Act consistency concurrences for one or more NWPs. Please check the appropriate Corps district web site to see if Coastal Zone Management Act consistency concurrence has already been issued for the NWP(s) you wish to use.



# APPLICATION FOR AUTHORIZATION TO CONSTRUCT A PROJECT WITHIN ISLANDS AND BEDS OF NAVIGABLE STREAMS AND WATERS

Office of the State Engineer  
900 East Boulevard  
Bismarck, ND 58505-0850

Permit No. \_\_\_\_\_

Project No. 1625

Date  
Received Stamp  
Location  
  
SWC USE ONLY

I, the undersigned, do hereby submit the following information to the Office of the State Engineer as an application to construct a project that may impact islands and beds of navigable streams and waters of North Dakota under NDCC Chapter 61-33.

### GENERAL INFORMATION:

This Application must include a map from an actual survey, aerial photo or topographic map and plot map (if a development). The size of the map shall be 8½ by 11 inches. The map shall have a north arrow and approximate scale. Indicate the existing or proposed work on the drawing. Plans and specifications must be submitted if project includes construction work.

- (1) Project will be located in the: \_\_\_\_\_ Water Resource District
- (2) Legal description to the nearest 40 acre tract: \_\_\_\_\_ ¼ \_\_\_\_\_ ¼ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_
- (3) Is this application for modification of an existing project  Yes  No If so, what year was project constructed: \_\_\_\_\_  
By whom: \_\_\_\_\_
- (4) Proposed project involves  water crossing, type \_\_\_\_\_  boat dock,  boat ramp,  water intake,  dredge, volume \_\_\_\_\_ cu. yds.  filling, volume \_\_\_\_\_ cu. yds. , type \_\_\_\_\_,  other (explain) \_\_\_\_\_
- (5) Water body on which project will be located: \_\_\_\_\_
- (6) Purpose: \_\_\_\_\_
- (7) Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (8) Contractor, if known: \_\_\_\_\_
- (9) Anticipated construction start date: \_\_\_\_\_ Completion date: \_\_\_\_\_

The filing of this application and its approval in no way relieves the applicant or riparian landowner from any responsibility or liability resulting from the construction, operation or failure of the project.

Riparian Land Owner or Organization Sponsor: (Print) \_\_\_\_\_

Applicant: (Print) \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (H) \_\_\_\_\_

(W) \_\_\_\_\_

Signature: \_\_\_\_\_ Date Submitted: 6/15/2023  
(Riparian landowner or Organization Sponsoring the project)

Permit No.  
\_\_\_\_\_

# BURLEIGH COUNTY

Date of Submittal  
\_\_\_\_\_

## Building in the Floodplain Development Permit Application

*This form is used for any development in a Special Flood Hazard Area as shown on the community's effective FEMA Flood Insurance Rate Map. Development is defined as any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operation or storage of equipment or materials.*

### Property Information

Property Address/Location 8636 to 8832 Island Road, Bismarck, ND		
Legal Disc.	Lot&Blk Block 10, Lot 2-10	Subdivision Island Park Estates

### Owner Information

Owner's Name Burleigh County Water Resource District on behalf of owners.	Phone # 701-426-6439
Address 1720 Burnt Boat Road #205	
Email james.landemberger@bartwest.com	Mobile Phone #

### Contractor Information

Contractor Name TBD	Phone #
Company Name	Fax #
Address	
Email	Mobile Phone #

### Floodplain Map Information

Map # 570D	Panel # 38015C0570D	Flood Zone AE	Floodway? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Base Flood Elevation 1641.9
------------	---------------------	---------------	--	-----------------------------

**Description of Development:** Placement of rock riprap to restore three existing hardpoints on the Missouri River that have failed, and to reinforce a fourth hardpoint. Placement of rock riprap to stabilize bankline between the existing hardpoints to protect private property, stop ongoing erosion, and protect from further erosion losses. Total length of affected area is approximately 950 linear feet of Missouri River bankline.

**Submittal Requirements:** Site Plan showing the location of all existing and proposed structures, water bodies, adjacent roads, lot dimensions, 100-year floodplain boundary, and floodway boundary, if applicable, and proposed development. If proposed development is a new structure or substantial improvement of an existing structure, a certified and completed FEMA Elevation Certificate that includes the proposed elevation of the structure's lowest floor (including basement) shall be submitted.

### Certification and Acknowledgement:

I certify that I am the owner or the authorized agent of the owner of the property upon which the work authorized by the permit sought will be performed. I further certify that the information given is true and correct to the best of my knowledge. All work will be performed in accordance with all applicable laws of the State of North Dakota and Burleigh County.

\_\_\_\_\_  
Printed Name of Owner or Owner Representative

\_\_\_\_\_  
Signature of Owner or Owner Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Application Approved/ Denied By

\_\_\_\_\_  
Date

This is an Application only and not the Actual Permit.



**APPLICATION FOR THE STATE  
ENGINEER'S FLOODWAY REVIEW**  
NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
REGULATORY DIVISION  
SFN 61171 (2/2023)

**FOR STATE USE ONLY**

Project Number 1721-05

Date Received

**N.D.C.C. § 61-16.2-14** requires that the community responsible for permitting or authorizing a use in a regulatory floodway must notify the department of the proposed use before issuing the permit or authorization.

**1. PERMITTING COMMUNITY**

Community Name	Floodplain Administrator's Name		
Address	City	State	ZIP Code
Telephone Number	Email Address		

**2. APPLICANT (if different than Permitting Community)**

Company/Agency	Contact Name		
Address	City	State	ZIP Code
Telephone Number	Email Address		

**3. DEVELOPMENT INFORMATION**

Location	
FIRM Panel	FIRM Date
Flood Source (stream name)	
Purpose	
Development Description (attach additional documents as needed)	
Anticipated Construction Start Date	Anticipated Construction Completion Date

**4. FLOODWAY ANALYSIS**

**Floodway Development Federal and State Regulations:**

44 CFR 60.3(d)(3) requires that communities must prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

N.D.C.C. § 61-16.2-06 requires that upon delineation of the floodway under the National Flood Insurance Program [42 U.S.C. 4001 et seq.], uses shall be permitted within the floodway to the extent that they do not result in any increase in flood levels during the occurrence of the base flood discharge.

Please provide the following documentation (note that additional documentation may be required).	
	A map showing the proposed development location, compensatory storage, and all hydraulic cross sections used in the analysis.
	A description of the mitigation measures taken to restore conveyance. Provide volumetric calculations demonstrating compensatory storage, if applicable.
	Completed "No-Rise" Certificate.
	The hydraulic analysis results, including calculated conveyance and any other properties that may be pertinent. Please include at least one cross section both upstream and downstream of the development site, as well as all cross sections used at the development site (at least one). These are needed for both pre-and post-development conditions.

**5. SIGNATURES**

Submit this document and all attachments to the Department of Water Resources to request a floodway review as required by North Dakota Century Code § 61-16.2-14. Furthermore, I understand a permit issued from the local floodplain Administrator is required before any development may commence.

Applicant's Signature (if not Floodplain Administrator)	Date
---	------

Before issuing a permit or authorization to allow a use in a regulatory floodway, the community responsible for permitting or authorizing such development shall notify the Department of Water Resources of the proposed development. With a signature from the local floodplain administrator, this form will serve as official notification.

Floodplain Administrator's Signature	Date
--------------------------------------	------

Mail this application & supplemental forms to:

North Dakota Department of Water Resources  
 Regulatory Division  
 1200 Memorial Highway  
 Bismarck, ND 58504-5262



**FLOODWAY "NO-RISE" CERTIFICATION**  
 NORTH DAKOTA DEPARTMENT OF WATER RESOURCES  
 REGULATORY DIVISION  
 SFN 61173 (9/20121)

This document is to certify that I am a duly qualified, registered professional engineer, licensed to practice in the State of North Dakota.

This document is to further certify that the attached technical data supports the fact that the proposed

Name of Development
---------------------

will not impact the base flood elevations, floodway elevations, or floodway widths on

Name of Stream
----------------

at the published cross sections in the Flood Insurance Study for

Name of Community	Study Date
-------------------	------------

and will not impact the base flood elevations, floodway elevations, or floodway widths at unpublished cross-sections in the vicinity of the proposed development.

Attached are the following documents to support my findings:

Name		
Title		
Address		
Address		
City	State	ZIP Code

SEAL, SIGNATURE, AND DATE
---------------------------



**Resolution No. 2**

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
BURLEIGH COUNTY, NORTH DAKOTA**

**RESOLUTION APPROVING ENGINEER’S REPORT, PLANS, SPECIFICATIONS  
AND ESTIMATE OF COST AND DIRECTING THE ASSESSMENT OF THE COST FOR THE  
HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22**

BE IT RESOLVED by the Burleigh County Water Resource District, Burleigh County, North Dakota, as follows:

1. The engineer’s report, preliminary plans, profiles, and opinion of probable cost received by this Board for the proposed construction of the **Hogue Island Bank Stabilization – MR 1321.89 to MR 1322.22 (the “Project”)** on June 14, 2023, are hereby approved and the same shall be forthwith filed in the office of the Secretary.
2. The Board shall proceed with the assessment of the project cost and public hearing process in accordance with N.D.C.C. Section 61-16.1-21. The project assessments are to include project costs, as well as coordination with the rehabilitation/restoration of the *Section 32 Revetements*, per the recommendations contained in the engineer’s report. There is no operation and maintenance provisions included in this project.

Dated this 14<sup>th</sup> day of June, 2023

ATTEST:

BURLEIGH COUNTY WATER  
RESOURCE DISTRICT

Wendy Egli

Digitally signed by Wendy Egli  
DN: cn=Wendy Egli, o=Frontiere Payroll Services, ou,  
email=wendy@fispayroll.com, c=US  
Date: 2023.06.16 10:26:57 -0500

Secretary

James Landenberger, Chairman,  
Burleigh County Water Resource District

The governing body of the political subdivision acted on the foregoing resolution on this 14<sup>th</sup> day of June, 2023 as follows:

Adoption moved by Binegar                      Seconded by Palm

Roll Call Vote (List Last Names)

“Aye” Reep, Palm, Landenberger

“Nay” \_\_\_\_\_

Absent Smith

...and after vote the presiding officer declared the resolution adopted.





# Burleigh County Water Resource District

PO Box 1255

Bismarck, North Dakota 58502-1255

(701) 354-1501

[www.bcwrdd.org](http://www.bcwrdd.org)

June 22, 2023

John Paczkowski, ND State Engineer  
North Dakota Department of Water Resources  
1200 Memorial Highway, Dept 770  
Bismarck, ND 58504

RE: Hogue Island Bank Stabilization  
Sovereign Land Permit Application S-2428

Dear John:

The Burleigh County Water Resource District (BCWRD) has been collaborating with the ND Department of Water Resources (DWR), US Army Corps of Engineers (USACE) and local landowners to address significant damages caused by erosion on the Missouri River between River Mile 1321.89 and 1322.22. This erosion severely impacted several USACE Section 32 revetments along with private stabilization measures, which in most cases the later were lost to the river. A USACE and Sovereign Land permit application were recently submitted for work in this area as a joint project. It is our request this joint project that protects all parties, including the federal and private structures, be given priority. We understand the DWR as part of this process wants to independently permit the individual landowner parcels under sovereign lands; therefore, we are in the process of preparing those applications.

Subsequently, our comments on Solicitation of Views for S-2428, are in the context to the larger project. First, our consultant has determined the design presented in this private application is deficient given the location of the erosion impacts, Section 32 projects, and associated risks. Second, there are several other inaccuracies in the application that should be corrected, however it is not necessary to address these at this time.

If you have questions, please let me know. Your staff can contact Michael Gunsch, Houston Engineering regarding any technical questions regarding the joint project application.

Sincerely,

A handwritten signature in blue ink that reads "James Landenberger".

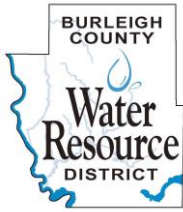
James Landenberger, Chairman  
Burleigh County Water Resource District

C: Andrea Travnicek, Director NDDWR (email)  
Gerald Heizer, ND Sovereign Land Coordinator (email)  
Arron Carranza, DWR Regulatory Division (email)  
Toni Erhardt, Bismarck Regulatory Office USACE  
David Bliss, Bliss Law (email)  
Michael H. Gunsch, Houston Engineering, Inc. (email)  
BCWRD Board Members (email)  
Hogue Island Landowners (email)

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## Current Board Members:

James Landenberger, Chairman 701-426-6439    Cory Palm, Vice Chairman 701-516-4660  
Dennis Reep, Secretary/Treasurer 701-595-2142    Roger Smith, Manager 701-400-6283  
Randy Binegar, Manager 701-595-4947



# Burleigh County Water Resource District

PO Box 1255

Bismarck, North Dakota 58502-1255

(701) 354-1501

[www.bcwrld.org](http://www.bcwrld.org)

June 22, 2023

Andrea Travnicek, Director  
North Dakota Department of Water Resources  
1200 Memorial Highway, Dept 770  
Bismarck, ND 58504

RE: Hogue Island Bank Stabilization – USACE Section 32 Revetements RM 1321.89 and 1322.22  
Reconstruction and Rehabilitation

Dear Andrea:

The Burleigh County Water Resource District (BCWRD) has been collaborating with the ND Department of Water Resources (DWR), US Army Corps of Engineers (USACE) and local landowners to address significant erosion damages on the Missouri River between River Mile 1321.89 and 1322.22. This erosion severely impacted several USACE Section 32 revetments. Significant losses also occurred to private residential stabilization measures, which in many cases were lost to the river. The enclosed Preliminary Engineering Report documents the existing USACE Section 32 Demonstration Projects, includes copies of easements, original plans, and an O&M Agreement. This report was prepared as part of the special assessment district created by the BCWRD under NDCC 61-16.1 to repair or replace the private stabilization measures.

This letter is a request to the North Dakota State Water Commission's (SWC) regarding funds to participate in the cost to restore/rehabilitate the Section 32 structures, under the O&M Agreement. We understand this request will be reviewed by the SWC subcommittee on July 13<sup>th</sup>, prior to being placed on the August 10<sup>th</sup> agenda for consideration. Based on the current budgeting the total project expense is estimated at \$545,811, with 50% of these costs to be \$272,905. Actual costs are dependent on the bidding and final construction, along with consideration of the current expenses to date by the DWR and BCWRD.

Timing of this funding request and the special assessment district are focused on construction in the fall of 2023. The approval timeline is critical to avoid future damages to the structures and potentially the residences during the winter and spring flows. The required regulatory permit applications have been submitted to the respective agencies for consideration. The BCWRD's intent is to advertise for construction as soon as the special assessment district vote has been completed, and to expedite construction to the extent practical.

If you have questions, please let me know. Your staff can contact Michael Gunsch, Houston Engineering regarding any technical questions regarding the report or design.

Sincerely,

A handwritten signature in blue ink that reads "James Landenberger".

James Landenberger, Chairman  
Burleigh County Water Resource District

Enclosure

C: John Paczkowski, ND State Engineer (email)  
Gerald Heizer, ND Sovereign Land Coordinator (email)  
Toni Erhardt, Bismarck Regulatory Office USACE  
Aaron Carranza and Pat Fridgen, NDDWR (email)  
David Bliss, Bliss Law (email)  
Michael H. Gunsch, Houston Engineering, Inc. (email)  
BCWRD Board Members (email)  
Hogue Island Landowners (email)

---

#### Current Board Members:

James Landenberger, Chairman 701-426-6439    Cory Palm, Vice Chairman 701-516-4660  
Dennis Reep, Secretary/Treasurer 701-595-2142    Roger Smith, Manager 701-400-6283  
Randy Binegar, Manager 701-595-4947

State of North Dakota  
Temporary Water Permit

In response to an application for a temporary water permit dated 6/6/23 as received in this office 6/6/23, authority is hereby granted to:

Burleigh County Highway Department  
8100 43rd St NE  
Bismarck, ND 58503

Contact Person: Lonny G Hertel

Telephone: (701) 220-6655

**A Temporary Water Permit as follows:**

**Source:** East Branch Apple Creek

**Point of Diversion:** NE1/4 Sec. 33 Twp. 140 Rng. 077

**Nature of Use:** Road Construction

**Total Quantity of Water:** 3.000 Acre-Feet

**Maximum Withdrawal Rate:** 250.0 gpm

**Period of authorized usage:** 6/12/23 through 10/31/23

This temporary water permit does not authorize the construction of any dam or crossing. Future water use from this source for this purpose may require a conditional water permit. Temporary water permits are not a water right, are non-transferrable, cannot be modified, and water must only be used for the specified nature of use. This temporary water permit is granted subject to water use by senior appropriators. Withdrawals authorized by this temporary water permit must cease upon order of the Department of Water Resources. Noncompliance with permit conditions may result in possible civil or criminal penalties. Development of a water project with a temporary water permit is at the permitholder's risk.

Conditions

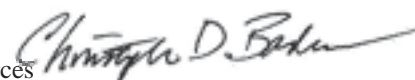
1. Water must be withdrawn from the right of way.
2. The Department of Water Resources may impose minimum flow restrictions.
3. The permitholder must not cause streamflow to cease.

Dated: 6/7/23

cc: Burleigh WRD

---

John A Paczkowski, P.E.  
State Engineer  
ND Department of Water Resources  
1200 Memorial Hwy  
Bismarck, ND 58504



Christopher D. Bader  
Director, Water Appropriations Division

**State of North Dakota  
Temporary Water Permit**

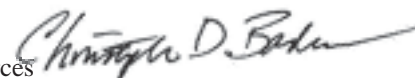
4. Sufficient water for downstream superior water rights must flow past the point of diversion while water is being withdrawn under this water permit.
5. A weather-protected copy of this temporary water permit must be present and on display at the equipment withdrawing water at all times.
6. The permit holder must complete every enclosed Annual Water Use Report, even if no water is withdrawn based on the following:
  - a. For temporary water permits that are inclusive to one (1) calendar year:
    - i. One (1) Annual Water Use Report must be submitted to the Department of Water Resources within thirty (30) days after the expiration date of the permit.
  - b. For temporary water permits that span two (2) calendar years:
    - i. The first Annual Water Use Report must be submitted to the Department of Water Resources within thirty (30) days after the close of the first calendar year, which must report the total water withdrawn in the first calendar year, and
    - ii. The second Annual Water Use Report must be submitted to the Department of Water Resources within thirty (30) days after the expiration date of the permit, which must report the total water withdrawn in the second calendar year.
7. Any works associated with this temporary water permit are subject to inspection at any time by representatives of the Department of Water Resources. Refusal to allow inspection is grounds for temporary water permit cancellation.
8. Failure to comply with any order of the Department of Water Resources may result in temporary water permit forfeiture.

Dated: 6/7/23

cc: Burleigh WRD

---

John A Paczkowski, P.E.  
State Engineer  
ND Department of Water Resources  
1200 Memorial Hwy  
Bismarck, ND 58504



Christopher D. Bader  
Director, Water Appropriations Division

July 2023 Bills

Name	Project	Invoice	Amount
Bain Agency	Renewal of General Liability Insurance	1545	\$ 3,642.00
Bain Agency	Renewal of Property Insurance	1546	\$ 1,219.00
Bismarck Parks & Rec	McDowell Dam	4472	\$ 13,508.41
Bliss Law Firm	Hoge Island	432	\$ 791.10
Bliss Law Firm	General - Meeting Attendance and prep June	432	\$ 1,205.10
Bliss Law Firm	Sibley Island	432	\$ 263.70
Bliss Law Firm	McDowell Dam	432	\$ 498.10
Bliss Law Firm	Drainage Complaints	432	\$ 234.40
ESRI	ESRI Annual Fee	94502182	\$ 550.00
Fronteer Professional Services	Presort - May	3291	\$ 59.15
Fronteer Professional Services	June Admin	3310	\$ 2,165.00
Fronteer Professional Services	Nameplate For Jerry	3336	\$ 17.12
Houston Engineering	Hoge Island Bank Stabilization	65872	\$ 25,940.63
Houston Engineering	Missouri River Bank Stabilization Issues	65873	\$ 22,963.00
Houston Engineering	Sibley Island Flood Control	65949	\$ 8,490.00
Workforce Safety	WSI Annual Insurance	8VPETOKJL5	\$ 250.00
	<b>Total</b>		<b>\$ 81,796.71</b>
Payroll:			
Cory Palm			\$ 698.16
Dennis Reep			\$ 1,367.24
James Landenberger			\$ 2,210.86
Randall Binegar			\$ 872.70
Roger Smith			\$ 465.90
FICA			\$ 901.28
Federal Unemployment			\$ 35.34
ND Unemployment			
	Payroll Total		\$ 6,551.48
	<b>Total</b>		<b>\$ 6,551.48</b>
	<b>Grand Total</b>		<b>\$ 88,348.19</b>



**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

1720 Burnt Boat Drive, Suite 205 – Bismarck, ND 58503

Claimants Name: James Landenberger Position: Board Chairman  
 Claimants Address: 5012 Driftwood Lane, Bismarck ND 58503 Date Rendered: 6/30/23

Item	Date	Materials Provided or Services Rendered	Hours	Mileage	Misc	Per Diem	Total
1	4/6/23	Burleigh County Spring Flood Meeting	2				\$126
2	4/11/23	Meeting with Hoge Island Landowners	2				\$126
3	4/12/23	BCWRD April Monthly Board Meeting (x2)	6				\$378
4	4/18/23	Emails and Discussions on McDowell Dam Project	1				\$63
5	5/3/23	Hoge Island Revetment Meeting with NDDWR and HEI	2				\$126
6	5/8/23	Emails and Discussions on Iverson and Fettig Complaints	1				\$63
7	5/9/23	Meeting and Site Tour of McDowell Dam with BPRD Staff	2				\$126
8	5/10/23	BCWRD May Monthly Board Meeting (x2)	6				\$378
9	5/18/23	Meeting with Sibley Island landowner	2				\$126
10	5/19/23	Meeting with Travis HEI and landowner on McDowell Dam	1				\$63
11	5/25/23	Budget meeting with Dennis and Wendy	2				\$126
12	6/9/23	Discussions with Fettig, Cory, and Dave on complaints	1				\$63
13	6/12/23	Discussion with Cindy V – landowner on Sibley Island Project	1				\$63
14	6/14/23	BCWRD June Monthly Board Meeting (x2)	6				\$378
15	6/15/23	Budget Hearing with Burleigh County Committee	1				\$63
16	6/29/23	WebGrants Application for Hoge Island and review of docs	2				\$126
		Hourly - 20 x 63 = \$1260.00					
		Meeting - 3 x 189 x 2= \$1134.00					
		Total Due = \$2394.00					
			Total Hours 38	Total Miles	Total Misc		
			\$2394				\$2394

I DO HEREBY CERTIFY THAT THE WITHIN BILL, CLAIM, ACCOUNT OR DEMAND IS JUST AND TRUE; THAT THE MONEY HEREIN CHARGED WAS ACTUALLY PAID FOR THE PURPOSE HEREIN STATED; THAT THE SERVICES HEREIN CHARGED WERE ACTUALLY RENDERED AND OF THE VALUE THEREIN CHARGED, AND THAT NO PART OF SUCH BILL, CLAIM, ACCOUNT, OR DEMAND HAS BEEN PAID, AND THAT THE GOODS HEREIN CHARGED WERE ACTUALLY DELIVERED AND WERE OF THE VALUE CHARGED.

I CERTIFY THAT THE ABOVE CLAIM IS CORRECT AND THAT THE GOODS WERE RECEIVED OR SERVICES PERFORMED.

James Landenberger  
Board Member

*James Landenberger*  
Sign Here

**BURLEIGH COUNTY WATER RESOURCE DISTRICT**

P.O. Box 1255, Bismarck, ND 58502

Claimants Name:	Cory Palm	Position:	Vice Chairman
Claimants Address:	800 79th Ave NE, Bismarck, ND 58503	Date Rendered:	2nd Quarter

Item	Date	Materials Provided or Services Rendered	Hours	Mileage	Misc	Per Diem	Total
1	4/12/2023	April Board Meeting					\$ 189.00
2	5/8/2023	Iverson/Fettig Complaint Pictures/Drone	2				\$ 126.00
3	5/10/2023	May Board Meeting					\$ 189.00
4	6/9/2023	Iverson/Fettig Complaint w/Travis	1				\$ 63.00
5	6/14/2023	June Board Meeting					\$ 189.00
6							\$ -
7							\$ -
8		Hourly - 3 x 63 = \$189.00 Meeting - 3 x 189 = \$567.00 Total Due = \$756.00					\$ -
9							\$ -
10							\$ -
11							\$ -
12							\$ -
13							\$ -
14						\$ -	
15						\$ -	
16						\$ -	
17						\$ -	
18						\$ -	
19						\$ -	
20						\$ -	
			Total Hours	Total Miles	Total Misc	Total Per Diem	
			3	0	0	0	
			\$ 189.00	\$ -	\$ -	\$ -	\$ 756.00

I DO HEREBY CERTIFY THAT THE WITHIN BILL, CLAIM, ACCOUNT OR DEMAND IS JUST AND TRUE; THAT THE MONEY HEREIN CHARGED WAS ACTUALLY PAID FOR THE PURPOSE HEREIN STATED; THAT THE SERVICES HEREIN CHARGED WERE ACTUALLY RENDERED AND OF THE VALUE THEREIN CHARGED, AND THAT NO PART OF SUCH BILL, CLAIM, ACCOUNT, OR DEMAND HAS BEEN PAID, AND THAT THE GOODS HEREIN CHARGED WERE ACTUALLY DELIVERED AND WERE OF THE VALUE CHARGED.

I CERTIFY THAT THE ABOVE CLAIM IS CORRECT AND THAT THE GOODS WERE RECEIVED OR SERVICES PERFORMED.

  
 \_\_\_\_\_  
 Sign Here

\_\_\_\_\_  
 Firm or Company





BURLEIGH COUNTY WATER RESOURCE DISTRICT

P.O. Box 1255, Bismarck, ND 58502

Claimants Name: Roger Smith Position: Water Resource Board of Directors
Claimants Address: 2205 E Ave f Bismarck, ND 58501 Date Rendered: 31-Dec-22

Table with 8 columns: Item, Date, Materials Provided or Services Rendered, Hours, Mileage, Misc, Per Diem, Total. Rows include meeting entries for 4/12/2023, 5/21/2023, 5/29/2023, and a summary section with calculations like 'Hourly - 2 x 63 = \$126.00'.

I DO HEREBY CERTIFY THAT THE WITHIN BILL, CLAIM, ACCOUNT OR DEMAND IS JUST AND TRUE; THAT THE MONEY HEREIN CHARGED WAS ACTUALLY PAID FOR THE PURPOSE HEREIN STATED; THAT THE SERVICES HEREIN CHARGED WERE ACTUALLY RENDERED AND OF THE VALUE THEREIN CHARGED, AND THAT NO PART OF SUCH BILL, CLAIM, ACCOUNT, OR DEMAND HAS BEEN PAID, AND THAT THE GOODS HEREIN CHARGED WERE ACTUALLY DELIVERED AND WERE OF THE VALUE CHARGED.

I CERTIFY THAT THE ABOVE CLAIM IS CORRECT AND THAT THE GOODS WERE RECEIVED OR SERVICES PERFORMED.

Roger Smith Position

Roger C Smith Sign Here Bureligh County Water Resource District Firm or Company

**2023 Joint Summer Water Meeting**  
 N.D. Water Resource Districts Association • Garrison Diversion Conservancy District  
**July 20, 2023**  
 Roosevelt Grand Dakota Hotel, Dickinson, ND

**ADVANCE REGISTRATION FORM**

Please pre-register by July 1 if you and any guests plan on attending this meeting, Medora musical and/or meals. On-site registrations ARE NOT included in the guaranteed counts to the hotel, motorcoach and caterers. While every effort is made to accommodate all attendees, we cannot guarantee that on-site registrations (including additions for guests to events or meals) will be able to participate in the meals or pitchfork fondue/Medora musical.

Name(s) Roger Smith

Representing BURLEIGH CWRD E-mail ROGER C SMITHY @ GMAIL.COM

Address 2205 E AVE F

City BISMARCK State ND Zip 58501 Phone 701 400 6283

#	Cost	Total
<input type="checkbox"/>	\$300	Registration includes speakers, and breaks plus all meals. <b>ONE pitchfork fondue ticket, and ONE Medora Musical ticket.</b>
<input checked="" type="checkbox"/>	\$175	Registration Only - includes speakers and panels. <b>DOES NOT INCLUDE MEALS OR MEDORA MUSICAL TICKET.</b>

**Additional Guest Tickets:**

- \$16 Additional persons for Thursday breakfast (spouses and guests)
- \$20 Additional persons for Thursday luncheon (spouses and guests)
- \$90 Additional persons for Thursday Pitchfork Fondue & Medora Musical (spouses and guests)

**Pitchfork Fondue Meal Options (One option must be picked and meal can't be changed after July 1):**

Steak  Hot dog

TOTAL \$ 175 Send completed form and check to:

**North Dakota Water Resource Districts Association**  
 PO Box 2254  
 Bismarck, ND 58502-2254

**Hotel Reservations:** A block of rooms has been reserved for July 19-20 with a negotiated room rate of \$109.00 plus tax per night. For reservations, call the Roosevelt Grand Dakota Hotel in Dickinson at 701-483-5600 and reference the ND Water Resource Districts Association room block. The room reservation deadline is **June 26**.

**Registration Cancellation Policy:** A **\$80 administrative fee** will be charged on all requests for registration refunds received before July 1. There will be no refunds for cancellations received after July 1.

**S** RC SMITH  
 SD SMITH  
 2205 E AVE F  
 BISMARCK, ND 58501

21073  
 77-7091/2913  
 1003

JUNE 29 2023  
 Date

Pay to the Order of ND WATER RESOURCE DISTRICTS ASSN \$ 175.00

ONE HUNDRED + SEVENTY FIVE DOLLARS 00/100 Dollars

**Gate City Bank**  
 For a Better Way of Life.<sup>®</sup>  
 800-423-3344 • gatecitybank

For \_\_\_\_\_

⑆ 291370918⑆ 03080051888⑆ 21073



<b>Invoice # 1545</b>		Page 1 of 1
Account Number	BURLCOU-05	Date 6/20/2023
Balance Due On	7/1/2023	
Amount Paid	Amount Due \$3,642.00	

210 East Grand Crossing  
Mobridge, SD 57601

**Burleigh County Water Resource District**  
**Wendy Egli**  
**PO Box 1255**  
**Bismarck, ND 58502-1255**

General Liability	Policy Number: GL000340110	Effective: 7/1/2023 to 7/1/2024
-------------------	----------------------------	---------------------------------

Item #	Trans Eff Date	Due Date	Trans	Description	Amount
64077	7/1/2023	7/1/2023	RENB	Renewal of General Liability Effective 7/1/2023	\$3,642.00
<b>Total Invoice Balance:</b>					<b>\$3,642.00</b>

**We now accept digital payments. It's fast, simple, and secure!**  
**Easily pay your premiums via ACH or Credit Card by visiting**  
**<https://bridgemarkis.epaypolicy.com>.**

**Thank you for your business!**



<b>Invoice # 1546</b>	Page 1 of 1
Account Number BURLCOU-05	Date 6/20/2023
Balance Due On 7/1/2023	
Amount Paid	Amount Due \$1,219.00

210 East Grand Crossing  
Mobridge, SD 57601

**Burleigh County Water Resource District**  
**PO Box 1255**  
**Bismarck, ND 58502-1255**

Property	Policy Number: FT191404	Effective: 7/1/2023 to 7/1/2024
----------	-------------------------	---------------------------------

Item #	Trans Eff Date	Due DateTrans	Description	Amount
64078	7/1/2023	7/1/2023 RENB	Renewal of Property Effective 7/1/2023	\$1,219.00
<b>Total Invoice Balance:</b>				<b>\$1,219.00</b>

**We now accept digital payments. It's fast, simple, and secure!**  
**Easily pay your premiums via ACH or Credit Card by visiting**  
**<https://bridgemarkis.epypolicy.com>.**

**Thank you for your business!**

**From:** Jared Blackwood <jared@bainagency.com>  
**Sent:** Thursday, July 06, 2023 4:56 PM  
**To:** bcwrд@midco.net  
**Subject:** Follow Up

Hi Wendy,

As a follow up to our conversation, North Dakota Fire and Tornado Fund, is working on replacement cost estimates for your property to make sure they are insured to value. Once they have completed the estimates, we will get everything over to you for a discussion with the board on if we need to increase values. This is something we requested they look at, as the cost of reconstruction with materials and labor have increased drastically over the last several years and we want to make sure you have proper coverage.

If you have any questions, please let me know, otherwise we will be in touch once we get the estimates back.

Thank You

*Jared Blackwood, CLCS*

Partner  
Bain Agency  
Office: 701-223-2233  
Direct: 701-595-7770



**Please note that you may not rely on email communication to us to report a claim or to give us instructions to place, bind, change or terminate coverage unless we have subsequently confirmed to you in writing that we have received your message and will be taking the action you have requested.**

CONFIDENTIALITY NOTICE: The information contained in this e-mail may be privileged and confidential information and is intended only for the use of the individual and/or entity identified in the address of this message. If the reader of this message is not the intended recipient, or an employee or agent responsible to deliver it to the intended recipient, you are requested not to distribute or copy this communication. If you have received this communication in error, please notify us immediately by telephone or return e-mail and delete the original message from your system. Thank you.

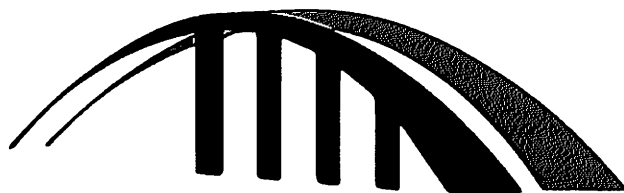
# SUMMARY OF INSURANCE FOR:

## **Burleigh County Water Resource District**

**Wendy Egli**

**PO Box 1255**

**Bismarck, ND 58502-1255**



**BRIDGEMARK INSURANCE SOLUTIONS**

*"Bridgemark Is Solutions"*



1500 East Capitol  
Bismarck, ND 58501

Phone: (701) 223-2233

Fax: (701) 223-0284

## MEET YOUR SERVICE TEAM

---

**PRODUCER**

Jared Blackwood  
(701) 595-7770  
jared@bainagency.com



**ACCOUNT MANAGER**

Chalsie Emil  
(701) 595-7772  
chalsie@bainagency.com



**CLAIMS SPECIALIST**

Holly Winterberg  
(701) 595-7775  
holly@bainagency.com





# NAMED INSUREDS & LOCATIONS

## NAMED INSUREDS

Burleigh County Water Resource District

## LOCATION SCHEDULE

LOCATION	BULDING	ADDRESS
1	1	1951 93rd St NE, Bismarck ND 58502
1	2	1951 93rd St NE, Bismarck ND 58502
1	3	1951 93rd St NE, Bismarck ND 58502
1	4	1951 93rd St NE, Bismarck ND 58502
1	5	1951 93rd St NE, Bismarck ND 58502
1	6	1951 93rd St NE, Bismarck ND 58502
1	10	1951 93rd St NE, Bismarck ND 58502
1	11	1951 93rd St NE, Bismarck ND 58502
1	15	1951 93rd St NE, Bismarck ND 58502
1	16	1951 93rd St NE, Bismarck ND 58502
1	17	1951 93rd St NE, Bismarck ND 58502
1	18	1951 93rd St NE, Bismarck ND 58502
1	20	1951 93rd St NE, Bismarck ND 58502
1	21	1951 93rd St NE, Bismarck ND 58502
2	19	1965 93rd St NE, Bismarck ND 58502

### NOTES:

# PROPERTY

## CARRIER: NDIRF NORTH DAKOTA INSURANCE RESERVE

POLICY NUMBER:  
FT191404

POLICY PREMIUM:  
\$1,219

POLICY TERM:  
7/1/2023 – 7/1/2024

### COVERAGE BY LOCATION

**LOC #: 1    BLDG #: 1    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: 3-Shelters with Wood Walls

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$76,200	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 2    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Restroom

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$145,400	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 3    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Bathhouse

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$56,100	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 4    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Maintenance/Office

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$117,900	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 5    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Caretaker's Dwelling

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$271,000	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 6    1951 93RD ST NE • BISMARCK, ND 58502**



DESCRIPTION: Submersible Lift Station

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Outdoor Property	\$11,750	90%	Actual Cash Value	\$1,000

**LOC #: 1 BLDG #: 10 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Storage Building

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$33,000	90%	Replacement Cost	\$1,000

**LOC #: 1 BLDG #: 11 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Caretaker's Garage with Carport

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$30,100	90%	Replacement Cost	\$1,000

**LOC #: 1 BLDG #: 15 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Concession Building

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$12,200	90%	Replacement Cost	\$1,000

**LOC #: 1 BLDG #: 16 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Picnic Shelter

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$25,300	90%	Replacement Cost	\$1,000

**LOC #: 1 BLDG #: 17 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Storage Building

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$28,600	90%	Replacement Cost	\$1,000

**LOC #: 1 BLDG #: 18 1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Playground Equipment

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Outdoor Property	\$52,970	90%	Actual Cash Value	\$1,000



**LOC #: 1    BLDG #: 20    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Aero Picnic Shelter

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$30,400	90%	Replacement Cost	\$1,000

**LOC #: 1    BLDG #: 21    1951 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Aero Storage Building

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$10,200	90%	Replacement Cost	\$1,000

**LOC #: 2    BLDG #: 19    1965 93RD ST NE • BISMARCK, ND 58502**

DESCRIPTION: Storage Building

SUBJECT	LIMIT	COINSURANCE	VALUATION	DED
Building	\$57,100	90%	Replacement Cost	\$1,000

# GENERAL LIABILITY

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## CARRIER: NDIRF NORTH DAKOTA INSURANCE RESERVE

POLICY NUMBER:  
GL000340110

POLICY PREMIUM:  
\$3,642.00

POLICY TERM:  
7/1/2023 – 7/1/2024

### COVERAGE DETAIL

DESCRIPTION	LIMIT
Personal Injury & Property Damage Liability	\$2,000,000
Medical Payments (Any One Person)	\$2,500
Governance Liability	\$2,000,000

## PREMIUM SUMMARY

LINE OF BUSINESS	COMPANY	POLICY TERM	EXPIRING PREMIUM	PROPOSED PREMIUM
Property	NDIRF North Dakota Insurance Reserve	7/1/2023 to 7/1/2024	\$1,089	\$1,219
General Liability	NDIRF North Dakota Insurance Reserve	7/1/2023 to 7/1/2024	\$3,508	\$3,642
		<b>TOTAL:</b>	<b>\$4,597</b>	<b>\$4,861</b>

## DISCLAIMER

This summary contains only a general description of the coverage(s) and does not constitute a policy/contract. For complete policy information, including exclusions, limitations, and conditions, refer to the policy document.



**BISMARCK PARKS AND RECREATION DISTRICT**  
Est. 1927

400 E Front Ave  
Bismarck, ND 58504-5641  
Phone: 701.222.6455

**INVOICE**

**BILLED TO:**  
Burleigh County Water Resource District  
Wendy Egli  
PO Box 1255  
Bismarck, ND 58502-1255

DATE: 6/19/2023  
INVOICE #: 04472  
DUE DATE: 7/19/2023  
TOTAL DUE: 13,508.41

CUSTOMER ACCOUNT # : 1017

ITEM DESCRIPTION	UNITS	PRICE	AMOUNT
May 2023 McDowell Dam	1.00	13,508.41	13,508.41
<i>Daniel Mays</i>			
<b>TOTAL THIS INVOICE</b>			<b>13,508.41</b>

Please include account number with your payment.

For questions, contact Julie Fornshell 701.222.6455

**REMIT TO:**

Bismarck Parks and Recreation District  
400 E Front Ave  
Bismarck ND 58504-5641

Please remit bottom portion of invoice with your payment.  
Thank you!

CUSTOMER ACCOUNT # : 1017  
DATE: 6/19/2023  
INVOICE #: 04472  
DUE DATE: 7/19/2023  
TOTAL DUE: 13,508.41

**BURLEIGH COUNTY WATER RESOURCE DISTRICT  
McDowell Dam Monthly Billing  
Bismarck Parks & Recreation District  
400 E. Front Ave  
Bismarck, ND 58504**

**For The Month Ended May 31, 2023**

**Date Submitted: 6/20/2023**

---

<b>Salaries &amp; Wages</b>	<b>\$ 5,549.77</b>
<b>Employer Payroll Taxes</b>	<b>424.56</b>
<b>Employee Pension &amp; Health/Life/ Diability Benefits</b>	<b>2,425.02</b>
<b>Property &amp; Liability Insurance</b>	<b>-</b>
<b>Operating Expenses</b>	<b>2,407.38</b>
<b>Capital Improvement Expenses</b>	<b>-</b>
<b>Total Expenses</b>	<b><u>\$ 10,806.73</u></b>
<b>Administrative Fee</b>	
(25% of Operating Expenses)	<b>\$ 2,701.68</b>
(5% of Capital Improvement Expenses)	<b>-</b>
<b>Total Amount Requested</b>	<b><u><u>\$ 13,508.41</u></u></b>

*K. Feist*

Prepared By

Board Member

*Finance Director*

Title



**McDowell Dam Monthly Billing**  
**May-23**

**Salaries & Wages**

Salaries - Full time	\$	4,266.08
Sick Leave Overage		-
Wages - Part time		1,283.69
Wages - Part time (Overtime)		-
Total Salaries & Wages		\$ 5,549.77

**Employer Payroll Taxes**

Social Security/Medicare		424.56
Unemployment- ND Job Service		-
Total Employer Payroll Taxes		424.56

**Employee Benefits**

Pension		443.67
Health, Life, & Disability Insurance		1,981.35
Total Employee Benefits		2,425.02

**Property & Liability Insurance**

General Liability		-
Multi Coverage		-
Auto Liability		-
Total Property & Liability Insurance		-

**Operating Expenses**

Professional Services		-
Service Contracts		-
Sanitary Systems		43.00
Parking Lots & Trail Repair		-
Shop Supplies		-
Janitorial Supplies		-
Miscellaneous Supplies		49.97
Fuel		154.63
Repairs & Replacement		879.44
Uniforms		372.98
Concession Purchases		-
Tools & Small Equipment less \$500		-
Equipment over \$500		-
Misc. Charges, Permits, and Licenses		-
Misc. Charges, Permits, and Licenses-Credit Card Fees		-

**Expenses Incurred - NOT Previously Billed**

Sep 2022 - Credit Card Fees		-
		1,500.02

**Utilities**

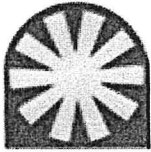
Natural Gas		-
Electricity		509.09
Garbage Removal		-
Water		94.25
Telephone		304.02
Total Utilities		907.36

**Total Operating Expenses** 2,407.38

**Capital Improvements**

Building and Building Remodeling		-
Capital Equipment		-
Capital Outlay		-
Total Capital Improvements		-

**Total Expenses** \$ 10,806.72



# Detail Report Account Detail

Date Range: 05/01/2023 - 05/31/2023

Account	Name		Beginning Balance	Total Activity	Ending Balance		
<b>Fund: 01 - GENERAL FUND</b>							
<u>01.12.000.510100</u>	FULL-TIME SALARIES		17,064.32	4,266.08	21,330.40		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/05/2023	PYPKT01282	PYPKT01282 - 2023-05		ROBINSON, DAVID H.:000415 - McDow		2,133.04	19,197.36
05/19/2023	PYPKT01287	PYPKT01287 - 2023-05		ROBINSON, DAVID H.:000415 - McDow		2,133.04	21,330.40
<u>01.12.000.510200</u>	PART-TIME SALARIES		3,489.83	1,283.69	4,773.52		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/05/2023	PYPKT01283	PYPKT01283 - 2023-05		JOHNSON, SETH M.:000217 - Operation		417.38	3,907.21
05/19/2023	PYPKT01288	PYPKT01288 - 2023-05		JOHNSON, SETH M.:000217 - Operation		736.31	4,643.52
05/19/2023	PYPKT01288	PYPKT01288 - 2023-05		OSHANYK, JAMES L.:000366 - Operation		130.00	4,773.52
<u>01.12.000.520400</u>	SANITARY SYSTEMS		129.00	43.00	172.00		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/24/2023	APPKT03022	29394	212426	BILLING 3/26/23 - 4/22/23	0846 - SPIFFY BIFFS	43.00	172.00
<u>01.12.000.530140</u>	MISCELLANEOUS SUPPLIES		524.64	69.56	594.20		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/10/2023	APPKT03036	04032023-04026		ETHERNET SWITCH	0948 - US BANK - ONE CARD	49.97	574.61
				Purchased From Vendor: 0964 - WALMART COMMUNITY BRC			
05/10/2023	APPKT03036	4242023PP		PERSONAL PURCHASE RETURNED 4/26/	0948 - US BANK - ONE CARD	19.59	594.20
				Purchased From Vendor: 0964 - WALMART COMMUNITY BRC			
<u>01.12.000.531300</u>	FUEL		506.80	154.63	661.43		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/25/2023	APPKT03027	FLTS-2023-00000004	212453	APRIL 23 FUEL USAGE	0209 - CITY OF BISMARCK	154.63	661.43
<u>01.12.000.531400</u>	REPAIRS & REPLACEMENT		1,941.29	879.44	2,820.73		
<b>Post Date</b>	<b>Packet Number</b>	<b>Source Transaction</b>	<b>Pmt Number</b>	<b>Description</b>	<b>Vendor</b>	<b>Amount</b>	<b>Running Balance</b>
05/10/2023	APPKT03036	02187		LUMBER - WHITEWOOD BOARD (2)	0948 - US BANK - ONE CARD	36.60	1,977.89
				Purchased From Vendor: 0559 - LOWE'S BUSINESS ACCOUNT			
05/10/2023	APPKT03036	032823-07878		RTN BATTERY CHARGER	0948 - US BANK - ONE CARD	-21.47	1,956.42
				Purchased From Vendor: 0964 - WALMART COMMUNITY BRC			
05/10/2023	APPKT03036	1536-342325		ANTIFREEZE (6)	0948 - US BANK - ONE CARD	83.94	2,040.36
				Purchased From Vendor: 0682 - O'REILLY AUTO PARTS			
05/10/2023	APPKT03036	18335		GASKETS - BOBCAT	0948 - US BANK - ONE CARD	247.10	2,287.46
				Purchased From Vendor: 0139 - BOBCAT OF MANDAN			

Detail Report

Date Range: 05/01/2023 - 05/31/2023

Account		Name				Beginning Balance	Total Activity	Ending Balance
<u>01.12.000.531400</u>		REPAIRS & REPLACEMENT - Continued				1,941.29	879.44	2,820.73
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance	
05/10/2023	APPKT03036	18429		GASKETS (3) - BOBCAT	0948 - US BANK - ONE CARD	7.80	2,295.26	
				Purchased From Vendor: 0139 - BOBCAT OF MANDAN				
05/10/2023	APPKT03036	1900502044392		CORDLESS PHONE BATTERY, BATTERY	0948 - US BANK - ONE CARD	21.15	2,316.41	
				Purchased From Vendor: 0474 - INTERSTATE ALL BATTERY CENTER				
05/10/2023	APPKT03036	6328453		ROLLER, LINKS - SNOWBLOWER REPAIR	0948 - US BANK - ONE CARD	83.96	2,400.37	
				Purchased From Vendor: 0785 - RUNNINGS SUPPLY INC				
05/10/2023	APPKT03036	IA01167		MOTOR STUDS	0948 - US BANK - ONE CARD	5.75	2,406.12	
				Purchased From Vendor: 0663 - NORTHERN PLAINS EQUIP. CO, INC				
05/10/2023	APPKT03036	S102666424.001		CLOSET REPAIR KIT, NUT DRIVER	0948 - US BANK - ONE CARD	159.57	2,565.69	
				Purchased From Vendor: 0272 - DAKOTA SUPPLY GROUP				
05/10/2023	APPKT03036	S102668936.001		SLOAN REPAIR KIT	0948 - US BANK - ONE CARD	43.35	2,609.04	
				Purchased From Vendor: 0272 - DAKOTA SUPPLY GROUP				
05/12/2023	APPKT03010	1536-342415	212315	HOSES, HOSE CLAMPS - BOBCAT	0682 - O'REILLY AUTO PARTS	24.73	2,633.77	
05/12/2023	APPKT03010	1536-342558	212315	FUNNEL - BOBCAT	0682 - O'REILLY AUTO PARTS	49.99	2,683.76	
05/12/2023	APPKT03010	1536-344822	212315	TRANS CABLE, SAND PAPER - #8103	0682 - O'REILLY AUTO PARTS	87.02	2,770.78	
05/12/2023	APPKT03010	1536-346739	212315	VALVE COMPOUND - BOBCAT	0682 - O'REILLY AUTO PARTS	17.98	2,788.76	
05/12/2023	APPKT03010	1536-347446	212315	THREAD SEAL - BOBCAT	0682 - O'REILLY AUTO PARTS	6.99	2,795.75	
05/12/2023	APPKT03010	488603	212310	BELTS - BOBCAT	0617 - NAPA AUTO PARTS	24.98	2,820.73	
<u>01.12.000.531500</u>		UNIFORMS				0.00	372.98	372.98
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance	
05/12/2023	APPKT03010	921506378	212293	T-SHIRTS, SWEATSHIRTS - SEASONAL	0155 - BSN SPORTS, LLC	515.48	515.48	
05/12/2023	APPKT03010	921523250	212293	CREDIT FOR WRONG SHIRTS	0155 - BSN SPORTS, LLC	-142.50	372.98	
<u>01.12.000.540130</u>		ELECTRICITY				1,623.24	509.09	2,132.33
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance	
05/12/2023	APPKT03010	APRIL 23	212294	APRIL 23 (4/1/23 - 5/1/23)	0175 - CAPITAL ELECTRIC COOPERATIVE	509.09	2,132.33	
<u>01.12.000.540150</u>		WATER				374.00	94.25	468.25
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance	
05/25/2023	APPKT03027	MAY 23 BILLING	212476	MAY 23 BILLING	0837 - SOUTH CENTRAL REGIONAL WATER	94.25	468.25	
<u>01.12.000.540160</u>		TELEPHONE				902.06	304.02	1,206.08
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance	
05/10/2023	APPKT03036	4012023		APR23 PHONE/INTERNET CHARGES	0948 - US BANK - ONE CARD	304.02	1,206.08	
				Purchased From Vendor: 0087 - BEK COMMUNICATIONS				

**Detail Report**

Date Range: 05/01/2023 - 05/31/2023

Account	Name		Beginning Balance	Total Activity	Ending Balance		
<u>01.12.000.550100</u>	HEALTH INSURANCE		7,925.40	1,981.35	9,906.75		
Post Date	Packet Number	Source Transaction	Pmt Number	Description	Vendor	Amount	Running Balance
05/24/2023	APPKT03022	EINS-2023-00000005	212389	MAY 2023 HEALTH BENEFITS	0209 - CITY OF BISMARCK	1,981.35	9,906.75
<b>Total Fund: 01 - GENERAL FUND:</b>			<b>Beginning Balance: 34,480.58</b>	<b>Total Activity: 9,958.09</b>	<b>Ending Balance: 44,438.67</b>		
<b>Grand Totals:</b>			<b>Beginning Balance: 34,480.58</b>	<b>Total Activity: 9,958.09</b>	<b>Ending Balance: 44,438.67</b>		

**SPIFFY BIFFS**

Billing Date: 4/22/2023  
 Billing Period: 03/26/2023 - 4/22/2023

**Vendor # 846**

received invoice on 5/17/23

Location	Amount
16th Street Park	
Anti-Freeze Park Operations	697.50
Bark Park	56.00
Clem Kelley Path	28.00
Clem Kelley Softball	70.00
Community Gardens	
Cottonwood Park	294.00
Eagles Park	28.00
Elk Ridge Park	14.00
Gisi Memorial Park	14.00
Heritage Park	14.00
Hillside Park (Lions)	
Horizon Tennis	14.00
Horizon Garden	14.00
Igoe Park	14.00
Jaycee Park	112.00
McQuade Diamond Enclosures	112.00
McQuade Diamonds (Temp)	
Neuens Horse Park	
New Generations Park	14.00
Nishu Bowmen Archery	56.00
Normandy Park	14.00
Optimist Park	28.00
Pioneer Trailhead	56.00
Pioneer Park Overlook	
Scheels Complex	42.00
Septic Service Vaults (Shelter #10/Keel Boat Sertoma #5	250.00
Sertoma Sand Volleyball	
Sertoma -300 Riverside Park Rd	56.00
Sertoma Tennis Temp	
Sertoma Walking Path	56.00
300 Riverside Park Rd	
Silbernagel Park	14.00
Sons of Norway Park	
South Meadows	28.00
Steamboat Park	28.00
Sunrise Park	28.00
Tatley/Eagles Park	
Tom O'Leary Tennis	28.00
Tom O'Leary Golf Maintenance Road	
Tom O'Leary Golf Antifreeze	
Tom O'Leary Golf -	
Pebble Creek Golf	112.00
Pebble Creek Golf next to Golf Dome	
Pebble Creek Golf Antifreeze	60.00
Riverwood Golf Course	
Riverwood Antifreeze	
Sibley Park	28.00
Sibley Park Antifreeze	15.00
McDowell Dam	28.00
McDowell Dam Antifreeze	15.00
Missouri Valley Complex	
Total	<u><u>2,437.50</u></u>
01.04.000.520400	2,179.50
01.05.110.520400	-
01.05.120.520400	172.00
01.05.100.520400	-
01.15.000.520400	43.00
01.12.000.520400	43.00
01.19.000.520400	-
TOTAL	<u><u>2,437.50</u></u>

Authorized by \_\_\_\_\_

**Spiffy Biffs**

1414 Continental Ave  
 Bismarck, ND 58504  
 accounts@spiffybiffs.com



# INVOICE

**BILL TO**

Bismarck Parks & Recreation  
 District  
 400 E Front Ave  
 Bismarck, ND 58504

**SHIP TO**

Bismarck Parks & Recreation  
 District  
 400 E Front Ave  
 Bismarck, ND 58504

**INVOICE #** 29394

**DATE** 04/22/2023

**DUE DATE** 05/20/2023

**PURCHASE ORDER**

BISMARCK PARKS / ALL UNITS

ACTIVITY	QTY	RATE	AMOUNT
Portable Toilet Basic Service Sertoma Walking Path	1 4x7.50 = 30 <sup>-DP</sup>	56.00	56.00
Portable Toilet Basic Service Century Bark Park	1 4x7.50 = 30 <sup>-DP</sup>	56.00	56.00
Portable Toilet Basic Service Jaycee Park	2 8x7.50 = 60 <sup>-DP</sup>	56.00	112.00
Portable Toilet Basic Service Pebble Creek Golf	2 8x7.50 = 60 <sup>-PC</sup>	56.00	112.00
Portable Toilet Basic Service Sibley Park	0.50 2x7.50 = 15 <sup>-SIB</sup>	56.00	28.00
Portable Toilet Basic Service Scheels Complex	0.75 3x7.50 = 22.50 <sup>-DP</sup>	56.00	42.00
Portable Toilet Basic Service Tom Oleary Tennis	0.50 2x7.50 = 15 <sup>-DP</sup>	56.00	28.00
Portable Toilet Basic Service Gisi Park	0.25 1x7.50 = 7.50 <sup>-DP</sup>	56.00	14.00
Portable Toilet Basic Service Igoe Park	0.25 1x7.50 = 7.50 <sup>-DP</sup>	56.00	14.00
Portable Toilet Basic Service Sunrise Park	0.50 2x7.50 = 15 <sup>-DP</sup>	56.00	28.00
Portable Toilet Basic Service Normandy Park	0.25 1x7.50 = 7.50 <sup>-DP</sup>	56.00	14.00
Portable Toilet Basic Service Heritage Park	0.25 1x7.50 = 7.50 <sup>-DP</sup>	56.00	14.00
Portable Toilet Basic Service Steamboat Park	0.50 2x7.50 = 15 <sup>-DP</sup>	56.00	28.00
Portable Toilet Basic Service Lions Park	0	56.00	0.00
Portable Toilet Basic Service Optimist Park	0.50 2x7.50 = 15 <sup>-DP</sup>	56.00	28.00
Portable Toilet Basic Service Tom Oleary Golf (#14 and Main.)	0	56.00	0.00
Portable Toilet Basic Service	0	56.00	0.00

BILLING PERIOD 03/26/23 thru 04/22/23

ACTIVITY	QTY	RATE	AMOUNT
Tom O'Leary Golf [other units]			
Portable Toilet Basic Service Pioneer Overlook	0	56.00	0.00
Portable Toilet Basic Service Riverwood Golf	0	56.00	0.00
Portable Toilet Basic Service Pioneer Trailhead	1 $4 \times 7.50 = 30.00$	56.00	56.00
Portable Toilet Basic Service Sertoma-300 Riverside Park Rd	1 $4 \times 7.50 = 30.00$	56.00	56.00
Portable Toilet Basic Service McQuades Softball	2 $8 \times 7.50 = 60.00$	56.00	112.00
Portable Toilet Basic Service Bismarck Elks	0.50 $2 \times 7.50 = 15.00$	56.00	28.00
Portable Toilet Basic Service South Meadow Park	0.50 $2 \times 7.50 = 15.00$	56.00	28.00
Portable Toilet Basic Service Cottonwood	5.25 $20 \times 7.50 = 157.50$	56.00	294.00
Portable Toilet Basic Service Horizon Garden	0.25 $1 \times 7.50 = 7.50$	56.00	14.00
Portable Toilet Basic Service Horizon Tennis	0.25 $1 \times 7.50 = 7.50$	56.00	14.00
Portable Toilet Basic Service Municipal Ballpark Garden	0	56.00	0.00
Portable Toilet Basic Service Pebble Creek Dome	0	56.00	0.00
Portable Toilet Basic Service Eagles Park	0.50 $2 \times 7.50 = 15.00$	56.00	28.00
Portable Toilet Basic Service Neuens Arena	0	56.00	0.00
Portable Toilet Basic Service 16th Street Park	0	56.00	0.00
Septic Service Vaults (shelter 10 / keel boat / Fox Island) - per service	5 $= 37.50$	50.00	250.00
Portable Toilet Basic Service Missouri Valley Complex Community Garden	0	56.00	0.00T
Septic Service Eagles Park Camper	0	50.00	0.00
Portable Toilet Basic Service Nishu Winter Unit	1 $14 \times 7.50 = 105.00$	56.00	56.00T
Portable Toilet Basic Service McDowell Dam	0.50 $2 \times 7.50 = 15.00$	56.00	28.00T
Portable Toilet Basic Service Clem Kelly	1.25 $5 \times 7.50 = 37.50$	56.00	70.00T
Portable Toilet Basic Service New Generation Park	0.25 $1 \times 7.50 = 7.50$	56.00	14.00T
Portable Toilet Basic Service ELK RIDGE PARK	0.25 $1 \times 7.50 = 7.50$	56.00	14.00T
Portable Toilet Basic Service SILBERNAGEL PARK	0.25 $1 \times 7.50 = 7.50$	56.00	14.00T

ACTIVITY	QTY	RATE	AMOUNT
Winter Surcharge	105	7.50	787.50T

PLEASE NOTE THE INVOICES PAID WITH  
EACH CHECK YOU SEND. THANK YOU!

BISMARCK PARKS / ALL UNITS  
MULTIPLE LOCATIONS  
PER: BONNIE [222-6464]

SUBTOTAL	2,437.50
TAX	0.00
TOTAL	2,437.50
BALANCE DUE	<b>\$2,437.50</b>



Give us feedback @ survey.walmart.com  
Thank you! ID #:7SHTYLJMIQL

# Walmart\*

701-223-3066 Mgr:TIM  
2717 ROCK ISLAND PL  
BISMARCK ND 58504

ST# 01534	OP# 007431	TE# 68	TR# 04026	
NTGR BPT SWI 060644914823				49.97 0
			SUBTOTAL	49.97
			TOTAL	49.97
			VISA TEND	49.97
			**** **	6485.2

*Ethernet Part*

VISA CREDIT  
 APPROVAL # 086152  
 REF # 1042000314  
 TRANS ID - 463094031558516  
 VALIDATION - Z347  
 PAYMENT SERVICE - E  
 AID A0000000051010  
 AAC 5D500AAD1240B625  
 TERMINAL # SC010877  
 \*NO SIGNATURE REQUIRED

04/03/23 19:52:53  
 CHANGE DUE 0.00  
 # ITEMS SOLD 1

TC# 9132 0064 4393 1716 8265



# Walmart\*



Become a member  
Scan for free 30-day trial

Low Prices You Can Trust. Every Day.  
04/03/23 19:53:04

\*\*\*\*\*  
 \*\*\*CUSTOMER COPY\*\*\*  
 \*\*\*\*\*  
 RETURN & EXCHANGE POLICY \*\*\*\*\*  
 Electronics may be returned  
 for refund or exchange with receipt  
 WITHIN 30 days  
 \*\*\*\*\*

COPY

**PURCHASE ORDER**  
**BISMARCK PARKS AND RECREATION DISTRICT**  
 400 East Front Avenue • Bismarck, ND 58504  
 Phone: (701) 222-6455 • Fax (701) 221-6838

No. 94517

ND Tax Exempt Number: E-4674  
 Federal ID Number: 45-0409352

Name City of Bismarck

Vendor 209

Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date 5-16-23

Notes Fuel - April 2023

		Project Number	Cost
Acct #	01.04.000.531300		
Description	Park ops fuel		3,906 <sup>62</sup>
Acct #	01.19.000.531300		
Description	County fuel		267 <sup>32</sup>
Acct #	01.12.000.531300		
Description	McDowell Dam fuel		154 <sup>63</sup>
Acct #	01.15.000.531300		
Description	Gen Sibley fuel		33 <sup>73</sup>
Acct #	01.30.000.531300		
Description	AWC fuel		55 <sup>94</sup>
Acct #			
Description			
Acct #			
Description			
Acct #			
Description			
			<b>Total</b> 4,418 <sup>31</sup>

Employee's Signature *Bj*

Manager's Signature *Simon* *DM*

Approved By *My*

**INVOICE**

**City of Bismarck**  
**PO Box 5503**  
**Bismarck, ND 58506**  
**(701) 355-1615**

**DATE:** 04/30/2023  
**DUE DATE:** 05/31/2023  
**CUSTOMER NO:** 509  
**INVOICE NO:** FLTS-2023-00000004  
**DEPARTMENT:** 660 Public Works Service  
 Operations

PARKS & RECREATION  
 400 E FRONT AVE

**Billing Inquiries:**  
**Public Works**  
**(701)355-1700**

BISMARCK, ND 58504-5641

Description	Quantity	Unit Price	Total Price
Sale of Fuel-Hwys/Streets	1	\$676.5300	\$676.53
Sale of Unleaded Fuel-Hwy/St	1	\$3,741.7800	\$3,741.78

Invoice Total: \$4,418.31  
 Prepaid Amount: -\$0.00  
**Balance Due: \$4,418.31**

*Park Shop*      *County*      *Mc Dowey*      *AJC*      *Sibley*  
 3,906<sup>62</sup>      267<sup>39</sup>      154<sup>63</sup>      55<sup>94</sup>      = 33<sup>73</sup> = 4,418<sup>31</sup>

-----tear here-----

Customer #	BILLING DATE	DUE DATE	INVOICE #	Total Due
509	04/30/2023	05/31/2023	FLTS-2023-00000004	\$4,418.31

**Pay this Amount \$4,418.31**

PARKS & RECREATION 400 E FRONT AVE  BISMARCK, ND 58504-5641	<b>Payment to:</b> City of Bismarck PO Box 5503 Bismarck, ND 58506-5503
--	--

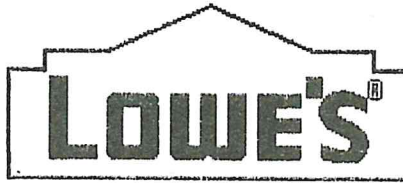
TO ENSURE PROPER POSTING TO YOUR ACCOUNT, DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT.

# BISMARCK PUBLIC WORKS

## Simple Invoice By Account For Driver

Date Range From : 04/01/2023 12:00:00AM To : 04/30/2023 11:59:00PM

Driver	Driver Name	# of Trans	Price	Total Quantity	Total Amount
<b>Account :</b> 1099	PARKS & REC				
<b>Product :</b> 01	Unleaded				
2522000000001464	PARKS/ DAN S.	1	\$3.290	32.270	\$106.17
2522000000002140	PARKS/ TIM N.	3	\$2.960	73.760	\$232.22
2522000000002179	PARKS/ LYNN M.	3	\$2.960	57.950	\$178.83
2522000000002202	PARKS // DAVE MAYER	1	\$3.290	25.290	\$83.20
2522000000002720	PARKS /// ADAM KELLER	2	\$2.960	45.250	\$141.58
2522000000002722	PARKS /// MERKEL RILEY	3	\$2.960	65.780	\$209.10
2522000000002723	PARKS // JOSH BECKER	3	\$2.960	61.650	\$193.09
2522000000003072	PARKS // TROY FINK	1	\$2.960	13.770	\$40.76
2522000000003275	PARKS / JACE CARROLL	1	\$3.290	22.310	\$73.40
2522000000003278	PARKS//MILLER, RYAN	4	\$2.960	66.600	\$205.23
2522000000003414	PARKS / JEFF OSTER	2	\$2.960	54.310	\$169.44
2522000000003425	PARKS / JOEY LAFAVE	2	\$2.960	53.220	\$164.34
2522000000003427	PARKS /// BEVERLY	1	\$2.960	13.640	\$40.37
2522000000003604	PARKS /// ROBINSON	2	\$3.290	47.000	\$154.63
2522000000003729	PARKS / TONY SCHMITT	1	\$3.290	20.520	\$67.51
2522000000003760	PARKS /// STEVE G	4	\$2.960	83.230	\$267.39
2522000000003787	PARKS ///// HAADEM , JERAD	5	\$2.960	83.150	\$264.58
2522000000003827	PARKS / BOSCH JAMIE	4	\$2.960	86.110	\$273.85
2522000000003836	PARKS / MATZKE, BRAD	1	\$3.290	27.200	\$89.49
2522000000003842	PARKS / PAT MILLER	1	\$3.290	19.500	\$64.16
2522000000003903	PARKS / AQUATIC CENTER	1	\$2.960	18.900	\$55.94
2522000000003920	PARKS/ CAPITAL RACQUET	1	\$2.960	14.290	\$42.30
2522000000003931	PARKS / CORY LANG	1	\$2.960	20.500	\$60.68
2522000000003954	Parks/Rich H	4	\$2.960	93.790	\$292.71
2522000000003955	PARKS/BALES, COLIN	2	\$2.960	54.480	\$169.91
2522000000003956	PARKS/CHAD BOEHM	1	\$3.290	30.670	\$100.90
<b>Totals for Product :</b>				<b>1185.140</b>	<b>\$3,741.78</b>
<b>Product :</b> 05	Diesel				
2522000000002140	PARKS/ TIM N.	1	\$4.040	10.290	\$41.57
2522000000003072	PARKS // TROY FINK	3	\$4.040	84.850	\$327.56
2522000000003135	PARKS / EMMY VIDEEN	1	\$4.040	8.350	\$33.73
2522000000003425	PARKS / JOEY LAFAVE	1	\$4.040	67.740	\$273.67
<b>Totals for Product :</b>				<b>171.230</b>	<b>\$676.53</b>
<b>Totals for Account :</b>				<b>1356.370</b>	<b>\$4,418.31</b>



LOWE'S HOME CENTERS, LLC  
1401 W CENTURY AVE  
BISMARCK, ND 58503 (701) 934-9000

- SALE -

SALES#: S2533BDF 4829001 TRANSH: 2751841 04-17-23

972 1-10-6 2 WHITEWOOD BOARD 36.60  
2 @ 18.30

SUBTOTAL: 36.60  
TAX: 0.00  
INVOICE 02187 TOTAL: 36.60  
VISA: 36.60

VISA: XXXXXXXXXXXX6485 AMOUNT: 36.60 AUTHCD: 052944  
CHIP REFID: 253302060594 04/17/23 12:17:18  
APL: VISA CREDIT TUR: 0080008000  
AID: A000000031010 TSI: E800

STORE: 2533 TERMINAL: 02 04/17/23 12:17:21

# OF ITEMS PURCHASED: 2

EXCLUDES FEES, SERVICES AND SPECIAL ORDER ITEMS



THANK YOU FOR SHOPPING LOWE'S.  
FOR DETAILS ON OUR RETURN POLICY, VISIT  
LOWES.COM/RETURNS  
A WRITTEN COPY OF THE RETURN POLICY IS AVAILABLE  
AT OUR CUSTOMER SERVICE DESK

STORE MANAGER: DANIELLE RAYMOND

LOWE'S PRICE PROMISE  
FOR MORE DETAILS, VISIT LOWES.COM/PRICEPROMISE

\*\*\*\*\*  
\* SHARE YOUR FEEDBACK! \*  
\* ENTER FOR A CHANCE TO BE \*  
\* ONE OF FIVE \$500 WINNERS DRAWN MONTHLY! \*  
\* ENTRE EN EL SORTEO MENSUAL \*  
\* PARA SER UNO DE LOS CINCO GANADORES DE \$500! \*  
\* \*  
\* ENTER BY COMPLETING A SHORT SURVEY \*  
\* WITHIN ONE WEEK AT: [www.Lowes.com/survey](http://www.Lowes.com/survey) \*  
\* Y O U R I D #021875 253331 075419 \*  
\* \*  
\* NO PURCHASE NECESSARY TO ENTER OR WIN. \*  
\* VOID WHERE PROHIBITED. MUST BE 18 OR OLDER TO ENTER. \*  
\* OFFICIAL RULES & WINNERS AT: [www.Lowes.com/survey](http://www.Lowes.com/survey) \*  
\*\*\*\*\*

STORE: 2533 TERMINAL: 02 04/17/23 12:17:21

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Give us feedback @ survey.walmart.com  
Thank you! ID #:7SHL5FJM5QV



WM Supercenter  
701-223-3066 Mgr. TIM  
2717 ROCK ISLAND PL  
BISMARCK ND 58504-7724  
WALMART STORE  
BISMARCK, ND

ST# 01534 OP# 006197 TE# 92 TR# 07878  
MERCHANT# 00000000000000  
VISA

COPY

\*\*\* CREDIT ISSUED \*\*\*  
GENERAL MDSE TOTAL 21.47-  
VISA \*\*\*\* \* 6485  
APPROVAL # 067458

Low prices You Can Trust. Every Day.  
Savings Catcher! Scan with Walmart app

03/28/23 14:25:34

\*\*\* CUSTOMER COPY \*\*\*



DEDICATED TO THE PROFESSIONAL

Store 1536, 2201 E BISMARCK EXPY,  
BISMARCK, ND 58504 (701) 258-8755

Bill To:

BISMARCK PARKS AND RECRE

400 EAST FRONT AVENUE  
BISMARCK, ND 58504

Invoice	1536-342325
Sale Type	CHG. CARD SALE
Date	03/28/2023 2:18 PM
Ship Via	
PO Number	David

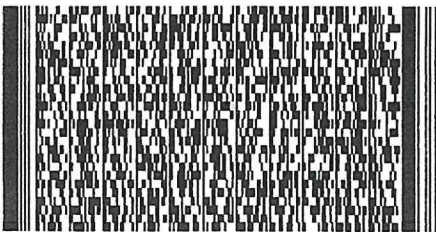
Counter #	Customer Account	Ordered By	Special Instructions
538358	806814		

Qty	Line	Item Number	Description	Warr	Unit	Tax	List	Net	Extended
6	AFZ	PK50/50LL10X	1GalAntifrez	3D	EA	N	23.71	13.99	83.94

6 Items

Select Super Start Batteries come with Roadside Assistance. Ask for details.

Chip Used: Y A0000000031010 0000008000 E800 06011203A02002 Verified By Not Verified REF #: 875509991572 AUTH CD: 065445



Sub-Total 83.94  
Sales Tax 0.00  
**Total 83.94**  
VISA #6485 83.94

COPY

WWW.FIRSTCALLONLINE.COM

Warranty/Garantia: www.firstcallonline.com/warranty

1/1

WE APPRECIATE YOUR BUSINESS!

1536WS153 Remit To: PO BOX 9647 Bismarck, ND 58503 MO 65801-9464



# BOBCAT OF MANDAN, INC.

4209 Memorial Hwy  
Mandan, ND 58554

Phone: (701) 663-0903 • Fax: (701) 663-6306  
www.bobcatofmandan.net



BISMARCK PARKS & REC  
400 E FRONT  
BISMARCK ND 58504

PAGE  
1  
CASH CHG. F.P.  
VIS  
ACCT. NO.  
00867

INVOICE NO. **18335**

SALESMAN TL PURCHASE ORDER NO. R.O. NO. P.T. NO. 142870 INVOICE DATE 04/19/2023 TIME 10:38 AM INVOICE NO. **18335**

QUANTITIES			PART NUMBER	DESCRIPTION	VENDOR BIN LOC.	PRICES		
ORDERED	B/O	SHIPPED						
1		1	7002839	GASKET CYL		46.75	46.75	46.75
1		1	7002960	GASKET CYL		111.61	111.61	111.61
1		1	7012668	BOLT		5.07	5.07	5.07
1		1	7002842	GASKET MAN		19.87	19.87	19.87
1		1	7002819	GASKET MAN		10.41	10.41	10.41
1		1	6697242	GASKET		3.39	3.39	3.39
1		1	FREIGHT	FREIGHT CH		50.00	50.00	50.00
VISA								247.10

*Bobcat Gaskets*

\*6485 Exp: Auth:032725

THANK YOU FOR YOUR BUSINESS  
HAVE A NICE DAY !

SHIP VIA  
A service charge on past due accounts is computed by a periodic rate of 1 1/2% per month, which is an annual rate of 18% on any previous balance not paid within 30 days.  
Signature: X

DESCRIPTION	ACCOUNT	AMOUNT
PARTS		
TAXABLE		247.10
FREIGHT		
SALES TAX		0.00
<b>PLEASE PAY THIS TOTAL</b>		<b>247.10</b>

mandan\_invo\_00.template

Copyright (c) 2019 HBS Systems

**COPY**





# BOBCAT OF MANDAN, INC.

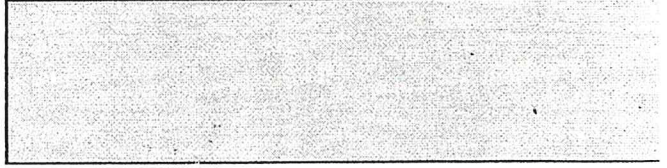
4209 Memorial Hwy  
Mandan, ND 58554

Phone: (701) 663-0903 • Fax: (701) 663-6306  
www.bobcatofmandan.net

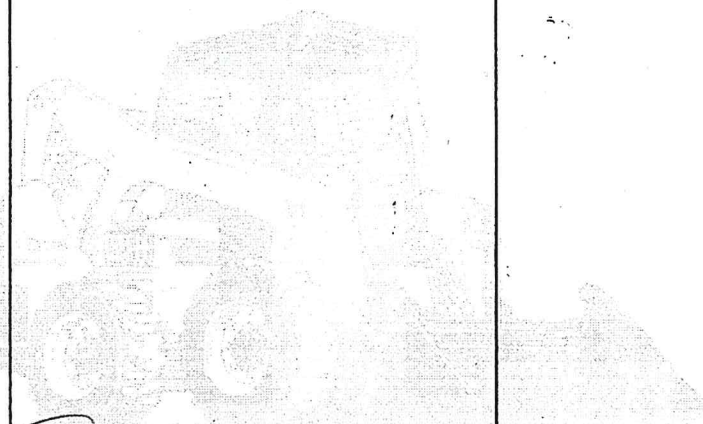


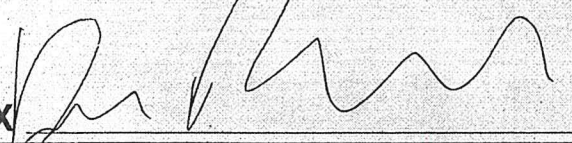
BISMARCK PARKS & REC  
400 E FRONT  
BISMARCK ND 58504

PAGE  
1  
CASH CHG. F.P.  
VIS  
ACCT. NO.  
00867



SALESMAN: AF PURCHASE ORDER NO.: R.O. NO.: P.T. NO.: 143252 INVOICE DATE: 04/21/2023 TIME: 01:20 PM INVOICE NO.: 18429

QUANTITIES			PART NUMBER	DESCRIPTION	VENDOR BIN LOC.	PRICES		
ORDERED	B/O	SHIPPED						
3		3	6694764	GASKET		2.60	2.60	7.80
								
VISA				*6485 Exp: Auth:008803				7.80
				THANK YOU FOR YOUR BUSINESS HAVE A NICE DAY !				

SHIP VIA  
A service charge on past due accounts is computed by a periodic rate of 1 1/2% per month, which is an annual rate of 18% on any previous balance not paid within 30 days.  
Signature: X 

DESCRIPTION	ACCOUNT	AMOUNT
PARTS		
TAXABLE		7.80
FREIGHT		
SALES TAX		0.00
<b>PLEASE PAY THIS TOTAL</b>		<b>7.80</b>

BOBCAT\PART\_invoice.template

Copyright (c) 2019 HBS System

**COPY**

# INVOICE

Invoice # 1900502044392

## INTERSTATE ALL BATTERY CENTER

901 E Main Ave,  
Bismarck, ND 58501-4571

Phone (701)221-2400



Bill To: C90050000000351

BISMARCK PARKS & REC  
400 E Front Ave  
Bismarck, ND 58504-5641

Ship To: C90050000000351

BISMARCK PARKS & REC  
400 E Front Ave  
Bismarck, ND 58504-5641  
(701)222-6455

Store	9005	Transaction	290369	Invoice Date	04/17/2023
Salesperson	RANDY BOEHM	P.O.			

Item #	Description	Backordered Qty	Quantity	Price	Ext Price
TEL0068	TEL0068 2.4V 750MAH NIMH E30025CL		2	\$9.45	\$18.90 E
LIT0150	LIT0150 IB 3 LIT 2025 Single		1	\$2.25	\$2.25 E
				Subtotal	\$21.15
				Tax	\$0.00
				Total Charges	\$21.15

Sale  
**VISA CREDIT**  
 \*\*\*\*\*6485  
 Auth #: 068275  
 Chip  
 AID a0000000031010

TVR 0880008000  
 AC d3248743e32b3526  
 TSI e800  
 ARC 00  
 IAD 06011203a08000

\$21.15

I have received the goods listed above and agree to pay the Balance Due according to the terms shown.  
 I certify that the above goods are sales tax exempt and a sales tax permit number E4674 for Government Agency has been provided.  
 I agree to pay the above amount according to my card payer agreement.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

See [www.InterstateBatteries.com/warranty](http://www.InterstateBatteries.com/warranty) for product specific warranty terms. Warranty is void where any battery has been subject to misuse, abuse, alteration or where any battery has been repaired or attempted to have been repaired. The following terms apply to all products sold under this invoice:

LIMITATION OF REMEDIES: ALL PRODUCT WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES AND REMEDIES WITH RESPECT TO THE PRODUCTS SOLD HEREUNDER, AND THERE ARE NO OTHER WARRANTIES BY SELLER EXCEPT WHERE REQUIRED BY LAW, WHETHER EXPRESS, IMPLIED OR OTHERWISE, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE SOLE AND EXCLUSIVE REMEDY OF ANY PURCHASER WITH RESPECT TO ANY FAILURE, EXPENSE, LOSS DAMAGE OR INJURY FOR ANY PRODUCT SOLD HEREUNDER SHALL BE REPLACEMENT OF THE PRODUCT WITHOUT CHARGE DURING THE APPLICABLE WARRANTY PERIOD. PURCHASER AGREES THAT NO OTHER REMEDY (INCLUDING, BUT NOT LIMITED TO, THE RECOVERY OF PUNITIVE DAMAGES, CONSEQUENTIAL OR INCIDENTAL DAMAGES, SUCH AS THE COST OF INSTALLATION, TOWING CHARGES OR ANY LABOR) SHALL BE AVAILABLE TO PURCHASER FOR PRODUCTS PURCHASED HEREUNDER, SUCH DAMAGES BEING EXPRESSLY EXCLUDED HEREBY.

CONDITIONS OF SALE: All amounts are due and payable at the Seller's address. Purchaser agrees that jurisdiction and venue for any action to collect amounts that may be owed pursuant to this invoice shall be the county in which the Seller's principal office is located. All collection costs, including attorney's fees, shall be paid by the Purchaser.

**COPY**



701 South Washington  
 Bismarck, ND 58504  
 701-223-9582

PROD ID	QTY	UM	PRICE	TOTAL
ROLLER CHAIN-RHEOR 10 FT 60 HEAVY				
1950353	1	BX	54.990	54.99 n
OFFSET LINK HH60 2 PK 60H				
1951569	2	EA	10.490	20.98 n
CONN LINK CH60 3 PK 60H				
1950968	1	EA	7.990	7.99 n
SUBTOTAL				83.96
Tax				0.00
TOTAL				83.96
Visa				83.96

XXXXXXXXXXXX6485 (Approved)  
 ROBINSON/DAV...

COPY

\*\*\*\*\*  
 \* REPRINTED: 05/04/23 13:28:53 \*  
 \*\*\*\*\*

04/05/23 14:24:54 016 74000185016  
 1610111 BISMARCK PARKS & RECREATION  
 4TB: \*ALL NEED d PO  
 GIOV: 1610111  
 PO NUMBER: McDowell  
 INVOICE #: 6328453 WSID: RSIWS1948  
 e29235ab-90ba-4b7c-a5d2-345865617572  
 0417FE 5.1.22.926 T.L.L. ID: 06

Thanks for choosing Runnings!

Earn rewards for every purchase.  
 Apply for the NEA Runnings Mastercard



**Northern Plains  
Equipment**

★ Mandan, ND

**NORTHERN PLAINS EQUIPMENT CO., INC.**

P.O. Box 804 2933 Twin City Drive Mandan, ND 58554

701.663.9864 - 701.258.6751 - 800.223.2972

www.npend.com

NO RETURNS ON ANY PARTS AFTER 7 DAYS (ALL RETURNS ACCOMPANIED BY INVOICE)



SOLD TO  
A01098 BISMARCK PARKS & REC DIS  
400 E FRONT AVE  
BISMARCK, ND 58504-5641

SHIP TO

Invoice

Sold By: A874 PO #: Date 4/21/23 INVOICE IA01167  
Ship By: Tax #: E-4674 12:08:35 PRT: 1

Tax	D	Qty	Description	Price	Amount
			Group: 01 PARTS COUNTER		
7		4	KUB 01513-50822 STUD	1.34	5.36

*Motor  
Studs*

**COPY**

WARRANTY DISCLAIMER: "The factory warranty constitutes all of the warranties with respect to the sale of all items. The seller hereby expressly disclaims all warranties either expressed or implied, including any implied warranty of merchantability of fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of all items."

TERMS: All accounts are due upon receipt of invoice.

NOTE: 30 days after the full account is due a Service Charge of 1 1/2% per month (which is an Annual Percentage Rate of 18%) will be applied to the past due amount.

PARTS RETURN: Full credit if returned in 10 days. 15% restock charge if returned within 30 days. No return on special orders. All returns must be accompanied by this invoice.

I agree to pay the total amount of this invoice  
in accordance with the Cardholder Agreement.

\*\* SUBTOTAL 5.36  
\*\* SALES TAX .39

X \_\_\_\_\_ \*VI XXXXXXXXXXXXX6485

AUTH# 064663

Phone: (701) 222-6455

PAY THIS  
AMOUNT



\$5.75



**DAKOTA SUPPLY GROUP**  
For all the right connections!

DAKOTA SUPPLY GROUP  
PO BOX 74007497  
CHICAGO, IL 60674-7497



# Ship Ticket

SHIP DATE		ORDER NUMBER	
04/19/2023		S102666424.001	
ORDERED BY	DAVE	PAGE NO.	
DAKOTA SUPPLY GROUP - NDBI 901 S 26TH ST BISMARCK, ND 58504-6856 Phone 701-223-3130			1 of 2

SOLD TO:

SHIP TO:

BISMARCK PARKS AND RECREATION  
400 EAST FRONT AVENUE  
BISMARCK, ND 58504

BISMARCK PARKS AND RECREATION  
400 EAST FRONT AVENUE  
BISMARCK, ND 58504

CUSTOMER NUMBER		CUSTOMER PO NUMBER		JOB NAME / RELEASE NUMBER		SALESPERSON	
84223		MCDOWELL DAM				Barry Schmidt	
WRITER		SHIP VIA		WAREHOUSE		ORDER DATE	FREIGHT ALLOWED
Matt Hulm		CNTR		Ship: NDBI Price: NDBI		04/19/2023	No
ORDER QTY	SHIP QTY	DESCRIPTION				UNIT PRICE	EXT PRICE
4ea	4ea	ZURN P6000-ECR-WS KIT-REPAIR CLST 3.5GAL REBUILD KIT SAME AS A-38-A P6000 Pn: 41773				32.400/ea	129.60
1ea	1ea	KLEIN 32807MAG DRVR MULTI-NUT 7-IN-1 MAG 1/4 5/16 11/32 3/8 1/2 7/16 9/16 Pn: 43966 <i>Nut Driver</i>				29.970/ea	29.97
Amount Paid Today 04/19/2023						-159.57	
<b>Credit Card Information</b>							
A0000000031010							
Card Type:				Visa			
Merchant ID:				Thank You			
Card Number:				XXXXXXXXXXXX6485			
Card Holder:				BISMARCK PARKS AND			
Charge Amount:				\$159.57			
Response:				/			
Auth Code:				070765			
Time/Date:				12:18pm 04/19/2023			
Approved							
SIGNATURE NOT REQUIRED							
Signature: _____							
I agree to pay above total amount according to card issuer agreement.							
ARQC A770B22B39542281							
<b>COPY</b>							



DAKOTA SUPPLY GROUP

For all the right connections!

DAKOTA SUPPLY GROUP  
PO BOX 74007497  
CHICAGO, IL 60674-7497



# Ship Ticket

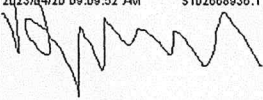
SHIP DATE		ORDER NUMBER	
04/20/2023		S102668936.001	
ORDERED BY	DAVID	PAGE NO.	
DAKOTA SUPPLY GROUP - NDBI 901 S 26TH ST BISMARCK, ND 58504-6856 Phone 701-223-3130			1 of 2

SOLD TO:

SHIP TO:

BISMARCK PARKS AND RECREATION  
400 EAST FRONT AVENUE  
BISMARCK, ND 58504

BISMARCK PARKS AND RECREATION  
400 EAST FRONT AVENUE  
BISMARCK, ND 58504

CUSTOMER NUMBER	CUSTOMER PO NUMBER	JOB NAME / RELEASE NUMBER	SALESPERSON	
84223	MCDOWELL DAM		Barry Schmidt	
WRITER	SHIP VIA	WAREHOUSE	ORDER DATE	FREIGHT ALLOWED
Matt Hulm	CNTR	Ship: NDBI Price: NDBI	04/20/2023	No
ORDER QTY	SHIP QTY	DESCRIPTION	UNIT PRICE	EXT PRICE
3ea	3ea	SLOAN 3308853 REPAIR KIT STOP 1" SLO DRVR STOP H541ASD Pn: 57373 Amount Paid Today 04/20/2023 -43.35	14.451/ea	43.35
<div style="border: 1px solid black; padding: 5px;"> <p align="center"><b>Credit Card Information</b></p> <p>A0000000031010</p> <p>Card Type: <span style="float: right;">Visa</span></p> <p>Merchant ID: <span style="float: right;">Thank You</span></p> <p>Card Number: <span style="float: right;">XXXXXXXXXXXX6485</span></p> <p>Card Holder: <span style="float: right;">BISMARCK PARKS AND</span></p> <p>Charge Amount: <span style="float: right;">\$43.35</span></p> <p>Response: <span style="float: right;">/</span></p> <p>Auth Code: <span style="float: right;">090780</span></p> <p>Time/Date: <span style="float: right;">09:09am 04/20/2023</span></p> <p align="center"><b>Approved</b></p> <p align="center">SIGNATURE NOT REQUIRED</p> <p>Signature: _____</p> <p>I agree to pay above total amount according to card issuer agreement.</p> <p align="center">ARQC 784672A3619DE864</p> </div>				
<p>2023/04/20 09:09:52 AM S102668936.1</p> <p></p> <p>DAVID</p>				

**COPY**

**PURCHASE ORDER**  
**BISMARCK PARKS AND RECREATION DISTRICT**  
 400 East Front Avenue • Bismarck, ND 58504  
 Phone: (701) 222-6455 • Fax (701) 221-6838

No. 94409

ND Tax Exempt Number: E-4674  
 Federal ID Number: 45-0409352

Name O'Reilly  
 Address \_\_\_\_\_

Vendor 682

Date 3/27/2023

Notes Parts and tools

Acct #	Description	Project Number	Cost
01.12.000.531400	Hoses and hose clamps Bobcat		\$24.73
01.12.000.531400	Funnel Bobcat		\$49.99
01.12.000.531400	Trans mission cable + sand paper 8103		\$87.02
01.12.000.531400	Valve compound Bobcat		\$17.98
01.12.000.531400	Thread seal Bobcat		\$6.99

Total \$186.71

Employee's Signature [Signature]

Manager's Signature [Signature]

Approved By [Signature]



DEDICATED TO THE PROFESSIONAL  
 Store 1536, 2201 E BISMARCK EXPY  
 BISMARCK, ND 58504 (701) 258-8755

Invoice	1536-342415
Sale Type	CHARGE SALE
Date	03/28/2023 8:17 PM
Ship Via	
PO Number	Seth

**Bill To:**  
 BISMARCK PARKS AND RECRE  
 400 EAST FRONT AVENUE  
 BISMARCK, ND 58504

**Ship To:** \_\_\_\_\_

Counter #	Customer Account	Ordered By	Special Instructions
538358	806814	Seth	

Qty	Line	Item Number	Description	Warranty	Unit	Tax	List	Net	Extended
2	GAT	28410	HEATER HOSE	1Y	FT	NA	3.88	1.15	2.30
1	GAT	21531	COOLANT HOSE	1Y	EA	NA	32.19	10.05	10.05
1	MHC	MP5512V	HOSE CLAMPS	90	CD	NA	5.75	3.05	3.05
1	MHC	MP5512V	HOSE CLAMPS	90	CD	NA	5.75	3.05	3.05
1	MHC	MP5528V	HOSE CLAMPS	90	CD	NA	5.92	3.14	3.14
1	MHC	MP5528V	HOSE CLAMPS	90	CD	NA	5.92	3.14	3.14

7 Items

Original Invoice #: \_\_\_\_\_ Original Invoice Date: \_\_\_\_\_ Original Counter #: \_\_\_\_\_

Sub-Total	24.73
Sales Tax	.00
<b>Total</b>	<b>24.73</b>

x \_\_\_\_\_  
 Customer Signature

**WE APPRECIATE YOUR BUSINESS!**





DEDICATED TO THE PROFESSIONAL  
 Store 1536, 2201 E BISMARCK EXPY  
 BISMARCK, ND 58504 (701) 258-8755

Invoice	1536-342558
Sale Type	CHARGE SALE
Date	03/29/2023 7:16 PM
Ship Via	
PO Number	Mcdowell

**Bill To:**  
 BISMARCK PARKS AND RECRE  
 400 EAST FRONT AVENUE  
 BISMARCK, ND 58504

**Ship To:**

Counter #	Customer Account	Ordered By	Special Instructions
662082	806814	Seth	

Qty	Line	Item Number	Description	Warranty	Unit	Tax	List	Net	Extended
1	LIS	24680	FUNNEL	LT	EA	NA	84.73	49.99	49.99

1 Item

Original Invoice #:

Original Invoice Date:

Original Counter #:

Sub-Total 49.99

Sales Tax .00

Total 49.99

x

Customer Signature

WE APPRECIATE YOUR BUSINESS!



DEDICATED TO THE PROFESSIONAL

Store 1536, 2201 E BISMARCK EXPY,  
BISMARCK, ND 58504 (701) 258-8755

Bill To:

BISMARCK PARKS AND RECRE

400 EAST FRONT AVENUE  
BISMARCK, ND 58504

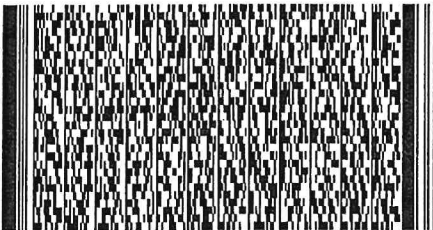
Invoice	1536-344822
Sale Type	CHARGE SALE
Date	04/11/2023 8:33 PM
Ship Via	
PO Number	Mcdowell

Counter #	Customer Account	Ordered By	Special Instructions
538358	806814	Seth	

Qty	Line	Item Number	Description	Warr	Unit	Tax	List	Net	Extended
1	PIO	CA1191	TRANS CABLE	1Y	EA	N	164.39	78.29	78.29
			1999 Chevrolet K2500 Pickup 4WD						
1	MPR	41-700	Scuff Pad	MD	PK	N	11.85	6.01	6.01
1	MPR	41-504	320# 1/3 W/P	MD	PK	N	10.15	2.72	2.72

3 Items

Select Super Start Batteries come with Roadside Assistance. Ask for details.



Sub-Total 87.02  
Sales Tax 0.00  
Total 87.02

X \_\_\_\_\_  
Customer Signature





DEDICATED TO THE PROFESSIONAL

Store 1536, 2201 E BISMARCK EXPY,  
BISMARCK, ND 58504 (701) 258-8755

Bill To:

BISMARCK PARKS AND RECRE

400 EAST FRONT AVENUE  
BISMARCK, ND 58504

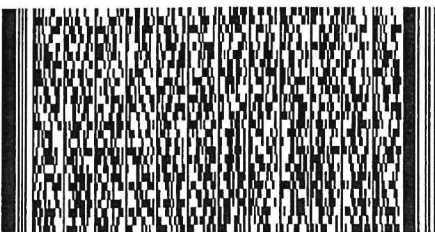
Invoice	1536-346739
Sale Type	CHARGE SALE
Date	04/21/2023 11:07 AM
Ship Via	
PO Number	Mcdowell

Counter #	Customer Account	Ordered By	Special Instructions
470392	806814	Seth	

Qty	Line	Item Number	Description	Warr	Unit	Tax	List	Net	Extended
1	PFM	W86552	2PC VLV LAP	LT	EA	N	20.32	11.99	11.99
1	PER	80036	VLV COMPOUND	MD	EA	N	10.15	5.99	5.99

2 Items

Select Super Start Batteries come with Roadside Assistance. Ask for details.



Sub-Total 17.98  
Sales Tax 0.00  
**Total 17.98**

X \_\_\_\_\_  
Customer Signature



WWW.FIRSTCALLONLINE.COM

Warranty/Garantía: www.firstcallonline.com/warranty

WE APPRECIATE YOUR BUSINESS!

1536WS153 Remit To: PO BOX 9464, SPRINGFIELD, MO 65801-9464



DEDICATED TO THE PROFESSIONAL  
 Store 1536, 2201 E BISMARCK EXPY  
 BISMARCK, ND 58504 (701) 258-8755

Invoice	1536-347446
Sale Type	CHARGE SALE
Date	04/24/2023 8:53 PM
Ship Via	
PO Number	Seth

**Bill To:**  
 BISMARCK PARKS AND RECRE  
 400 EAST FRONT AVENUE  
 BISMARCK, ND 58504

**Ship To:**

Counter #	Customer Account	Ordered By	Special Instructions
538358	806814	Seth	

Qty	Line	Item Number	Description	Warranty	Unit	Tax	List	Net	Extended
1	PER	59214	.2ozThrdSeal	MD	EA	NA	11.85	6.99	6.99

1 Item

Original Invoice #:

Original Invoice Date:

Original Counter #:

Sub-Total	6.99
Sales Tax	.00
<b>Total</b>	<b>6.99</b>

x

Customer Signature

**WE APPRECIATE YOUR BUSINESS!**

**PURCHASE ORDER**  
**BISMARCK PARKS AND RECREATION DISTRICT**  
 400 East Front Avenue • Bismarck, ND 58504  
 Phone: (701) 222-6455 • Fax (701) 221-6838

No. 94410

ND Tax Exempt Number: E-4674  
 Federal ID Number: 45-0409352

Name NAPA

Vendor 617

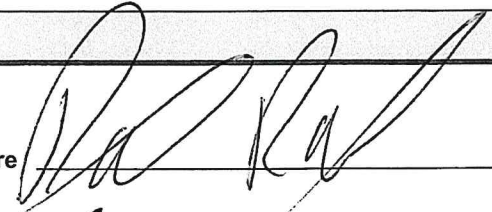
Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date 3/27/2023

Notes Parts  
 \_\_\_\_\_  
 \_\_\_\_\_

	Project Number	Cost
Acct # <u>01.12.000.531400</u>		
Description <u>Belts for Bobcat</u>		<u>\$24.98</u>
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		
Acct #		
Description		

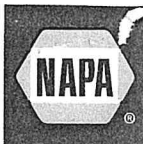
Total \$24.98

Employee's Signature 

Manager's Signature  

Approved By 

ORIGINAL



**AUTO PARTS**

STORE

400007250  
NAPA AUTO PARTS  
1730 E MAIN AVENUE  
PO BOX 1275  
BISMARCK, ND 58501  
(701) 223-2681

Time: 11:45 Date: 04/22/2023 Page: 1/1

Employee: 254 , JOSTEN  
Sales Rep: 0 , Salesman  
Accounting Day: 19

SOLD TO	10460	Anticipated Time:
	BISMARCK PARKS & RECREATION	Attention:
	605 W ARBOR AVE	Tax Exemption:
	BISMARCK, ND 58504	PO#: MCDOWELL DAM
		Terms: NET 10TH

Part Number	Line	Description	Quantity	Price	Net	Total
A42	NBH	IND BELT	1.00	20.56	11.3900	11.39
A58	NBH	IND BELT	1.00	24.60	13.5900	13.59

Customer Signature  
ALL GOODS RETURNED MUST BE ACCOMPANIED BY THIS INVOICE  
Your current in-store balance is: 51.94

NO RETURN ON ELECTRICAL  
OR INSTALLED PARTS...

CUSTOMER COPY

Subtotal	24.98
TAXABLE 65 7.0000%	0.00
<b>Total</b>	<b>24.98</b>
Charge Sale	24.98

Y  
Y  
488603  
Invoice Number



4000072504886036



# Invoice Number

## 921506378

Due Date: 05/27/2023

Contact Us:  
1-800-227-7404  
www.bsnsports.com

Make check payable to:  
BSN SPORTS LLC  
P.O. Box 841393  
Dallas, TX 75284-1393

PO Number: McDowell Clothing Or

Order Number: 306879418  
Terms: NT30  
Invoice Date: 04/27/2023

Customer #: 1016176  
Bill To: BISMARCK PARK & REC  
Attn: Business Manager  
400 E FRONT AVE  
BISMARCK ND 58504-5641

Ship To: Bismarck Parks and Recreation Distr  
Attn: Bonnie Lahr  
627 WEST ARBOR AVE  
BISMARCK ND 58504



Item Number	Item Description	Material	Color/Team/Size	Qty/ UOM	Unit Price	Extended Price
SMPC90ZH	ULT FZ HOOD SWSHRT NAVY LRG	SMPC90ZHNVYLRG	Navy LRG	2 EA ✓	18.64	37.28
SMPC90ZH	ULT FZ HOOD SWSHRT NAVY XLG	SMPC90ZHNVYXLG	Navy XLG	5 EA ✓	18.64	93.20
SMPC90ZH	ULT FZ HOOD SWSHRT NAVY XXL	SMPC90ZHNVYXXL	Navy XXL	5 EA ✓	20.00	100.00
SMPC54	COTTON T-SHIRT NAVY XLG	SMPC54NVYXLG	Navy XLG	15 EA	4.00	60.00
SMPC54	COTTON T-SHIRT NAVY XXL	SMPC54NVYXXL	Navy XXL	15 EA	5.50	82.50
LETTERWOE	McDowell Clothing	LETTERWOE		72 EA	0.00	0.00
SMPC54	COTTON T-SHIRT DK HE GY XLG	SMPC54DHGXG	DK HE GY XLG	15 EA ✓	4.00	60.00
SMPC54	COTTON T-SHIRT DK HE GY XXL	SMPC54DHGXXL	DK HE GY XXL	15 EA ✓	5.50	82.50

Thank you for your order. This invoice completes your purchase order.

For realtime order status and tracking information go to [www.bsnsports.com](http://www.bsnsports.com)

**COPY**

**IMPORTANT NOTE ABOUT OUR INVOICES**

We know smooth processing of our invoice is important to you. If you have any questions about this invoice, please call your Accounts Receivable Service Representative (800-227-7404). We will be happy to answer your questions. Please remember to include our invoice number on your payment remittance so we can properly apply your payment to your account. Enjoy the benefits of online access. To enroll online or pay as a guest, go to [www.BSNBilling.com](http://www.BSNBilling.com).

Thank you for your business.

To better service your account, please include invoice numbers on your remittance

Invoice # 921506378  
Due Date: 05/27/2023

Customer #: 1016176

Merchandise Sub Total	Other	Freight	Sales Tax	Invoice Total	Payment/Credit Applied	Total Invoice Amount Due
\$515.48	\$0.00	\$0.00	\$0.00	\$515.48	\$0.00	\$515.48

BSN SPORTS Terms and Conditions apply to all of your orders with us and our affiliates. At any time, these terms and conditions can be found at [www.bsnsports.com/terms](http://www.bsnsports.com/terms)

Past due balances are subject to a finance charge of 1.5% per month or the highest rate permitted by applicable law, whichever is lower.

BSN SPORTS accepts payments by check, credit card, ACH or wire.

If you need a copy of an invoice, please call 1-800-227-7404.

Page 159 of 185  
BCWRD July 2023



# Credit Memo Number

## 921523250

Due Date: 05/18/2023

Contact Us:  
1-800-227-7404  
www.bsnsports.com

Make check payable to:  
BSN SPORTS LLC  
P.O. Box 841393  
Dallas, TX 75284-1393

PO Number: McDowell Clothing Or  
Reference Number: 61725938  
Terms: NT30  
Invoice Date: 04/18/2023

Customer #: 1016176  
Bill To: BISMARCK PARK & REC  
Attn: Business Manager  
400 E FRONT AVE  
BISMARCK ND 58504-5641

Ship To: Bismarck Parks and Recreation Distr  
Attn: Bonnie Lahr  
627 WEST ARBOR AVE  
BISMARCK ND 58504

Item Number	Item Description	Material	Color/Team/Size	Qty/ UOM	Unit Price	Extended Price
SMPC54	COTTON T-SHIRT NAVY XLG	SMPC54NVYXLG	Navy XLG	15 EA	4.00-	60.00-
SMPC54	COTTON T-SHIRT NAVY XXL	SMPC54NVYXXL	Navy XXL	15 EA	5.50-	82.50-

**Thank you for your order.**

For realtime order status and tracking information go to [www.bsnsports.com](http://www.bsnsports.com)

**COPY**

**IMPORTANT NOTE ABOUT OUR INVOICES**

We know smooth processing of our invoice is important to you. If you have any questions about this invoice, please call your Accounts Receivable Service Representative (800-227-7404). We will be happy to answer your questions. Please remember to include our invoice number on your payment remittance so we can properly apply your payment to your account. Enjoy the benefits of online access. To enroll online or pay as a guest, go to [www.BSNBilling.com](http://www.BSNBilling.com).

Thank you for your business.

**To better service your account, please include invoice numbers on your remittance**

Customer #: 1016176

Invoice # 921523250  
Due Date: 05/18/2023

Merchandise Sub Total	Other	Freight	Sales Tax	Invoice Total	Payment/Credit Applied	Total Invoice Amount Due
\$142.50-	\$0.00	\$0.00	\$0.00	\$142.50-	\$0.00	\$142.50-

BSN SPORTS Terms and Conditions apply to all of your orders with us and our affiliates. At any time, these terms and conditions can be found at [www.bsnsports.com/terms](http://www.bsnsports.com/terms)

Past due balances are subject to a finance charge of 1.5% per month or the highest rate permitted by applicable law, whichever is lower.

BSN SPORTS accepts payments by check, credit card, ACH or wire.

If you need a copy of an invoice, please call 1-800-227-7404.

Page 160 of 185  
BCWRD July 2023





A Touchstone Energy® Cooperative

7401 Yukon Drive
Bismarck, ND 58503
Office: (701) 223-1513
Payments: (877) 853-5928
www.capitalelec.com

Statement Date
Account Number
Due Date

05/05/2023
868029
05/24/2023

Billing Summary

Table with 2 columns: Description and Amount. Rows include Previous Balance (\$38.32), Payment(s) Received (Thank You \$-38.32), Balance Forward (\$0.00), Charges (\$38.32), and Amount Due (\$38.32).

BIS CITY PARK DISTRICT
PARK & REC
400 E FRONT AVE
BISMARCK ND 58504-5641

Service Address: 1951 NE 93RD ST

Table with 9 columns: Meter #, Rate Description, From, To, Days, Previous, Present, Mult., kWh. Row 1: 93622953, RURAL SMALL COMM UNDER 10KW, 04/01/2023, 05/01/2023, 30, 1752, 1837, 1, 85.

Detail of Charges

Table with 2 columns: Description and Amount. Rows include Monthly Base Charge (\$31.00), Usage Charge (85 kWh @ \$0.08611, \$7.32), and Current Charges (\$38.32).

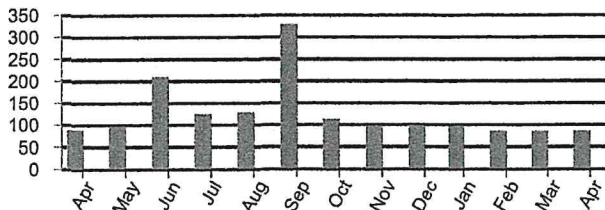


Table comparing APR 2022 and APR 2023. Rows include Avg Daily Temp (38) and Avg Daily kWh (3).

RETURN BOTTOM PORTION WITH YOUR PAYMENT. PLEASE DO NOT FOLD, STAPLE, TAPE, OR PAPERCLIP.

Capital Electric Cooperative is an equal opportunity provider and employer.

BIS CITY PARK DISTRICT
PARK & REC
400 E FRONT AVE
BISMARCK ND 58504-5641
PRIMARY: (701) 222-6455

SECONDARY:

Account Number 868029
Due Date 05/24/2023
Amount Due \$38.32

See reverse side for payment options

Please notify us of any changes to your account information below:

Three horizontal lines for account information changes.

CAPITAL ELECTRIC COOPERATIVE, INC.
PO BOX 730
BISMARCK ND 58502-0730





A Touchstone Energy® Cooperative

7401 Yukon Drive
Bismarck, ND 58503
Office: (701) 223-1513
Payments: (877) 853-5928
www.capitalelec.com

Statement Date
Account Number
Due Date

05/05/2023
868002
05/24/2023

Billing Summary

Table with 2 columns: Description (Previous Balance, Payment(s) Received, Balance Forward, Charges, Amount Due) and Amount (\$278.91, -278.91, \$0.00, \$269.66, \$269.66)

BIS CITY PARK DISTRICT
PARK & REC
400 E FRONT AVE
BISMARCK ND 58504-5641

Service Address: SEC 27 MCDOWELL REC AREA

Table with 9 columns: Meter #, Rate Description, From, To, Days, Previous, Present, Mult., kWh

Detail of Charges

Table with 2 columns: Description (Monthly Base Charge, Usage Charge, Current Charges) and Amount (\$31.00, \$129.17, \$269.66)

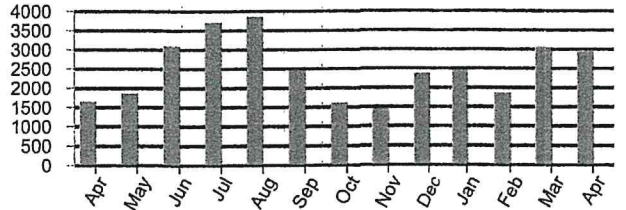


Table comparing APR 2022 and APR 2023 for Avg Daily Temp and Avg Daily kWh

RETURN BOTTOM PORTION WITH YOUR PAYMENT. PLEASE DO NOT FOLD, STAPLE, TAPE, OR PAPERCLIP.

Capital Electric Cooperative is an equal opportunity provider and employer.

BIS CITY PARK DISTRICT
PARK & REC
400 E FRONT AVE
BISMARCK ND 58504-5641
PRIMARY: (701) 222-6455

SECONDARY:

Account Number 868002
Due Date 05/24/2023
Amount Due \$269.66

See reverse side for payment options

Please notify us of any changes to your account information below:

Three horizontal lines for account information changes

CAPITAL ELECTRIC COOPERATIVE, INC.
PO BOX 730
BISMARCK ND 58502-0730





A Touchstone Energy® Cooperative

7401 Yukon Drive  
Bismarck, ND 58503  
Office: (701) 223-1513  
Payments: (877) 853-5928  
www.capitalelec.com

Statement Date  
Account Number  
Due Date

05/05/2023  
868001  
05/24/2023

### Billing Summary

Previous Balance		\$256.48
Payment(s) Received	<i>Thank You!</i>	\$-256.48
Balance Forward		\$0.00
Charges		\$201.11
<b>Amount Due</b>		<b>\$201.11</b>

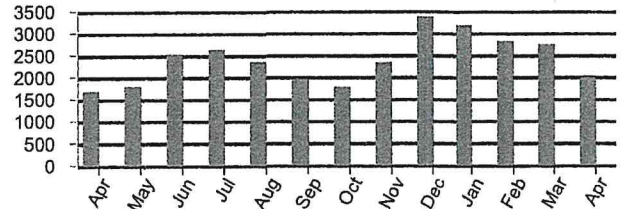
BIS CITY PARK DISTRICT  
PARK & REC  
400 E FRONT AVE  
BISMARCK ND 58504-5641

Service Address: SEC 27SW MCDOWELL HOUSE

Meter #	Rate Description	From	To	Days	Previous	Present	Mult.	kWh
86861804	RURAL SMALL COMM UNDER 10KW	04/01/2023	05/01/2023	30	79854	81885	1	2031

### Detail of Charges

Monthly Base Charge		\$31.00
Usage Charge	1500 kWh @ \$0.08611	\$129.17
	531 kWh @ \$0.07711	\$40.94
<b>Current Charges</b>		<b>\$201.11</b>



PERIOD ENDING	APR 2022	APR 2023
Avg Daily Temp	38	38
Avg Daily kWh	56	68

RETURN BOTTOM PORTION WITH YOUR PAYMENT. PLEASE DO NOT FOLD, STAPLE, TAPE, OR PAPERCLIP.

Capital Electric Cooperative is an equal opportunity provider and employer.

BIS CITY PARK DISTRICT  
PARK & REC  
400 E FRONT AVE  
BISMARCK ND 58504-5641  
PRIMARY: (701) 222-6455

SECONDARY:

Account Number  
Due Date  
Amount Due

868001  
05/24/2023  
\$201.11

See reverse side for payment options

Please notify us of any changes to your account information below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CAPITAL ELECTRIC COOPERATIVE, INC.  
PO BOX 730  
BISMARCK ND 58502-0730





P.O. Box 4182  
Bismarck, ND 58502-4182

(701) 258-8710 • Fax (701) 223-6041  
Office Hours M-Th 8-4:30 and F 8-4  
www.southcentralwaternd.com

Account Number: 05791540-00  
Service Address: MCDOWELL DAM PARK  
Billing Date: 05/19/2023  
Current Charges: 37.00  
Past Due Charges: 0.00  
Amount Due by 06/10/2023: 37.00  
Amount Due After 06/10/2023: 41.00

Check here if you have had a mailing address change and indicate this change on the back of the stub.



BISMARCK PARK DISTRICT  
400 E FRONT AVE  
BISMARCK ND 58504-5641

883 Web ID

Amount Enclosed: \_\_\_\_\_

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

Please Make Checks Payable to: SOUTH CENTRAL REGIONAL WATER or SCWD

Account Number: 05791540-00  
Service Address: MCDOWELL DAM PARK  
Last Payment: 34.00 - 05/04/2023  
Billing Date: 05/19/2023

BISMARCK PARK - MCDOWELL DAM  
400 E FRONT AVE  
BISMARCK ND 585045641

Current Reading: 05/01/2023 411400  
Previous Reading: 04/01/2023 410500  
Usage: 900

**Important Messages**  
REMINDER: YOU MAY NOW PAY YOUR BILL VIA DEBIT OR CREDIT CARD. YOU CAN CALL 855-768-4825 OR VISIT [HTTPS://SOUTHCENTRAL.BILLINGDOC.NET](https://southcentral.billingdoc.net) IN ORDER TO DO SO YOU WILL NEED YOUR WEB ID FROM YOUR BILL  
IF YOU PAY BY CREDIT OR DEBIT CARD THE VENDOR THAT PROCESSES THE PAYMENTS DOES CHARGE A SERVICE FEE  
IF YOU WOULD LIKE YOUR BILL E-MAILED TO YOU SEND REQUEST TO [JSCHMIDT@SOUTHCENTRALWATERND.COM](mailto:JSCHMIDT@SOUTHCENTRALWATERND.COM)  
IF YOU ARE INTERESTED IN AUTO PAY PLEASE CALL US AT 258-8710  
USAGE ON THIS BILL IS FROM APRIL  
OUR OFFICE WILL BE CLOSED MONDAY, MAY 29TH HAVE A SAFE AND HAPPY HOLIDAY!

Service	Current	Past-Due	Balance
MONTHLY MINIMUM	34.00	0.00	34.00
WATER COST	3.00	0.00	3.00
<b>Totals:</b>	<b>37.00</b>	<b>0.00</b>	<b>37.00</b>
<b>DUE DATE</b>			<b>06/10/2023</b>

THANK YOU FOR YOUR PREVIOUS PAYMENT

USAGE HISTORY IN GALLONS

MAY 2022	JUN 2022	JUL 2022	AUG 2022	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023
100	8100	15800	29600	17000	29900	1100	200	200	100	100	200	900
H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD

PLEASE KEEP THIS PORTION FOR YOUR RECORDS  
SOUTH CENTRAL REGIONAL WATER DISTRICT  
(701) 258-8710





P.O. Box 4182  
Bismarck, ND 58502-4182

(701) 258-8710 • Fax (701) 223-6041  
Office Hours M-Th 8-4:30 and F 8-4  
www.southcentralwaternd.com

Account Number:	05790400-00
Service Address:	MCDOWELL DAM HOUSE
Billing Date:	05/19/2023
Current Charges:	57.25
Past Due Charges:	0.00
Amount Due by 06/10/2023:	57.25
Amount Due After 06/10/2023:	61.25

Check here if you have had a mailing address change and indicate this change on the back of the stub.



BISMARCK PARK DISTRICT  
400 E FRONT AVE  
BISMARCK ND 58504-5641

776 Web ID

Amount Enclosed: \_\_\_\_\_

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT

Please Make Checks Payable to: SOUTH CENTRAL REGIONAL WATER or SCWD

Account Number:	05790400-00
Service Address:	MCDOWELL DAM HOUSE
Last Payment:	58.00 - 05/04/2023
Billing Date:	05/19/2023

BISMARCK PARK - MCDOWELL DAM 400 E FRONT AVE BISMARCK ND 585045641
--

Current Reading:	05/01/2023	1974100
Previous Reading:	04/01/2023	1970500
Usage:		3600

**Important Messages**

REMINDER: YOU MAY NOW PAY YOUR BILL VIA DEBIT OR CREDIT CARD. YOU CAN CALL 855-768-4825 OR VISIT [HTTPS://SOUTHCENTRAL.BILLINGDOC.NET](https://southcentral.billingdoc.net) IN ORDER TO DO SO YOU WILL NEED YOUR WEB ID FROM YOUR BILL

IF YOU PAY BY CREDIT OR DEBIT CARD THE VENDOR THAT PROCESSES THE PAYMENTS DOES CHARGE A SERVICE FEE

IF YOU WOULD LIKE YOUR BILL E-MAILED TO YOU SEND REQUEST TO [JSCHMIDT@SOUTHCENTRALWATERND.COM](mailto:JSCHMIDT@SOUTHCENTRALWATERND.COM)

IF YOU ARE INTERESTED IN AUTO PAY PLEASE CALL US AT 258-8710

USAGE ON THIS BILL IS FROM APRIL

OUR OFFICE WILL BE CLOSED MONDAY, MAY 29TH HAVE A SAFE AND HAPPY HOLIDAY!

Service	Current	Past-Due	Balance
MONTHLY MINIMUM	34.00	0.00	34.00
WATER COST	23.25	0.00	23.25
<b>Totals:</b>	<b>57.25</b>	<b>0.00</b>	<b>57.25</b>
<b>DUE DATE</b>			<b>06/10/2023</b>

THANK YOU FOR YOUR PREVIOUS PAYMENT

USAGE HISTORY IN GALLONS

MAY 2022	JUN 2022	JUL 2022	AUG 2022	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023
3200	4600	40400	41200	49000	38900	6100	3600	4400	4000	3500	3700	3600
H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD	H-HELD

PLEASE KEEP THIS PORTION FOR YOUR RECORDS  
SOUTH CENTRAL REGIONAL WATER DISTRICT  
(701) 258-8710







200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

BISMARCK PARKS & REC  
ACCOUNT NO: 1205800  
Telephone No.: (701)223-7016  
BILL DATE: 03/01/2023  
Page: 3 of 8

MONTHLY USAGE FOR Telephone No.: (701)223-7016  
Service Address: 1951 93 ST NE BISMARCK, ND

Description	Date	Quantity	Amount
<b>SUMMARY FOR: McDowell Dam</b>			
Previous Balance Due			.00
BUSINESS LINE METERED	03/01-03/31		32.00
BUSINESS LINE			
CALLER ID			
BUSINESS LINE METERED SUBTOTAL			32.00
MANDATED FEES	03/01-03/31		
E911 FEE-BURLEIGH CO		1 @	2.00
TELECOMMUNICATIONS RELAY SERVICE FUND		1 @	0.03
MANDATED FEES SUBTOTAL			2.03
SUB-TOTAL			34.03
CURRENT BILLING AMOUNT			34.03

Credit Card Payment - Do Not Pay  
The carrier you have chosen for your long distance (InterLATA) calls is BEK LD.  
The carrier you have chosen for your long distance (IntraLATA) calls is BEK LD.



200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

BISMARCK PARKS & REC  
ACCOUNT NO: 1205800  
Telephone No.: (701)223-7016  
BILL DATE: 03/01/2023  
Page: 4 of 8

MONTHLY USAGE FOR Telephone No.: (701)255-7385  
Service Address: 1951 93 ST NE STR 1 BISMARCK, ND

Description	Date	Quantity	Amount
<b>SUMMARY FOR: McDowell Dam-Concession/Shop</b>			
Previous Balance Due			.00
BUSINESS LINE METERED	03/01-03/31		32.00
BUSINESS LINE			
CALLER ID			
BUSINESS LINE METERED SUBTOTAL			32.00
TELEPHONE SERVICES	03/01-03/31		
ON PREMISE EXTENSION - PHONE ONLY		1 @	2.00
FEDERAL TAX			.06
TELEPHONE SERVICES SUBTOTAL			2.06
MANDATED FEES	03/01-03/31		
E911 FEE-BURLEIGH CO		1 @	2.00
TELECOMMUNICATIONS RELAY SERVICE FUND		1 @	0.03
MANDATED FEES SUBTOTAL			2.03
SUB-TOTAL			36.09
CURRENT BILLING AMOUNT			36.09

Credit Card Payment - Do Not Pay  
The carrier you have chosen for your long distance (InterLATA) calls is BEK LD.  
The carrier you have chosen for your long distance (IntraLATA) calls is BEK LD.





200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

BISMARCK PARKS & REC  
ACCOUNT NO: 1205800  
Telephone No.: (701)223-7016  
BILL DATE: 03/01/2023  
Page: 5 of 8

MONTHLY USAGE FOR BILLING NO: 701-101-2047  
Service Address: 1951 93 ST NE BISMARCK, ND

Description	Date	Quantity	Amount
<i>SUMMARY FOR: McDowell Dam</i>			
Previous Balance Due			.00
MISCELLANEOUS SERVICES	03/01-03/31		
36 MONTH AGREEMENT			
YOUR 36 MONTH AGREEMENT EXPIRES ON 04/05/24			
MISCELLANEOUS SERVICES SUBTOTAL			.00
INTERNET SERVICES	03/01-03/31		
1/2 GBPS LIGHTBAND CONNECTION		1 @	101.50
INTERNET SERVICES SUBTOTAL			101.50
INTERNET SERVICES	02/28		
BROADBAND USAGE - 281.80 GBS			.00
INTERNET SERVICES SUBTOTAL			101.50
SUB-TOTAL			101.50
CURRENT BILLING AMOUNT			101.50
			Credit Card Payment -- Do Not Pay



200 EAST BROADWAY  
PO BOX 230  
STEELE, ND 58482  
1.888.475.2361

BISMARCK PARKS & REC  
ACCOUNT NO: 1205800  
Telephone No.: (701)223-7016  
BILL DATE: 03/01/2023  
Page: 6 of 8

MONTHLY USAGE FOR BILLING NO: 701-101-2132  
Service Address: 3715 BISMARCK EXPY E BISMARCK, ND

Description	Date	Quantity	Amount
Previous Balance Due	03/01-03/31		.00
INTERNET SERVICES			
1/2 GBPS LIGHTBAND CONNECTION		1 @	101.50
INTERNET SERVICES SUBTOTAL			101.50
INTERNET SERVICES	02/28		
BROADBAND USAGE - 3.92 GBS			.00
INTERNET SERVICES SUBTOTAL			101.50
SUB-TOTAL			101.50
CURRENT BILLING AMOUNT			101.50
			Credit Card Payment -- Do Not Pay





200 EAST BROADWAY  
 PO BOX 230  
 STEELE, ND 58482  
 1.888.475.2361

BISMARCK PARKS & REC  
 ACCOUNT NO: 1205800  
 Telephone No.: (701)223-7016  
 BILL DATE: 03/01/2023  
 Page: 7 of 8

MONTHLY USAGE FOR INTERNET: 701-161-2230

Service Address: 1951 93 ST NE STR 2 BISMARCK, ND

Description	Date	Quantity	Amount
Previous Balance Due			.00
MISCELLANEOUS SERVICES	03/01-03/31		
36 MONTH AGREEMENT			
YOUR 36 MONTH AGREEMENT EXPIRES ON 04/05/24			
MULTI-LOCATION SERVICES		1 @ 15.00	15.00
MULTI-LOCATION SERVICES - 1/2G LIGHTBAND			
FEDERAL TAX			.45
MISCELLANEOUS SERVICES SUBTOTAL			15.45
SUB-TOTAL			15.45
CURRENT BILLING AMOUNT			15.45
		Credit Card Payment -- Do Not Pay	15.45



200 EAST BROADWAY  
 PO BOX 230  
 STEELE, ND 58482  
 1.888.475.2361

BISMARCK PARKS & REC  
 ACCOUNT NO: 1205800  
 Telephone No.: (701)223-7016  
 BILL DATE: 03/01/2023  
 Page: 8 of 8

MONTHLY USAGE FOR INTERNET: 701-161-2431

Service Address: 1951 93 ST NE STR 1 BISMARCK, ND

Description	Date	Quantity	Amount
Previous Balance Due			.00
MISCELLANEOUS SERVICES	03/01-03/31		
36 MONTH AGREEMENT			
YOUR 36 MONTH AGREEMENT EXPIRES ON 04/05/24			
MULTI-LOCATION SERVICES		1 @ 15.00	15.00
MULTI-LOCATION SERVICES - 1/2G LIGHTBAND			
MULTI-LOCATION SERVICES - PHONE			
FEDERAL TAX			.45
MISCELLANEOUS SERVICES SUBTOTAL			15.45
SUB-TOTAL			15.45
CURRENT BILLING AMOUNT			15.45
		Credit Card Payment -- Do Not Pay	15.45



Bliss Law Firm, LLC  
 400 East Broadway, Suite 308  
 Bismarck, ND 58501

Burleigh County Water Resource District  
 PO Box 1255  
 Bismarck, ND 58502-1255

June 29, 2023

Invoice #432

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
6/5/2023 (910 B) Review file, aerial mapping of Hogue Island potential assessment district; email correspondence to/from Mike Gunsch with regard to the same; follow-up telephone call to Mike Gunsch with regard to the same.	0.50 293.00/hr	146.50
(910 B) Review landowner emails with regard to the Hogue Island assessment district; follow-up telephone call to Mike Gunsch with regard to positions of Hogue Island landowners who may be in the project.	0.40 293.00/hr	117.20
(960-2) Receipt and review of latest complaint with regard to the Iversen/Fettig complaints; follow-up telephone call to Mike Gunsch with regard to the same.	0.40 293.00/hr	117.20
(904) Receipt and review of email thread with regard to (District and Houston Engineering) proposed pipeline routes, issues thereof.	0.30 293.00/hr	87.90
6/7/2023 (904) Conference call with Houston Engineering Travis Johnson and Mike Gunsch with regard to the potential purchase of the Margie Zeller land.	0.40 293.00/hr	117.20
(312) Review correspondence file with regard to the Board's issues with the State Auditor billing entries; draft follow-up letter to State Auditor with regard to the status of the State's response; follow-up telephone call to Board Secretary Wendy with regard to any communication received by the Board from the State Auditor; receipt and review of reply letter from State Auditor from Wendy; follow-up email to Chairman Landenberger with regard to the same.	0.70 293.00/hr	205.10
6/8/2023 (910 J) Review email thread between District and Houston Engineering with regard to the formation of the Sibley Island assessment district.	0.50 293.00/hr	146.50

	<u>Hrs/Rate</u>	<u>Amount</u>
6/8/2023 (904) Review file; follow-up telephone call to Houston Engineering Travis Johnson, discuss potential Zeller purchase agreement, related options, and timeframes.	0.50 293.00/hr	146.50
6/13/2023 (910B) Telephone call with Mike Gunsch with regard to Hogue Island assessment district matters.	0.30 293.00/hr	87.90
(910 J) Telephone call from Manager Palm with regard to the Iverson/Fettig drain complaints.	0.40 293.00/hr	117.20
(910 B) Telephone call from Chairman Landenberger with regard to assessment district voting procedures; legal research with regard to the same; follow-up correspondence with Chairman Landenberger with regard to the same.	1.00 293.00/hr	293.00
6/14/2023 (904) Review file; follow-up telephone call to Margie Zeller's Attorney Austen Fauske with regard to the status of the District's potential purchase of the Zeller property.	0.50 293.00/hr	146.50
(312) Prepare for Board meeting, attend Board meeting.		1,000.00
(960-2) Review prior email correspondence between Mike Gunsch and the District managers with regard to watercourse definitions; review Department of Water Resources briefing on the same; forward my prior emails with Mike Gunsch to Dennis for his review and discussion.	0.40 293.00/hr	117.20
6/16/2023 (910 B) Telephone call from Mike Gunsch with regard to Houston Engineering permitting processes by the Army Corps of Engineers, Department of Water Resources; review status of individual landowner projects on Hogue Island.	0.50 293.00/hr	146.50
For professional services rendered	<u>6.80</u>	<u>\$2,992.40</u>
Previous balance		\$5,193.90
Accounts receivable transactions		
6/19/2023 Payment - Thank You. Check No. 2125.		(\$5,193.90)
Total payments and adjustments		(\$5,193.90)
Balance due		<u><u>\$2,992.40</u></u>

Payment in full must be made within 30 days of the date of this bill. Past due amounts will incur an additional 1.5% monthly fee.



380 New York Street  
 Redlands, CA-92373  
 Phone: (909) 793-2853

Invoice : 94502182  
 Order : 4432397  
 Customer : 635910  
 Customer PO : QUOTE EGLI  
 P.O. Date :  
 End User : 635910  
 Project :

Document date : 06/08/2023  
 Delivery :  
 Contract :

BCWRD

**'Invoice'**

Page : 1

Bill to:  
 BCWRD  
 PO Box 1255  
 Bismarck ND 58502-1255

Ship to:  
 BCWRD  
 PO Box 1255  
 Bismarck ND 58502-1255

For questions regarding this document, please contact Customer Service at 888-377-4575  
 Terms of payment: Net Due 30 days, no discount

The line items included in this transaction are governed exclusively by the terms of the above-referenced contract, if any, or, where applicable, Esri's standard terms and conditions at [www.esri.com/legal/software-license](http://www.esri.com/legal/software-license).

Item	Qty	Material Number	Price
10	1	153148 ArcGIS Online Creator Annual Subscription Start Date: 07/31/2023 End Date: 07/30/2024	550.00
Item Subtotal			550.00
<b>Total:</b>			<b>USD 550.00</b>

FEIN: 95-2775732  
 DUNS/CEC: 06-313-4175 CAGE: 0AMS3  
**Please detach lower portion and return with remittance**



Remit Payment to:  
 Environmental Systems Research Institute, Inc.  
 By Check : P.O. Box 741076  
 Los Angeles CA 90074-1076  
 Electronic Instructions:  
 Bank: Bank of America  
 Wire ABA: 026009593  
 ACH ABA : 121000358

Acct#: 1496150335

BCWRD  
 PO Box 1255  
 Bismarck ND 58502-1255

Invoice: 94502182 Document Date: 06/08/2023  
 Order: 4432397  
 Payer: 635910 Total: USD 550.00



Fronteer Professional Services Inc  
 1838 E Interstate Ave Ste B  
 Bismarck, ND 58503

Date: July 06, 2023  
 Invoice #: 0000003336  
 Terms: Net

Burleigh Co. Water Resource District  
 Bismarck, ND

**Total Due: \$17.12**

Detach And Return With Payment

Fronteer Professional Services Inc 1838 E Interstate Ave Ste B, Bismarck, ND 58503

Description	Amount	Total
Name Plate For Jerry Woodcox	\$17.12	\$17.12
<b>Total:</b>		<b>\$17.12</b>

Thank you for your business!



Fronteer Professional Services Inc  
 1838 E Interstate Ave Ste B  
 Bismarck, ND 58503

Date: June 30, 2023  
 Invoice #: 0000003310  
 Terms: Net

Burleigh Co. Water Resource District  
 Bismarck, ND

**Total Due: \$2,165.00**

Detach And Return With Payment

Fronteer Professional Services Inc 1838 E Interstate Ave Ste B, Bismarck, ND 58503

Description	Amount	Total
Monthly Administrative Work - Per Agreement	\$2,110.00	\$2,110.00
Terminal Server Fees	\$55.00	\$55.00
<b>Total:</b>		<b>\$2,165.00</b>

Thank you for your business!



Fronteer Professional Services Inc  
 4007 State Street, Ste 20  
 Bismarck, ND 58503

Date: May 31, 2023  
 Invoice #: 0000003291  
 Terms: Net

Burleigh Co. Water Resource District  
 Bismarck, ND

**Total Due: \$59.15**

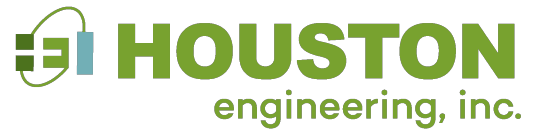
Detach And Return With Payment

Fronteer Professional Services Inc 4007 State Street, Ste 20, Bismarck, ND 58503

Description	Amount	Total
May Presort Charges	\$59.15	\$59.15
<b>Total:</b>		<b>\$59.15</b>

Thank you for your business!

# INVOICE

**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255

Bismarck, ND 58502-1255

Invoice Number: 65872

Date: June 30, 2023

Project Number: R006025-0032

**HOGUE ISLAND BANK STABILIZATION – MR 1321.89 TO MR 1322.22****For Professional Services Rendered Through: June 24, 2023**

Invoice per the PSR Provided

**001 - Surveying and Site Evaluation****Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Drone Pilot	1.00	150.00	\$150.00
Drone Visual Observer	1.00	60.00	\$60.00
Land Surveyor 2	.75	162.00	\$121.50
Technician 3	1.00	127.00	\$127.00
Technician 5	3.00	141.00	\$423.00
Two Person Crew	10.00	209.00	\$2,090.00
	<b>26.75</b>		<b>\$2,971.50</b>

**Reimbursable Expenses**

	<b>Units</b>	<b>Rate</b>	<b>Amount</b>
Unit - Company Survey/Inspection Mileage (BSK)	75.0000	.855	\$64.13
Unit - GPS (BSK)	9.0000	25.000	\$225.00
Unit - Hydrone RCV (BSK)	5.0000	25.000	\$125.00
Unit - Small UAS (BSK)	1.0000	25.000	\$25.00
			<b>\$439.13</b>

**001 - Surveying and Site Evaluation Total: \$3,410.63****002 - Preliminary Design and Engineering Report****Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	26.75	215.00	\$5,751.25
Engineer 12	45.50	235.00	\$10,692.50
Engineer 4	31.75	155.00	\$4,921.25
	<b>104.00</b>		<b>\$21,365.00</b>

**002 - Preliminary Design and Engineering Report Total: \$21,365.00**



**003 - Regulatory Permitting and Coordination**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	2.00	215.00	\$430.00
Engineer 8	3.75	196.00	\$735.00
	<b>5.75</b>		<b>\$1,165.00</b>

**003 - Regulatory Permitting and Coordination Total:** **\$1,165.00**

**Invoice Total** **\$25,940.63**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
<b>Total Prior Billing</b>						

**HEI Project No.:** 6025-0032: Missouri River Mile 1321.89 through 1322.22  
**BCWRD Account No.** 937H  
**Project Name:** Hogue Island Stabilization Special Assessment District

**Billing Period:** *through June 24, 2023*

Professional engineering and surveying services related to Missouri River Bank Stabilization associated with the creation of the Special Assessment District by the BCWRD to protect those residential properties identified in the Preliminary Engineering Report. *This invoice is specific to the 2023 bank line erosion on the south end of Hogue Island associated only with the Residentials Stabilization Measures.*

**Tasks Completed:**

- Coordination with Landowners, BCWRD/NDDWR, and interested parties to discuss erosion risks and project direction.
- Completed upper bank line survey to tie in the upper topography and landward to the residences, property corners located for future use on easement modifications.
- Prepared Resolution #1 to create the Special Assessment District
- Prepare a petition of interest for the landowners, which was signed and returned by those asking for the special assessment district to be created.
- Design and optimize material placement for residential bank stabilization between the hard points and determine projected quantities that should be placed on each property. Evaluate concepts to lower costs to the extent reasonably practical given location and Section 32 rehabilitation.
- Research documentation related to the USACE design and rip rap standard specifications, which were used in the project design.
- Continued site monitoring and photos associated with changing site conditions.
- Working on the Sovereign Land applications and the DWR may require one for each property.
- Prepared the Preliminary Engineering Report per the NDCC and presented to the Board for consideration and acceptance. This included various attachments and appendices containing history of the site along with the easement and USACE Section 32 structure.
- Prepared Resolution #2 for the BCWRD to move the Special Assessment District forward, which they approved.

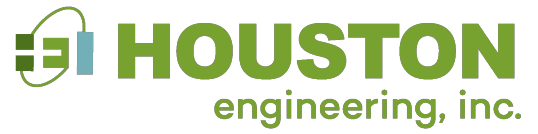
**Comments and Issues**

- The BCWRD has created a special assessment district to assist the landowners in implementing and paying for the private stabilization efforts. The cost to install these features will be charged to the landowners based on actual work completed on their properties. All stabilization features and revetment rehabilitation are included on a single plan set with cost distributions noted with the bidding and construction process.
- The USACE was contacted by the NDDWR regarding the ability to assist under Section 33. While the authorities may exist, no funding available as the work under the SAD is private stabilization.
- The BCWRD has approved Resolution #1 and Resolution #2 and are moving forward with the various public meetings and public hearing per the NDCC.

**See accompanying invoice for personnel cost breakdown.**

Phase (001) Surveying and Site Evaluation	\$ 3,410.63
Phase (002) Preliminary Design and Engineering Report	\$ 21,365.00
<u>Phase (003) Regulatory Permitting and Coordination</u>	<u>\$ 1,165.00</u>
<b>Total Invoice</b>	<b>\$ 25,940.63</b>

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255

Bismarck, ND 58502-1255

Invoice Number: 65873

Date: June 30, 2023

Project Number: R146025-0021

**Missouri River Bank Stabilization Issues**

**For Professional Services Rendered Through: June 24, 2023**

BCWRD Account No.: 937I-1

See attached Project Status Report and Invoice Description.

**006 - Hogue Island Stabilization**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	22.00	215.00	\$4,730.00
Engineer 12	35.50	235.00	\$8,342.50
Engineer 4	52.50	155.00	\$8,137.50
Engineer 8	7.75	196.00	\$1,519.00
Technician 7	1.50	156.00	\$234.00
	<b>119.25</b>		<b>\$22,963.00</b>

**006 - Hogue Island Stabilization Total:**

**\$22,963.00**

**Invoice Total**

**\$22,963.00**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
<b>Total Prior Billing</b>						

**HEI Project No.:** 6025-0021-006: Missouri River Bank Stabilization  
**Phase 006 – Hogue Island Stabilization**  
**BCWRD Account No.** 937I-1  
**Project Name:** Missouri River Bank Stabilization – Section 32

**Billing Period:** April 30, 2023 through June 24, 2023

Professional engineering and surveying services related to Missouri River Bank Stabilization easements and agreements between the BCWRD and County and the SWC. This invoice is specific to the 2023 bank line erosion on the south end of Hogue Island and proposed rehabilitation and stabilization options.

**Tasks Completed:**

**Bank Stabilization Agreements and Easements**

- Continued coordination with the BCWRD/NDDWR, and other interested parties to discuss erosion risks and project direction.
- Calls and emails with the USACE (Bismarck Regulatory/Garrison Operations) and NDDWR to discuss the potential for technical or financial assistance. Meeting with the agencies to discuss process and protocols related to design and regulatory permitting.
- Design services to evaluate existing conditions and prepare plan set for the rehabilitation/restoration project. The design will comply with the original USACE location and intent for the hardpoint, with protective measures extended landward to restore and protect the Section 32 features.
- Various discussion and coordination regarding the regulatory permitting and design issues related to the Section 32 features. Prepared and submitted the USACE and Sovereign Land applications for the entire project area, inclusive of the Section 32 and Residential Stabilization.
- A floodplain development permit and “no rise” certificate prepared for the project location in the floodplain and floodway.
- Completed and submitted information on the DWR Web Grants program, which took place prior to the June 26<sup>th</sup> deadline, and certified by the Chairman.
- *Services related to the Special Assessment District are tracked separately and will be invoiced under HEI No. 6025-0032. These services occurred after the BCWRD passed Resolution #1 on May 17, 2023.*

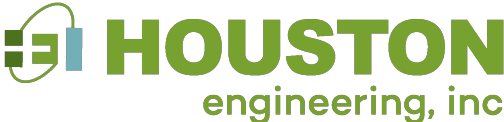
**Comments and Issues**

- The BCWRD has created a special assessment district to assist the landowners in implementing and paying for the private stabilization efforts. These design features are being completed separately and will be charged to the landowners based on work completed on their properties. All features are being included on a single plan set with cost distributions noted with the bidding and construction process.
- The USACE was contacted by the NDDWR regarding the ability to assist under Section 33. While the authorities may exist, no funding available for this effort.
- While river bathymetry and topographic surveys were completed it was recommended the river survey be repeated prior to construction to document changes that have occurred.

**See accompanying invoice for personnel cost breakdown.**

<u>Phase (006) Hogue Island Stabilization 32</u>	\$ 22,963.00
<b>Total Invoice</b>	<b>\$ 22,963.00</b>

# INVOICE



**Remit to:**

1401 21st Ave N, Fargo, ND 58102

Phone: 701.237.5065

Fed Tax ID: 45-0314557

Interest of 1%/month applied to past due invoices

**Burleigh County Water Resource District**

PO Box 1255  
Bismarck, ND 58502-1255

Invoice Number: 65949  
Date: July 06, 2023  
Project Number: R126025-0014

**Sibley Island Flood Control Project FHMP**

**For Professional Services Rendered Through: June 30, 2023**

Work Order #18

See attached Project Status Report and Invoice Description.

**110 - Alternative 5 Evaluation**

**Professional Services**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
Engineer 10	19.00	215.00	\$4,085.00
Engineer 12	10.50	235.00	\$2,467.50
Engineer 4	12.50	155.00	\$1,937.50
	<b>42.00</b>		<b>\$8,490.00</b>

**110 - Alternative 5 Evaluation Total: \$8,490.00**

**Invoice Total \$8,490.00**

**Outstanding Invoices**

<b>Invoice Number</b>	<b>Invoice Date</b>	<b>0 - 30</b>	<b>31 - 60</b>	<b>61-90</b>	<b>Over 90</b>	<b>Balance</b>
<b>Total Prior Billing</b>						



## Project Status and Invoice Description

3712 Lockport Street  
 Bismarck, ND 58503  
 Phone: 701-323-0200  
 Fax: 701-323-0300

**HEI Project No.:** 6025-0014  
**BCWRD Account No.** 937 – Special Assessment Projects  
**Project Name:** Sibley Island Flood Control

**Billing Period:** *April 30, 2023 through June 30, 2023*

Professional engineering and surveying services related to the activities associated with the Sibley Island Flood Control Project and Specific Authorization #28.

### Tasks Completed:

#### Phase 110 – Alternative #5 Evaluation

- Landowners along the southern corridor provided emails that they were not interested in being included in the assessment district or being protected by the project.
- After evaluating an alternative alignment, it was determined there was another location for the levee, if the landowner was accepting.
- Research to determine the Alternative #5 owner alignment owner
- After personal visits and an onsite review, they expressed an interest in providing the necessary easement through their property.
- Evaluated the alignment and considered levee location/design, and the associated quantities and costs, which will yield an overall construction cost savings. A new alignment and profile was created and provided to the owner of the Alternative #5 properties.
- Contacted the four property owners involved in the earthen levee segment, who via email concurred with their easements being relocated on their parcel, with some parcels being completely removed from the protection area and special assessment district.
- Notified the DWR regarding the anticipate change in the preferred alternative
- Requested an update on the Section 408 regulatory budget given the smaller footprint.

### Comments and Issues:

- The services related to the Alternative #5 are outside the scope of services after the selection of the preferred alternative.
- BPRD Data required to complete the special assessment district and EA process has been submitted to the DWR. However, with the selection of Alternative #5 all prior computations and OPC related to the economic analysis and special assessments must be revisited and revised. After that is completed work on the Preliminary Engineering Report can proceed. This will be a cost that is not included in the current budget, with time continuing to be documented under **Phase 110**.

### Invoice Summary

<u>Phase 110 – Alternative #5 Evaluation</u>	\$ 8,490.00
<b>Total Invoice</b>	<b>\$ 8,490.00</b>

See accompanying invoice for personnel cost breakdown.



**Billing Statement**  
(08/2022)

1600 E Century Ave, Ste 1  
PO Box 5585  
Bismarck ND 58506-5585  
Telephone 800-777-5033  
Toll Free Fax 888-786-8695  
TTY (hearing impaired) 800-366-6888  
Fraud and Safety Hotline 800-243-3331  
www.workforcesafety.com

**North Dakota Workforce  
Safety & Insurance**

Wendy Egli	Date	06/22/2023	Previous balance	\$0.00
Burleigh County Water Resource District	Account number	1307281	Credits	\$0.00
PO Box 1255	AutoPay	No	New charges	\$250.00
Bismarck ND 58502-1255	Statement ID	8VPETOKJL5	<b>Total balance</b>	<b>\$250.00</b>
			<b>Minimum due</b>	<b>\$250.00</b>
			<b>Due date</b>	<b>07/22/2023</b>

Date	Description	Charges	Credits	Line Total
	Previous Balance			\$0.00
06/22/2023	Premium (06/01/2023-05/31/2024)	250.00		250.00
			<b>Total Balance</b>	<b>\$250.00</b>

For current accounts in good standing, interest will be assessed on the unpaid premium and/or assessment balance at an annual percentage rate pursuant to North Dakota Century Code § 65-04-20. For delinquent accounts, interest will be assessed on the unpaid premium and/or assessment balance at an annual percentage rate pursuant to North Dakota Century Code § 65-04-22.

**See back for important information**

To make a payment online, visit [www.workforcesafety.com](http://www.workforcesafety.com) and access the QuickPay option under Quick Links and enter the Statement ID **8VPETOKJL5** or sign in to myWSI to access your employer account.

<b>Payment options – Detach and return this portion with your payment using the enclosed envelope</b>					
<input type="checkbox"/> Check <input type="checkbox"/> ACH <input type="checkbox"/> Credit Card		Total balance \$250.00	Minimum due \$250.00	Due date 07/22/2023	Amount enclosed \$
Account number 1307281	Statement ID 8VPETOKJL5	Employer Burleigh County Water Resource District			
I authorize WSI to electronically debit my account for the amount enclosed. Debit will post to your account in 3-4 days.			Signature		
Routing number (ACH only)		Bank account number (ACH only)		Type of account (ACH only) <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
Credit card number			Name on credit card		
Expiration date		V-code (3 digits on back of card)		Telephone number	
Credit card billing address					

Payments by credit card are limited to \$99,999 per year



**North Dakota Workforce  
Safety & Insurance**

**Premium Calculation Detail**  
(10/2022)

1600 E Century Ave, Ste 1  
PO Box 5585  
Bismarck ND 58506-5585  
Telephone 800-777-5033  
Toll Free Fax 888-786-8695  
TTY (hearing impaired) 800-366-6888  
Fraud and Safety Hotline 800-243-3331  
www.workforcesafety.com

Date 06/22/2023	Employer Burleigh County Water Resource District	Account number 1307281
--------------------	---	---------------------------

**SECTION 1 – Actual premium based on reported payroll for the period 06/01/2022 through 05/31/2023. Payroll cap \$38,500 per individual.**

Coverage type	Rate class	Description	Payroll (x)	Rate (=)	Premium
Employee	8747D	Appointed & Elected Officials Minimum Premium	23,499.00	0.29	68.15 188.67
Manual premium					250.00
Small Account Credit (%*amount) - -10					(6.82)
Standard premium					250.00
Less prepaid premium					250.00
Premium due (overpayment)					0.00

**SECTION 2 – Prepaid premium based upon estimated payroll for period 06/01/2023 through 05/31/2024. Payroll cap \$38,400 per individual.**

Coverage type	Rate class	Description	Payroll (x)	Rate (=)	Premium
Employee	8747D	Appointed & Elected Officials Minimum Premium	23,437.96	0.30	70.31 186.72
Manual premium					250.00
Small Account Credit (%*amount) - -10					(7.03)
Standard premium					250.00

**SECTION 3 – Discount/Dividend**

	Discount rate	Premium	Total
Safety discount 06/01/2022 through 05/31/2023	0%	250.00	0.00
2021 Dividend reconciliation	0%	250.00	0.00 0.00 0.00
2022 Dividend calculation	0%	250.00	0.00





### Notice of Decision – Premium Calculation

This billing statement includes the calculation of premium with a rate classification assignment and payroll determination on 1 or more policy periods. If you believe any of these premium calculations to be incorrect, you need to appeal. In order to appeal, you must:

- Submit a written request from you, or an attorney licensed in North Dakota, to Workforce Safety & Insurance (WSI) to have the decision reconsidered; **WSI must receive the request within 45 days from the date of the first billing notice,**
- Indicate the specific premium calculation you are requesting reconsideration of by noting the policy period, rate classification assignment, and the payroll determined,
- Explain why you think the decision is wrong, and
- Enclose any additional information you want WSI to consider.

If you do not appeal, this decision is final. If you agree that this decision is correct, no further action is required.