

**WESTERN AREA WATER SUPPLY AUTHORITY  
WILLISTON, NORTH DAKOTA**

AUDITED FINANCIAL STATEMENTS

FOR THE YEARS ENDED DECEMBER 31, 2021 AND 2020

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## INDEPENDENT AUDITOR'S REPORT

To the Board of Directors  
Western Area Water Supply Authority  
Williston, North Dakota

### Report on the Audit of the Financial Statements

#### *Opinion*

We have audited the accompanying financial statements of the business-type activities of Western Area Water Supply Authority as of and for the years ended December 31, 2021 and 2020, and the related notes to the financial statements, which collectively comprise Western Area Water Supply Authority's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of Western Area Water Supply Authority as of December 31, 2021 and 2020, and the respective changes in financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

#### *Basis for Opinion*

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

#### *Responsibilities of Management for the Financial Statements*

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

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

### ***Auditor's Responsibilities for the Audit of the Financial Statements***

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

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

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

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

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the schedule of employer OPEB contributions, schedule of employer's proportionate share of net OPEB liability, schedule of employer pension contributions, schedule of employer's proportionate share of net pension liability and notes to the required supplementary information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements,

is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the Management's Discussion and Analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### ***Supplementary Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Western Area Water Supply Authority's basic financial statements. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is not a required part of the basic financial statements. The schedule of expenditures of federal awards is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the basic financial statements as a whole.

### ***Other Information***

Management is responsible for the other information included in the annual report. The other information includes the statements of net position by fund and revenues, expenses and change in net position by fund but does not include the basic financial statements and our auditor's report thereon. Our opinion on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

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

## **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated September 21, 2022 on our consideration of Western Area Water Supply Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the effectiveness of the Authority's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Authority's internal control over financial reporting and compliance.



**BRADY, MARTZ & ASSOCIATES, P.C.  
MINOT, NORTH DAKOTA**

September 21, 2022

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENTS OF NET POSITION**  
**DECEMBER 31, 2021 AND 2020**

<b>ASSETS</b>	2021	2020
Current assets:		
Cash and cash equivalents	\$ 19,658,895	\$ 17,646,206
Accounts receivable (net of allowance of \$65,510 in 2021 and \$74,382 in 2020)	3,840,886	3,669,715
Current portion of amount due from Member entities	1,686,985	1,269,718
Supplies inventory	531,171	531,171
Prepaid expenses	54,435	50,267
Current portion of prepaid rent	-	30,000
Total current assets	25,772,372	23,197,077
Noncurrent assets:		
Capital assets, net of accumulated depreciation	267,179,188	257,681,235
Intangible assets, net of accumulated amortization	106,144,124	106,185,375
Amount due from Member entities, net	23,828,501	21,100,382
Prepaid rent, net of current portion	-	687,500
Total noncurrent assets	397,151,813	385,654,492
 Total assets	 422,924,185	 408,851,569
 <b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred outflow - OPEB	16,477	22,507
Deferred outflow - pension	799,147	1,431,866
Total deferred outflows of resources	815,624	1,454,373

SEE NOTES TO THE FINANCIAL STATEMENTS

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENTS OF NET POSITION - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

<b>LIABILITIES</b>	2021	2020
Current liabilities:		
Accounts payable	\$ 1,364,410	\$ 989,588
Other current liabilities	71,906	43,584
Current portion of access and use liabilities	2,236,953	2,425,021
Current portion of notes payable	5,540,998	5,061,089
Total current liabilities	9,214,267	8,519,282
Noncurrent liabilities:		
Access and use liabilities, net of current portion	18,020,704	20,257,657
Notes payable, net of current portion	94,859,743	169,434,207
Interest payable	6,598,388	5,895,547
Unamortized loan origination fees	(27,315)	(46,959)
Net OPEB liability	29,355	55,652
Net pension liability	637,992	2,302,101
Total noncurrent liabilities	120,118,867	197,898,205
Total liabilities	129,333,134	206,417,487
 <b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred inflow - Member entities	33,902,956	31,021,935
Deferred inflow - OPEB	27,341	14,584
Deferred inflow - pension	1,554,392	570,862
Deferred inflow - customers	14,994	1,423,714
Total deferred inflows of resources	35,499,683	33,031,095
 <b>NET POSITION</b>		
Net investment in capital and intangible assets	244,304,759	158,083,760
Unrestricted	14,602,233	12,773,600
Total net position	\$ 258,906,992	\$ 170,857,360

SEE NOTES TO THE FINANCIAL STATEMENTS



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION**  
**FOR THE YEARS ENDED DECEMBER 31, 2021 AND 2020**

	2021	2020
<b>OPERATING REVENUE</b>		
Water sales	\$ 19,626,106	\$ 18,407,759
Billing and invoicing	76,319	80,339
Bulk commercial water reimbursement	90,830	90,134
Total operating revenue	19,793,255	18,578,232
<b>OPERATING EXPENSES</b>		
Operating and maintenance	6,447,242	6,500,545
Professional fees	97,918	68,501
Purchase of water	1,223,379	968,237
Management fees	71,089	111,890
Administrative and general	274,458	282,237
Payroll and employee benefits	1,293,291	1,788,098
Communications and utilities	83,367	101,014
Transportation	61,679	87,740
Depreciation	5,985,439	5,872,569
Amortization	1,136,791	1,098,020
Total operating expenses	16,674,653	16,878,851
<b>OPERATING INCOME</b>	3,118,602	1,699,381
<b>NONOPERATING REVENUES (EXPENSES)</b>		
Miscellaneous income	75,423	66,748
Surcharge income	24,300	55,050
Interest income	18,038	39,731
Interest expense	(2,791,375)	(3,098,033)
Access and use interest and admin fee	(630,151)	(746,178)
Grant revenue	12,130,170	7,785,307
Gain on forgiveness of notes payable	74,500,000	-
Amortization of Member entities deferred inflows	1,533,742	1,345,663
Gain on disposal of capital assets	70,883	18,557
Total nonoperating revenues (expenses)	84,931,030	5,466,845
<b>CHANGE IN NET POSITION</b>	88,049,632	7,166,226
<b>NET POSITION - JANUARY 1</b>	170,857,360	163,691,134
<b>NET POSITION - DECEMBER 31</b>	\$ 258,906,992	\$ 170,857,360

SEE NOTES TO THE FINANCIAL STATEMENTS

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENTS OF CASH FLOWS**  
**FOR THE YEARS ENDED DECEMBER 31, 2021 AND 2020**

	2021	2020
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
Cash received from customers	\$ 19,622,084	\$ 17,500,063
Cash payments to suppliers	(7,175,978)	(9,643,995)
Cash payments to employees	(1,315,339)	(1,432,457)
Net cash provided by operating activities	11,130,767	6,423,611
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>		
Acquisition and construction of capital assets	(15,507,248)	(7,977,146)
Proceeds from sale of fixed assets	87,350	13,070
Acquisition of intangible assets	(1,088,151)	(2,704,674)
Proceeds from long-term notes payable	4,414,763	3,349,781
Payments on long-term notes payable	(4,009,318)	(1,688,528)
Payments on access and use liabilities	(2,425,021)	(2,372,803)
Payments received - customer contracts	621,025	1,437,271
Water usage - customer contracts	(2,029,745)	(2,001,324)
Advance payments received on member entities debt	416,000	410,800
Remittance of member entities debt	(416,000)	(410,800)
Collection of amount due from member entities	1,269,377	1,252,521
Cost-share income	75,423	66,748
Grant revenue	12,130,170	7,785,307
Cash paid for interest	(2,699,041)	(1,679,792)
Net cash used by capital and related financing activities	(9,160,416)	(4,519,569)
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Surcharge income	24,300	55,050
Interest income	18,038	39,731
Net cash provided by investing activities	42,338	94,781
<b>NET CHANGE IN CASH AND CASH EQUIVALENTS</b>	2,012,689	1,998,823
<b>CASH AND CASH EQUIVALENTS - JANUARY 1</b>	17,646,206	15,647,383
<b>CASH AND CASH EQUIVALENTS - DECEMBER 31</b>	\$ 19,658,895	\$ 17,646,206

SEE NOTES TO THE FINANCIAL STATEMENTS

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENTS OF CASH FLOWS - CONTINUED**  
**FOR THE YEARS ENDED DECEMBER 31, 2021 AND 2020**

RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES:	2021	2020
Operating income	\$ 3,118,602	\$ 1,699,381
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	5,985,439	5,872,569
Amortization	1,136,791	1,098,020
Deferred outflow - OPEB	6,030	6,188
Deferred outflow - pension	632,719	(770,288)
Deferred inflow - OPEB	12,757	8,750
Deferred inflow - pension	983,530	(50,193)
Effects on operating cash flows due to changes in:		
Accounts receivable	(171,171)	(1,078,169)
Inventories	-	4,312
Prepaid expenses	(4,168)	19,784
Prepaid rent	717,500	30,000
Accounts payable	374,822	(790,712)
Other current liabilities	28,322	(800,584)
Net OPEB liability	(26,297)	(15,392)
Net pension liability	(1,664,109)	1,189,945
<b>NET CASH PROVIDED BY OPERATING ACTIVITIES</b>	<b>\$ 11,130,767</b>	<b>\$ 6,423,611</b>

**SUPPLEMENTAL SCHEDULE OF NONCASH INVESTING  
AND FINANCING ACTIVITIES:**

Amortization of Member Entities deferred inflows	\$ 1,533,742	\$ 1,345,663
Gain on disposal of capital assets	70,883	18,557
Amortization of loan origination fees	19,644	8,085
Gain on forgiveness of notes payable	74,500,000	-
Deferred inflow resulting from capital assets acquired through cost shared infrastructure agreement with member entities and future amounts due from member entities to reimburse WAWSA for infrastructure costs	4,414,763	3,349,781

SEE NOTES TO THE FINANCIAL STATEMENTS

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE FINANCIAL STATEMENTS  
DECEMBER 31, 2021 AND 2020

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

This summary of significant accounting policies of Western Area Water Supply Authority (“the Authority”) is presented to assist in understanding the Authority's financial statements.

The Authority reports as a business-type activity, as defined by the Governmental Accounting Standards Board (GASB). Business-type activities are those that are financed in whole or in part by fees charged to external parties for goods or services. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting guidelines.

**Nature of operations and history**

The Western Area Water Supply Authority was formed to own, finance, construct and operate the Western Area Water Supply Project. The project is a comprehensive water supply project largely utilizing Missouri River water treated at the Williston Regional Water Treatment Plant and distributed to meet the municipal, rural and industrial water needs for all or parts of McKenzie, Williams, Divide, Burke and Mountrail counties. The member entities with which Western Area Water Supply Authority has agreements with include R & T Water District, the City of Williston, McKenzie County Water Resource District, Williams Rural Water District, and BDW Water System Association. Effective May 20, 2011, the association was organized as a water Authority under North Dakota Century Code 61-35. It is exempt from federal income tax under section 501(C) 1 of the Internal Revenue Code. The Authority is accounted for as a special purpose government engaged in a business-type activity. Business-type activities are used to account for operations that are financed or operated in a manner similar to the private sector, where the intent is that cost of providing services to the general public on a continuous basis be financed or recovered primarily through user charges.

**Reporting entity**

Component units are legally separate organizations for which the Authority is financially accountable. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. This criterion includes appointing a voting majority of an organization's governing body and (1) the ability of the Authority to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the Authority. Component units may also include organizations that are fiscally dependent on the Authority.

Based on the above criteria, the Authority has no component units included in its report.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
DECEMBER 31, 2021 AND 2020

**Basis of accounting**

Basis of accounting determines when transactions are recorded in the financial records and reported in the financial statements. The accompanying financial statements have been presented using the accrual basis of accounting. Under the accrual basis of accounting, revenues are recorded when earned and expenses are recorded when a liability is incurred regardless of the timing of related cash flows.

The Authority reports as a business-type activity, as defined by the Governmental Accounting Standards Board (GASB). Business-type activities are those normally financed in whole or in part by fees and charges for services to external parties.

The Authority's activities are accounted for similar to those often found in the private sector using the flow of economic resources measurement focus. The accounting objectives of this measurement focus are the determination of net income, financial position, and cash flows. All assets, liabilities, net position, revenues and expenses are accounted for through a single business-type activity. Current assets include cash and amounts convertible to cash during the next normal operating cycle or one year. Current liabilities include those obligations to be liquidated with current assets. Equity is classified as net position.

Business-type activities distinguish operating from nonoperating revenues and expenses. Operating revenues and expenses are those that generally result from providing service and producing and delivering goods and/or services. It also includes all revenue and expenses not related to capital and related financing, noncapital financing, or investing activities. Revenue from water sales, billing and invoicing, penalties and water reimbursements are reported as operating revenue. Grants, interest, rental and all other income are reported as nonoperating revenue. All expenses related to operating the Authority are reported as operating expenses. Interest expense and financing cost are reported as nonoperating.

**Cash and cash equivalents**

The Authority considers all highly liquid debt instruments purchased with a maturity of three months or less to be cash equivalents, except for certificates of deposits which are considered cash equivalents regardless of their term since there is no loss of principal for early withdrawal, and reserve funds which are considered noncash equivalents regardless of the maturity terms.

**Investment policy**

The Authority has no formal investment policy. State statutes authorize local governments to invest in: a) bonds, treasury bills and notes, or other securities that are a direct obligation of, or an obligation insured or guaranteed by, the treasury of the United States, or its agencies, instrumentalities, or organizations created by an act of Congress, b) securities sold under agreements to repurchase are of the type listed above, c) certificates of deposit fully insured by the Federal Deposit Insurance Corporation or the state, d) obligations of the state.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
DECEMBER 31, 2021 AND 2020

**Accounts receivable**

Accounts receivable are carried at original invoice amount less an allowance for uncollectible accounts. Management determines the allowance for uncollectible accounts based on an analysis of individuals' accounts. Accounts receivable are written off when determined to be uncollectible. Recoveries of receivables previously written off are recorded when received.

**Supplies inventory**

Supplies inventory are valued at average cost.

**Capital assets**

Capital assets are recorded at historical cost less accumulated depreciation. A portion of the cost of the capital assets is charged against earnings each year as depreciation expense. Depreciation is computed on the straight-line basis, over the estimated useful life of the asset. The Authority established a capitalization threshold of five thousand dollars. The cost of normal maintenance and repairs that do not add to the value of the assets or materially extend asset lives are not capitalized.

The Authority has established the following useful lives:

Structures and improvements	20-40 years
Pipelines and pipeline equipment	50 years
Distribution reservoirs	40 years
Pump stations	40 years
Meters	20 years
Office furniture and equipment	5-10 years
Tools and shop equipment	5 years
Vehicles	5 years

**Intangible assets**

Intangible assets are recorded at historical cost less accumulated amortization. A portion of the intangible assets is charged against earnings each year as amortization expense. Amortization is computed on the straight-line basis, over the estimated useful life of the asset. The Authority entered into a service concession arrangement with neighboring water districts. Under GASB 60 – Service Concession Arrangements, the access and use payment plan associated with the agreement is capitalized at the present value. All intangible assets under the service concession arrangement are to be amortized over the remaining life of the agreement.

**Compensated absences**

Authority employees accumulate vacation hours for subsequent use or for payment upon termination or retirement. Vacation expenses to be paid in future periods are accrued when incurred. A liability for these amounts is reported as part of other current liabilities in the statement of net position.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
DECEMBER 31, 2021 AND 2020

**Deferred outflows/inflows of resources**

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, *deferred outflows of resources*, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resource (expense/expenditure) until then. The Authority has two items that qualify for reporting in the categories named *Deferred outflow – pension*, which represents actuarial differences within NDPERS pension plans as well as amounts paid to the plans after the measurement date and *Deferred outflow – OPEB*, which represents actuarial differences within NDPERS other postemployment benefits (OPEB) plans as well as amounts paid to the plans after the measurement date.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The Authority has four items that qualify for reporting in this category named *Deferred inflow – pension*, which represents actuarial differences within NDPERS pension plans, *Deferred inflow – OPEB*, which represents actuarial differences within NDPERS OPEB plans, *Deferred inflow – Member entities*, which represents cost shared infrastructure in which the Member entities have agreed to pay for, and *Deferred inflow – customers*, which represents revenue that will be earned over the life of the contract. These amounts are deferred and recognized as an inflow of resources over the period that the amounts benefit the Authority.

**Other postemployment benefits (OPEB)**

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and the OPEB expense, information about the fiduciary net position of the North Dakota Public Employees Retirement System (NDPERS) and additions to/deductions from NDPERS' fiduciary net position have been determined on the same basis as they are reported by NDPERS. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**Net pension liability**

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the North Dakota Public Employee Retirement System (NDPERS) and additions to/deductions from NDPERS' fiduciary net position have been determined on the same basis as they are reported by NDPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**Net position**

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

**Net investment in capital and intangible assets**

Net investment in capital and intangible assets for the years ended December 31, 2021 and 2020 consist of the following:

	2021	2020
Capital assets, net of accumulated depreciation	\$ 267,179,188	\$ 257,681,235
Intangible assets, net of accumulated amortization	106,144,124	106,185,375
Amount due from Member entities	25,515,486	22,370,100
Notes payable	(100,400,741)	(174,495,296)
Access and use liabilities, net of current portion	(20,257,657)	(22,682,678)
Unamortized loan origination fees	27,315	46,959
Deferred inflow - Member entities	(33,902,956)	(31,021,935)
	\$ 244,304,759	\$ 158,083,760

Net Position Flow Assumption

Sometimes, the government will fund capital outlays for particular purposes for both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted - net position and unrestricted - net position in the financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the government's policy to consider restricted - net position to have been depleted before unrestricted - net position is applied.

**Use of estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from these estimates.



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**NOTE 2 CUSTODIAL CREDIT RISK**

This is the risk that, in the event a financial institution fails, the Authority is unable to recover the value of its deposits, investment or collateral securities in the possession of the institution. As of December 31, 2021, all of the Authority's bank balances were fully covered by federal depository insurance and pledged securities.

**NOTE 3 GRANT REVENUE**

The Authority received \$0 and \$4,764,832 in grant revenue from the State Water Commission during the years ended December 31, 2021 and 2020, respectively, through SWC Project No. 1973/06. The Authority also received \$12,130,170 and \$3,020,475 in grant revenue from the State Water Commission during the years ended December 31, 2021 and 2020, respectively, through SWC Project No. 1973/07.

**NOTE 4 WATER SALES**

Water sales for the years ended December 31, 2021 and 2020 consist of the following:

	<u>2021</u>	<u>2020</u>
Industrial	\$ 11,295,514	\$ 10,309,526
Domestic	7,940,105	7,696,537
Commercial	390,487	401,696
	<u>\$ 19,626,106</u>	<u>\$ 18,407,759</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**NOTE 5 CAPITAL ASSETS**

Capital asset activity for the years ended December 31, 2021 and 2020 were as follows:

	Balance 1/1/2021	Additions/ Transfers	Deletions/ Transfers	Balance 12/31/2021
Capital assets, not being depreciated:				
Land	\$ 11,562,049	\$ 183,529	\$ -	\$ 11,745,578
Construction in progress	3,435,124	11,998,224	1,286,135	14,147,213
Total	<u>14,997,173</u>	<u>12,181,753</u>	<u>1,286,135</u>	<u>25,892,791</u>
Capital assets, being depreciated:				
Buildings and infrastructure/pipelines	278,394,465	4,534,442	-	282,928,907
Machinery and equipment	784,098	700	-	784,798
Vehicles	635,631	76,488	149,492	562,627
Furniture and fixtures	278,765	-	-	278,765
Total	<u>280,092,959</u>	<u>4,611,630</u>	<u>149,492</u>	<u>284,555,097</u>
Less accumulated depreciation:				
Buildings and infrastructure/pipelines	36,563,244	5,828,304	-	42,391,548
Machinery and equipment	414,930	67,083	-	482,013
Vehicles	475,684	60,669	133,025	403,328
Furniture and fixtures	175,863	29,383	-	205,246
Total	<u>37,629,721</u>	<u>5,985,439</u>	<u>133,025</u>	<u>43,482,135</u>
Total capital assets being depreciated, net	<u>242,463,238</u>	<u>(1,373,809)</u>	<u>16,467</u>	<u>241,072,962</u>
Amortizable assets, being amortized:				
Interest	269,244	-	-	269,244
Leasehold Improvements	9,870	-	-	9,870
Total	<u>279,114</u>	<u>-</u>	<u>-</u>	<u>279,114</u>
Less accumulated amortization				
Interest	53,849	6,731	-	60,580
Leasehold Improvements	4,441	658	-	5,099
Total	<u>58,290</u>	<u>7,389</u>	<u>-</u>	<u>65,679</u>
Total capital assets being amortized, net	<u>220,824</u>	<u>(7,389)</u>	<u>-</u>	<u>213,435</u>
Capital assets, net	<u>\$ 257,681,235</u>	<u>\$ 10,800,555</u>	<u>\$ 1,302,602</u>	<u>\$ 267,179,188</u>

Depreciation and amortization expense on capital assets for the year ended December 31, 2021 totaled \$5,985,439 and \$7,389, respectively.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	Balance 1/1/2020	Additions/ Transfers	Deletions/ Transfers	Balance 12/31/2020
Capital assets, not being depreciated:				
Land	\$ 11,407,665	\$ 154,384	\$ -	\$ 11,562,049
Construction in progress	3,607,660	3,026,974	3,199,510	3,435,124
Total	<u>15,015,325</u>	<u>3,181,358</u>	<u>3,199,510</u>	<u>14,997,173</u>
Capital assets, being depreciated:				
Buildings and infrastructure/pipelines	270,425,237	7,981,861	12,633	278,394,465
Machinery and equipment	784,098	-	-	784,098
Vehicles	647,829	26,000	38,198	635,631
Furniture and fixtures	279,185	-	420	278,765
Total	<u>272,136,349</u>	<u>8,007,861</u>	<u>51,251</u>	<u>280,092,959</u>
Less accumulated depreciation:				
Buildings and infrastructure/pipelines	30,881,502	5,682,056	314	36,563,244
Machinery and equipment	336,534	78,396	-	414,930
Vehicles	442,058	77,137	43,511	475,684
Furniture and fixtures	141,233	34,980	350	175,863
Total	<u>31,801,327</u>	<u>5,872,569</u>	<u>44,175</u>	<u>37,629,721</u>
Total capital assets being depreciated, net				
	<u>240,335,022</u>	<u>2,135,292</u>	<u>7,076</u>	<u>242,463,238</u>
Amortizable assets, being amortized:				
Interest	269,244	-	-	269,244
Leasehold Improvements	9,870	-	-	9,870
Total	<u>279,114</u>	<u>-</u>	<u>-</u>	<u>279,114</u>
Less accumulated amortization				
Interest	47,118	6,731	-	53,849
Leasehold improvements	3,783	658	-	4,441
Total	<u>50,901</u>	<u>7,389</u>	<u>-</u>	<u>58,290</u>
Total capital assets being amortized, net				
	<u>228,213</u>	<u>(7,389)</u>	<u>-</u>	<u>220,824</u>
Capital assets, net	<u>\$ 255,578,560</u>	<u>\$ 5,309,261</u>	<u>\$ 3,206,586</u>	<u>\$ 257,681,235</u>

Depreciation and amortization expense on capital assets for the year ended December 31, 2020 totaled \$5,872,569 and \$7,389, respectively.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**NOTE 6 INTANGIBLE ASSETS**

The Authority has entered into service concession arrangements with R & T Water District, the City of Williston, McKenzie County Water Resource District, and BDW Water System Association. The Authority has made infrastructure upgrades to facilities that they do not have title to. They have also signed access and use payment agreements with the entities that have debt on their facilities to help them pay for their debt. Under the service concession arrangement, these are recorded as intangible assets by the Authority and amortized over the life of the agreement, which is 99 years. The access and use payment agreements recorded as intangible assets have a corresponding liability. Intangible asset activity for the years ended December 31, 2021 and 2020 were as follows:

	Balance 1/1/2021	Additions/ Transfers	Deletions/ Transfers	Balance 12/31/2021
Intangible assets, not being amortized:				
Construction in progress, City of Williston	\$ 1,381,734	\$ 1,088,151	\$ -	\$ 2,469,885
Total	<u>1,381,734</u>	<u>1,088,151</u>	<u>-</u>	<u>2,469,885</u>
Intangible assets, being amortized				
City of Williston	81,113,180	-	-	81,113,180
BDW Water System Association	151,108	-	-	151,108
R & T Water Supply Commerce Authority	11,778,830	-	-	11,778,830
McKenzie County Water Resource District	14,207,259	-	-	14,207,259
Direct Connections	4,560,229	-	-	4,560,229
Total	<u>111,810,606</u>	<u>-</u>	<u>-</u>	<u>111,810,606</u>
Less accumulated amortization				
City of Williston	4,941,395	819,325	-	5,760,720
BDW Water System Association	13,228	1,526	-	14,754
R & T Water Supply Commerce Authority	863,462	118,980	-	982,442
McKenzie County Water Resource District	1,105,697	143,508	-	1,249,205
Direct Connections	83,183	46,063	-	129,246
Total	<u>7,006,965</u>	<u>1,129,402</u>	<u>-</u>	<u>8,136,367</u>
Total intangible assets, net	<u>\$ 106,185,375</u>	<u>\$ (41,251)</u>	<u>\$ -</u>	<u>\$ 106,144,124</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	Balance 1/1/2020	Additions/ Transfers	Deletions/ Transfers	Balance 12/31/2020
Intangible assets, not being amortized:				
Construction in progress, City of Williston	\$ 3,775,273	\$ 1,217,072	\$ 3,610,611	\$ 1,381,734
Total	<u>3,775,273</u>	<u>1,217,072</u>	<u>3,610,611</u>	<u>1,381,734</u>
Intangible assets				
City of Williston	76,049,761	5,063,419	-	81,113,180
BDW Water System Association	151,108	-	-	151,108
R & T Water Supply Commerce Authority	11,778,830	-	-	11,778,830
McKenzie County Water Resource District	14,207,259	-	-	14,207,259
Direct Connections	4,525,435	34,794	-	4,560,229
Total	<u>106,712,393</u>	<u>5,098,213</u>	<u>-</u>	<u>111,810,606</u>
Less accumulated amortization				
City of Williston	4,160,596	780,799	-	4,941,395
BDW Water System Association	11,702	1,526	-	13,228
R & T Water Supply Commerce Authority	744,482	118,980	-	863,462
McKenzie County Water Resource District	962,189	143,508	-	1,105,697
Direct Connections	37,365	45,818	-	83,183
Total	<u>5,916,334</u>	<u>1,090,631</u>	<u>-</u>	<u>7,006,965</u>
Total intangible assets, net	<u>\$ 104,571,332</u>	<u>\$ 5,224,654</u>	<u>\$ -</u>	<u>\$ 106,185,375</u>

Amortization expense on intangible assets for the years ended December 31, 2021 and 2020 totaled \$1,129,402 and \$1,090,631 respectively.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**NOTE 7 LONG-TERM NOTES PAYABLE**

The following is a summary of long-term debt transactions of the Authority for the years ended December 31, 2021 and 2020:

	1/1/21 Balance	Additions	Repayments	Forgiven	12/31/21 Balance	Unamortized Loan Fees	Interest Payable
0% note to the Bank of North Dakota, maturing June 30, 2036, payable in monthly installments starting on July 31, 2031, secured by revenues and equipment. Loan was fully forgiven in 2021.	\$ 25,000,000	\$ -	\$ -	\$ 25,000,000	\$ -	\$ -	\$ -
5% fixed rate note to the Bank of North Dakota, maturing June 30, 2029, monthly interest only payments from July 31, 2017 to June 30, 2021, followed by monthly principal and interest payments starting on July 31, 2021, secured by revenues and equipment. Note was refinanced in June 2017. Balance at time of refinance was \$25,000,000. Interest was suspended during the period from January 2016 to June 2017 and is payable in June 2029.	-	-	-	-	-	-	1,873,288
5% fixed rate note to the Bank of North Dakota, maturing June 30, 2031, monthly interest only payments from July 31, 2017 to June 30, 2029, followed by monthly principal and interest payments starting on July 31, 2029, secured by revenues and equipment. Interest is suspended during the period from January 2016 to June 2018 and April 2020 to December 2020 and is payable in June 2031. Loan principal was fully forgiven in 2021.	10,000,000	-	-	10,000,000	-	-	1,209,589
2.5% fixed rate note to the Bank of North Dakota, maturing June 30, 2036, interest only payments from January 31, 2015 to June 30, 2022, followed by monthly principal and interest payments starting on July 31, 2022, secured by revenues and equipment. Interest is suspended during the period from August 2017 to June 2018 and April 2020 to December 2020 and is payable in June 2036. Loan principal was fully forgiven in 2021.	20,000,000	-	-	20,000,000	-	-	958,904

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	1/1/21 Balance	Additions	Repayments	Forgiven	12/31/21 Balance	Unamortized Loan Fees	Interest Payable
2.5% fixed rate note to the Bank of North Dakota, maturing June 30, 2036, interest only payments from September 30, 2015 to June 30, 2022, followed by monthly principal and interest payments starting on July 31, 2022, secured by revenues and equipment. Interest is suspended during the period from August 2017 to June 2018 and April 2020 to December 2020 and is payable in June 2036. Loan principal was fully forgiven in 2021.	\$ 19,500,000	\$ -	\$ -	\$ 19,500,000	\$ -	\$ -	\$ 934,932
1.5% fixed rate note to Bank of North Dakota, maturing January 25, 2036, interest only payments from February 25, 2016 to July 25, 2016, followed by monthly principal and interest payments starting August 25, 2016, secured by revenues and equipment.	7,599,227	-	480,831	-	7,118,396	10,236	-
Variable rate note to the Bank of North Dakota, maturing July 1, 2037, monthly principal and interest payments starting on August 1, 2017. Variable rate at 1.50% over 30 day LIBOR rate, adjustable monthly, with a 2.00% floor, secured by revenues and equipment. Interest rate at December 31, 2020 was 2.00%.	79,079,380	-	3,103,487	-	75,975,893	15,558	1,621,675
1.5% fixed rate note to Bank of North Dakota, maturing September 1, 2048, interest only payments from March 1, 2019 to August 1, 2019, followed by annual principal payments and bi-annual interest payments starting September 1, 2019, secured by revenues and equipment.	12,127,641	347,129	425,000	-	12,049,770	1,521	-
1.5% fixed rate note to Bank of North Dakota, maturing September 1, 2051, interest only payments from March 1, 2021 to August 31, 2022, followed by annual principal payments and bi-annual interest payments starting September 1, 2022 secured by revenues and equipment.	1,189,048	4,067,634	-	-	5,256,682	-	-
<b>Total</b>	<b>\$ 174,495,296</b>	<b>\$ 4,414,763</b>	<b>\$ 4,009,318</b>	<b>\$ 74,500,000</b>	<b>100,400,741</b>	<b>\$ 27,315</b>	<b>\$6,598,388</b>
Current portion					(5,540,998)		
Non-current portion					\$94,859,743		

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	1/1/20 Balance	Additions	Repayments	12/31/20 Balance	Unamortized Loan Fees	Interest Payable
0% note to the Bank of North Dakota, maturing June 30, 2036, payable in monthly installments starting on July 31, 2031, secured by revenues and equipment.	\$ 25,000,000	\$ -	\$ -	\$ 25,000,000	\$ 7,164	\$ -
5% fixed rate note to the Bank of North Dakota, maturing June 30, 2029, monthly interest only payments from July 31, 2017 to June 30, 2021, followed by monthly principal and interest payments starting on July 31, 2021, secured by revenues and equipment. Note was refinanced in June 2017. Balance at time of refinance was \$25,000,000. Interest was suspended during the period from January 2016 to June 2017 and is payable in June 2029.	-	-	-	-	-	1,873,288
5% fixed rate note to the Bank of North Dakota, maturing June 30, 2031, monthly interest only payments from July 31, 2017 to June 30, 2029, followed by monthly principal and interest payments starting on July 31, 2029, secured by revenues and equipment. Interest is suspended during the period from January 2016 to June 2018 and is payable in June 2031.	10,000,000	-	-	10,000,000	1,265	1,147,260
2.5% fixed rate note to the Bank of North Dakota, maturing June 30, 2036, interest only payments from January 31, 2015 to June 30, 2022, followed by monthly principal and interest payments starting on July 31, 2022, secured by revenues and equipment. Interest is suspended during the period from August 2017 to June 2018 and is payable in June 2036.	20,000,000	-	-	20,000,000	3,160	834,247



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	1/1/20 Balance	Additions	Repayments	12/31/20 Balance	Unamortized Loan Fees	Interest Payable
2.5% fixed rate note to the Bank of North Dakota, maturing June 30, 2036, interest only payments from January 31, 2015 to June 30, 2022, followed by monthly principal and interest payments starting on July 31, 2022, secured by revenues and equipment. Interest is suspended during the period from August 2017 to June 2018 and is payable in June 2036.	\$ 19,500,000	\$ -	\$ -	\$ 19,500,000	\$ 4,223	\$ 813,391
1.5% fixed rate note to Bank of North Dakota, maturing January 25, 2036, interest only payments from February 25, 2016 to July 25, 2016, followed by monthly principal and interest payments starting August 25, 2016, secured by revenues and equipment.	8,073,202	-	473,975	7,599,227	12,849	-
Variable rate note to the Bank of North Dakota, maturing July 1, 2037, monthly principal and interest payments starting on August 1, 2017. Variable rate at 1.50% over 30 day LIBOR rate, adjustable monthly, with a 2.00% floor, secured by revenues and equipment. Interest rate at December 31, 2019 was 3.26%.	79,878,933	-	799,553	79,079,380	16,546	1,227,361
1.5% fixed rate note to Bank of North Dakota, maturing September 1, 2048, interest only payments from March 1, 2019 to August 1, 2019, followed by annual principal payments and bi-annual interest payments starting September 1, 2019, secured by revenues and equipment.	10,381,908	2,160,733	415,000	12,127,641	1,752	-
1.5% fixed rate note to Bank of North Dakota, maturing September 1, 2051, interest only payments from March 1, 2021 to August 31, 2022, followed by annual principal payments and bi-annual interest payments starting September 1, 2022 secured by revenues and equipment.	-	1,189,048	-	1,189,048	-	-
<b>Total</b>	<b>\$ 172,834,043</b>	<b>\$ 3,349,781</b>	<b>\$ 1,688,528</b>	<b>174,495,296</b>	<b>\$ 46,959</b>	<b>\$ 5,895,547</b>
Current portion				(5,061,089)		
Non-current portion				<u>\$ 169,434,207</u>		

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

**Loan Covenants and Collateral**

Substantially all of the Authority's assets are pledged as collateral. The Authority complied with all covenants on their loans as of December 31, 2021 and 2020.

The future expected requirements to amortize long-term debt including interest are as follows:

Year ending December 31,	Principal	Interest	Total
2022	\$ 5,540,998	\$ 1,844,007	\$ 7,385,005
2023	5,653,504	1,738,977	7,392,481
2024	5,767,840	1,631,817	7,399,657
2025	5,879,042	1,522,490	7,401,532
2026	5,997,146	1,411,035	7,408,181
2027-2031	31,791,605	6,513,965	38,305,570
2032-2036	32,243,177	4,106,783	36,349,960
2037-2041	5,967,659	3,373,208	9,340,867
2042-2046	1,559,770	41,165	1,600,935
Total	<u>\$100,400,741</u>	<u>\$22,183,447</u>	<u>\$122,584,188</u>

**NOTE 8 ACCESS AND USE LIABILITIES**

The Authority has entered into access and use agreements with their member entities. These agreements set forth the terms and conditions on which the members will permit the Authority to access and use identified infrastructure owned by the various members. As consideration of the agreements, the Authority is required to make payments equal to the amount of debt service requirements on loans identified in the agreements. These are carried at their present value. The liability consists of the following:

	Balance 1/1/21	Additions	Repayments	Balance 12/31/21	Due Within One Year	Maturity Date	Interest Rate	Annual Installment
City of Williston								
1999 bond	\$ 245,000	\$ -	\$ 245,000	\$ -	\$ -	9/1/2021	2.50%	\$ -
2003 bond	675,000	-	220,000	455,000	225,000	9/1/2023	2.50%	225,000 - 230,000
2006 bond	6,235,000	-	975,000	5,260,000	1,000,000	9/1/2026	2.50%	1,000,000 - 1,105,000
R & T Water Supply Commerce Authority								
2008 bond	265,000	-	30,000	235,000	30,000	9/1/2028	2.50%	30,000 - 35,000
2012 bond	5,275,000	-	390,000	4,885,000	400,000	9/1/2032	2.00%	400,000 - 500,000
McKenzie County Water Resource District								
McKenzie County Loan	2,960,928	-	214,672	2,746,256	220,038	4/16/2033	2.50%	220,000 - 281,000
USDA System Loan	2,032,968	-	34,451	1,998,517	35,442	7/30/2055	2.875%	35,000 - 91,000
USDA System Loan	1,203,782	-	20,898	1,182,884	21,473	7/30/2055	2.75%	21,000 - 53,000
ND Public Finance Loan	3,790,000	-	295,000	3,495,000	305,000	9/1/2031	2.50%	305,000 - 390,000
Total	<u>\$22,682,678</u>	<u>\$ -</u>	<u>\$2,425,021</u>	<u>\$20,257,657</u>	<u>\$2,236,953</u>			

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
**DECEMBER 31, 2021 AND 2020**

	Balance 1/1/20	Additions	Repayments	Balance 12/31/20	Due Within One Year	Maturity Date	Interest Rate	Annual Installment
<b>City of Williston</b>								
1999 bond	\$ 485,000	\$ -	\$ 240,000	\$ 245,000	\$ 245,000	9/1/2021	2.50%	\$ 245,000
2003 bond	890,000	-	215,000	675,000	220,000	9/1/2023	2.50%	220,000 - 230,000
2006 bond	7,190,000	-	955,000	6,235,000	975,000	9/1/2026	2.50%	975,000 - 1,105,000
<b>R &amp; T Water Supply Commerce Authority</b>								
2008 bond	295,000	-	30,000	265,000	30,000	9/1/2028	2.50%	30,000 - 35,000
2012 bond	5,655,000	-	380,000	5,275,000	390,000	9/1/2032	2.00%	390,000 - 500,000
<b>McKenzie County Water Resource District</b>								
McKenzie County Loan	3,170,152	-	209,224	2,960,928	214,672	4/16/2033	2.50%	214,000 - 281,000
USDA System Loan	2,066,298	-	33,330	2,032,968	34,451	7/30/2055	2.875%	34,000 - 91,000
USDA System Loan	1,224,031	-	20,249	1,203,782	20,898	7/30/2055	2.75%	20,000 - 53,000
ND Public Finance Loan	4,080,000	-	290,000	3,790,000	295,000	9/1/2031	2.50%	295,000 - 390,000
<b>Total</b>	<b>\$25,055,481</b>	<b>\$ -</b>	<b>\$ 2,372,803</b>	<b>\$22,682,678</b>	<b>\$2,425,021</b>			

Payments on access and use liabilities totaled \$2,425,021 and \$2,372,803 for the years ended December 31, 2021 and 2020, respectively.

The future required payments on access and use liabilities are provided below.

Year Ending December 31,	
2022	\$ 2,236,953
2023	2,294,063
2024	2,120,961
2025	2,178,827
2026	2,231,500
2027-2031	5,969,369
2032-2036	1,088,885
2037-2041	457,243
2042-2046	525,701
2047-2051	604,413
2052-2055	549,742
	<u>\$ 20,257,657</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
DECEMBER 31, 2021 AND 2020

**NOTE 9 PENSION PLAN**

**2021**

***North Dakota Public Employees Retirement System (Main System)***

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDCC Chapter 54-52 for more complete information.

NDPERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all employees of the State of North Dakota, its agencies and various participating political subdivisions. NDPERS provides for pension, death and disability benefits. The cost to administer the plan is financed through the contributions and investment earnings of the plan.

Responsibility for administration of the NDPERS defined benefit pension plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General, one member appointed by the State Health Officer, three members elected by the active membership of the NDPERS system, one member elected by the retired public employees, and two members of the legislative assembly appointed by the chairman of the legislative management.

***Pension Benefits***

Benefits are set by statute. NDPERS has no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Members of the Main System are entitled to unreduced monthly pension benefits beginning when the sum of age and years of credited service equal or exceed 85 (Rule of 85), or at normal retirement age (65). For members hired on or after January 1, 2016, the Rule of 85 will be replaced with the Rule of 90 with a minimum age of 60. The monthly pension benefit is equal to 2.00% of their average monthly salary, using the highest 36 months out of the last 180 months of service, for each year of service. For members hired on or after January 1, 2020, the 2.00% multiplier was replaced with a 1.75% multiplier. The plan permits early retirement at ages 55-64 with three or more years of service.

Members may elect to receive the pension benefits in the form of a single life, joint and survivor, term-certain annuity, or partial lump sum with ongoing annuity. Members may elect to receive the value of their accumulated contributions, plus interest, as a lump sum distribution upon retirement or termination, or they may elect to receive their benefits in the form of an annuity. For each member electing an annuity, total payment will not be less than the members' accumulated contributions plus interest.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
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***Death and Disability Benefits***

Death and disability benefits are set by statute. If an active member dies with less than three years of service for the Main System, a death benefit equal to the value of the member's accumulated contributions, plus interest, is paid to the member's beneficiary. If the member has earned more than three years of credited service for the Main System, the surviving spouse will be entitled to a single payment refund, life-time monthly payments in an amount equal to 50% of the member's accrued normal retirement benefit, or monthly payments in an amount equal to the member's accrued 100% Joint and Survivor retirement benefit if the member had reached normal retirement age prior to date of death. If the surviving spouse dies before the member's accumulated pension benefits are paid, the balance will be payable to the surviving spouse's designated beneficiary.

Eligible members who become totally disabled after a minimum of 180 days of service, receive monthly disability benefits equal to 25% of their final average salary with a minimum benefit of \$100. To qualify under this section, the member has to become disabled during the period of eligible employment and apply for benefits within one year of termination. The definition for disabled is set by the NDPERS in the North Dakota Administrative Code.

***Refunds of Member Account Balance***

Upon termination, if a member of the Main System is not vested (is not 65 or does not have three years of service), they will receive the accumulated member contributions and vested employer contributions, plus interest, or may elect to receive this amount at a later date. If the member has vested, they have the option of applying for a refund or can remain as a terminated vested participant. If a member terminated and withdrew their accumulated member contribution and is subsequently reemployed, they have the option of repurchasing their previous service.

***Member and Employer Contributions***

Member and employer contributions paid to NDPERS are set by statute and are established as a percent of salaries and wages. Member contribution rates are 7% and employer contribution rates are 7.12% of covered compensation. For members hired on or after January 1, 2020 member contribution rates are 7% and employer contribution rates are 8.26% of covered compensation.

The member's account balance includes the vested employer contributions equal to the member's contributions to an eligible deferred compensation plan. The minimum member contribution is \$25 and the maximum may not exceed the following:

- 1 to 12 months of service – Greater of one percent of monthly salary or \$25
- 13 to 24 months of service – Greater of two percent of monthly salary or \$25
- 25 to 36 months of service – Greater of three percent of monthly salary or \$25
- Longer than 36 months of service – Greater of four percent of monthly salary or \$25

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***Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions***

At December 31, 2021, the Authority reported a liability of \$637,992 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Employer's proportion of the net pension liability was based on the Employer's share of covered payroll in the Main System pension plan relative to the covered payroll of all participating Main System employers. At June 30, 2021 the Employer's proportion was 0.061210 percent, which was a decrease of 0.011970 percent from its proportion measured as of June 30, 2020.

For the year ended December 31, 2021, the Authority recognized pension expense of \$14,736. At December 31, 2021, the Authority reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 11,015	\$ (65,116)
Changes of assumptions	718,733	(920,650)
Net difference between projected and actual earnings on pension plan investments	-	(236,621)
Changes in proportion and differences between employer contributions and proportionate share of contributions	38,174	(332,005)
Employer contributions subsequent to the measurement date	<u>31,225</u>	<u>-</u>
Total	<u>\$ 799,147</u>	<u>\$ (1,554,392)</u>

\$31,225 reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2022.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Year ending December 31:</b>		
2022	\$	(167,249)
2023		(196,082)
2024		(175,288)
2025		(247,851)

**Actuarial assumptions.** The total pension liability in the July 1, 2021 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.25%
Salary increases	3.5% to 17.75% including inflation
Investment rate of return	7.0%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the Sex-distinct Pub-2010 table for General Employees, with scaling based on actual experience. Respective corresponding tables were used for healthy retirees, disabled retirees, and active members. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the Fund's target asset allocation are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity	30%	6.00%
International Equity	21%	6.70%
Private Equity	7%	9.50%
Domestic Fixed Income	23%	0.73%
Global Real Assets	19%	4.77%

**WESTERN AREA WATER SUPPLY AUTHORITY**  
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**Discount rate.** For PERS, GASB Statement No. 67 includes a specific requirement for the discount rate that is used for the purpose of the measurement of the Total Pension Liability. This rate considers the ability of the System to meet benefit obligations in the future. To make this determination, employer contributions, employee contributions, benefit payments, expenses and investment returns are projected into the future. The current employer and employee fixed rate contributions are assumed to be made in each future year. The Plan Net Position (assets) in future years can then be determined and compared to its obligation to make benefit payments in those years. In years where assets are not projected to be sufficient to meet benefit payments, which is the case for the PERS plan, the use of a municipal bond rate is required.

The Single Discount Rate (SDR) is equivalent to applying these two rates to the benefits that are projected to be paid during the different time periods. The SDR reflects (1) the long-term expected rate of return on pension plan investments (during the period in which the fiduciary net position is projected to be sufficient to pay benefits) and (2) a tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate of return are not met).

For the purpose of this valuation, the expected rate of return on pension plan investments is 7.00%, the municipal bond rate is 1.92%, and the resulting Single Discount Rate is 7.00%.

**Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate.** The following presents the Employer's proportionate share of the net pension liability calculated using the discount rate of 7.00 percent, as well as what the Employer's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.00 percent) or 1-percentage-point higher (8.00 percent) than the current rate:

	<b>1% Decrease (6.00%)</b>	<b>Current Discount Rate (7.00%)</b>	<b>1% Increase (8.00%)</b>
Employer's proportionate share of the net pension liability	\$ 1,014,622	\$ 637,992	\$ 324,389

**Pension plan fiduciary net position.** Detailed information about the pension plan's fiduciary net position is available in the separately issued NDPERS financial report. Requests to obtain or review this report should be addressed to the Executive Director – NDPERS, P.O. Box 1657, Bismarck, North Dakota 58502-1657.

**Payables to the pension plan**

No amount was payable to the pension plan at fiscal year-end.



**WESTERN AREA WATER SUPPLY AUTHORITY**  
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**2020**

***North Dakota Public Employees Retirement System (Main System)***

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDCC Chapter 54-52 for more complete information.

NDPERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all employees of the State of North Dakota, its agencies and various participating political subdivisions. NDPERS provides for pension, death and disability benefits. The cost to administer the plan is financed through the contributions and investment earnings of the plan.

Responsibility for administration of the NDPERS defined benefit pension plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General, one member appointed by the State Health Officer, three members elected by the active membership of the NDPERS system, one member elected by the retired public employees, and two members of the legislative assembly appointed by the chairman of the legislative management.

***Pension Benefits***

Benefits are set by statute. NDPERS has no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Members of the Main System are entitled to unreduced monthly pension benefits beginning when the sum of age and years of credited service equal or exceed 85 (Rule of 85), or at normal retirement age (65). For members hired on or after January 1, 2016, the Rule of 85 will be replaced with the Rule of 90 with a minimum age of 60. The monthly pension benefit is equal to 2.00% of their average monthly salary, using the highest 36 months out of the last 180 months of service, for each year of service. For members hired on or after January 1, 2020, the 2.00% multiplier will be replaced with a 1.75% multiplier. The plan permits early retirement at ages 55-64 with three or more years of service.

Members may elect to receive the pension benefits in the form of a single life, joint and survivor, term-certain annuity, or partial lump sum with ongoing annuity. Members may elect to receive the value of their accumulated contributions, plus interest, as a lump sum distribution upon retirement or termination, or they may elect to receive their benefits in the form of an annuity. For each member electing an annuity, total payment will not be less than the members' accumulated contributions plus interest.

***Death and Disability Benefits***

Death and disability benefits are set by statute. If an active member dies with less than three years of service for the Main System, a death benefit equal to the value of the member's accumulated contributions, plus interest, is paid to the member's beneficiary. If the member has earned more than three years of credited service for the Main System, the surviving spouse will be entitled to a single payment refund, life-time monthly payments in an amount equal to 50% of the member's accrued normal retirement benefit, or monthly payments in an amount equal to the member's accrued 100% Joint and Survivor retirement benefit if the member had reached normal retirement age prior to date of death. If the surviving spouse dies before the member's accumulated pension benefits are paid, the balance will be payable to the surviving spouse's designated beneficiary.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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Eligible members who become totally disabled after a minimum of 180 days of service, receive monthly disability benefits equal to 25% of their final average salary with a minimum benefit of \$100. To qualify under this section, the member has to become disabled during the period of eligible employment and apply for benefits within one year of termination. The definition for disabled is set by the NDPERS in the North Dakota Administrative Code.

***Refunds of Member Account Balance***

Upon termination, if a member of the Main System is not vested (is not 65 or does not have three years of service), they will receive the accumulated member contributions and vested employer contributions, plus interest, or may elect to receive this amount at a later date. If the member has vested, they have the option of applying for a refund or can remain as a terminated vested participant. If a member terminated and withdrew their accumulated member contribution and is subsequently reemployed, they have the option of repurchasing their previous service.

***Member and Employer Contributions***

Member and employer contributions paid to NDPERS are set by statute and are established as a percent of salaries and wages. Member contribution rates are 7% and employer contribution rates are 7.12% of covered compensation. For members hired on or after January 1, 2020 member contribution rates are 7% and employer contribution rates are 8.26% of covered compensation.

The member's account balance includes the vested employer contributions equal to the member's contributions to an eligible deferred compensation plan. The minimum member contribution is \$25 and the maximum may not exceed the following:

- 1 to 12 months of service – Greater of one percent of monthly salary or \$25
- 13 to 24 months of service – Greater of two percent of monthly salary or \$25
- 25 to 36 months of service – Greater of three percent of monthly salary or \$25
- Longer than 36 months of service – Greater of four percent of monthly salary or \$25

***Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions***

At December 31, 2020, the Authority reported a liability of \$2,302,101 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Employer's proportion of the net pension liability was based on the Employer's share of covered payroll in the Main System pension plan relative to the covered payroll of all participating Main System employers. At June 30, 2020, the Employer's proportion was 0.073175 percent, which was a decrease of 0.021713 percent from its proportion measured as of June 30, 2019.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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For the year ended December 31, 2020, the Authority recognized pension expense of \$412,560. At December 31, 2020, the Authority reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 8,959	\$ (116,650)
Changes of assumptions	1,234,072	(204,022)
Net difference between projected and actual earnings on pension plan investments	74,300	-
Changes in proportion and differences between employer contributions and proportionate share of contributions	65,363	(250,190)
Employer contributions subsequent to the measurement date	49,172	-
Total	<u>\$ 1,431,866</u>	<u>\$ (570,862)</u>

\$49,172 reported as deferred outflows of resources related to pensions resulting from Employer contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2021.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Year ending December 31:</b>	
2021	\$ 250,753
2022	203,110
2023	166,433
2024	191,536

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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**Actuarial assumptions.** The total pension liability in the July 1, 2020 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.25%
Salary increases	3.5% to 17.75% including inflation
Investment rate of return	7.0%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the Sex-distinct Pub-2010 table for General Employees, with scaling based on actual experience. Respective corresponding tables were used for healthy retirees, disabled retirees, and active members. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the Fund's target asset allocation are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic Equity	30%	6.30%
International Equity	21%	6.85%
Private Equity	7%	9.75%
Domestic Fixed Income	23%	1.25%
Global Real Assets	19%	5.01%

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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**Discount rate.** For PERS, GASB Statement No. 67 includes a specific requirement for the discount rate that is used for the purpose of the measurement of the Total Pension Liability. This rate considers the ability of the System to meet benefit obligations in the future. To make this determination, employer contributions, employee contributions, benefit payments, expenses and investment returns are projected into the future. The current employer and employee fixed rate contributions are assumed to be made in each future year. The Plan Net Position (assets) in future years can then be determined and compared to its obligation to make benefit payments in those years. In years where assets are not projected to be sufficient to meet benefit payments, which is the case for the PERS plan, the use of a municipal bond rate is required.

The Single Discount Rate (SDR) is equivalent to applying these two rates to the benefits that are projected to be paid during the different time periods. The SDR reflects (1) the long-term expected rate of return on pension plan investments (during the period in which the fiduciary net position is projected to be sufficient to pay benefits) and (2) a tax-exempt municipal bond rate based on an index of 20-year general obligation bonds with an average AA credit rating as of the measurement date (to the extent that the contributions for use with the long-term expected rate of return are not met).

For the purpose of this valuation, the expected rate of return on pension plan investments is 7.00%; the municipal bond rate is 2.45%; and the resulting Single Discount Rate is 4.64%.

**Sensitivity of the Employer's proportionate share of the net pension liability to changes in the discount rate.** The following presents the Employer's proportionate share of the net pension liability calculated using the discount rate of 4.64 percent, as well as what the Employer's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (3.64 percent) or 1-percentage-point higher (5.64 percent) than the current rate:

	<b>1% Decrease (3.64%)</b>	<b>Current Discount Rate (4.64%)</b>	<b>1% Increase (5.64%)</b>
Employer's proportionate share of the net pension liability	\$ 2,986,803	\$ 2,302,101	\$ 1,741,848

**Pension plan fiduciary net position.** Detailed information about the pension plan's fiduciary net position is available in the separately issued NDPERS financial report. Requests to obtain or review this report should be addressed to the Executive Director – NDPERS, P.O. Box 1657, Bismarck, North Dakota 58502-1657.

**Payables to the pension plan**

No amount was payable to the pension plan at fiscal year-end.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
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**NOTE 10 OTHER POSTEMPLOYMENT BENEFITS PLAN**

**2021**

**North Dakota Public Employees Retirement System**

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDAC Chapter 71-06 for more complete information.

NDPERS OPEB plan is a cost-sharing multiple-employer defined benefit OPEB plan that covers members receiving the retirement benefits from the PERS, the HPRS, and Judges retired under premium under the state health plan based upon the member's years of credited service. Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision, and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The Retiree Health Insurance Credit Fund is advance-funded on an actuarially determined basis.

Responsibility for administration for NDPERS defined benefit OPEB plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system; one member elected by the retired public employees; and two members of the legislative assembly appointed by the chairman of the legislative management.

**OPEB Benefits**

The employer contribution for the PERS, the HPRS and the Defined Contribution Plan is set by statute at 1.14% of covered compensation. The employer contribution for employees of the state board of career and technical education is 2.99% of covered compensation for a period of eight years ending October 1, 2015. Employees participating in the retirement plan as part-time/temporary members are required to contribute 1.14% of their covered compensation to the Retiree Health Insurance Credit Fund. Employees purchasing previous service credit are also required to make an employee contribution to the Fund. The benefit amount applied each year is shown as "prefunded credit applied" on the Statement of Changes in Plan Net Position for the OPEB trust funds. Beginning January 1, 2020, members first enrolled in the NDPERS Main System and the Defined Contribution Plan on or after that date will not be eligible to participate in RHIC. Therefore, RHIC will become for the most part a closed plan. There were no other benefit changes during the year.

Retiree health insurance credit benefits and death and disability benefits are set by statute. There are no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Employees who are receiving monthly retirement benefits from the PERS, the HPRS, the Defined Contribution Plan, the Chapter 27-17 judges or an employee receiving disability benefits, or the spouse of a deceased annuitant receiving a surviving spouse benefit or if the member selected a joint and survivor option are eligible to receive a credit toward their monthly health insurance premium under the state health plan.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
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Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The benefits are equal to \$5.00 for each of the employee's, or deceased employee's years of credited service not to exceed the premium in effect for selected coverage. The retiree health insurance credit is also available for early retirement with reduced benefits.

**OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources related to OPEB**

At December 31, 2021, the Authority reported a liability of \$29,355 for its proportionate share of the net OPEB liability. The net OPEB liability was measured as of July 1, 2021, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. The Employer's proportion of the net OPEB liability was based on the Employer's share of covered payroll in the OPEB plan relative to the covered payroll of all participating OPEB employers. At December 31, 2021, the Authority's proportion was 0.052781 percent, which was a decrease of 0.013377 from its proportion measured as of December 31, 2020.

For the year ended December 31, 2021, the Employer recognized OPEB expense of \$374. At December 31, 2021, the Authority reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 1,686	\$ (805)
Changes of assumptions	8,455	-
Net difference between projected and actual earnings on OPEB plan investments	-	(10,058)
Changes in proportion and differences between employer contributions and proportionate share of contributions	3,229	(16,478)
Employer contributions subsequent to the measurement date	3,107	-
<b>Total</b>	<u>\$ 16,477</u>	<u>\$ (27,341)</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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\$3,107 reported as deferred outflows of resources related to OPEB resulting from Authority contributions to OPEB subsequent to the measurement date will be recognized as a reduction of the total pension liability in the year ending December 31, 2022.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Year ending December 31:</b>	
2022	\$ (4,247)
2023	(4,319)
2024	(4,804)
2025	(4,098)
2026	3,497

**Actuarial Assumptions**

The total OPEB liability in the July 1, 2021 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.25%
Salary Increase	Not Applicable
Investment Rate of Return	6.50%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the MortalityPub-2010 Healthy Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 103% for males and 101% for females. Pub-2010 Disabled Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 117% for males and 112% for females. Pub-2010 Employee Mortality table (for General Employees), sex-distinct, with rates multiplied by 92% for both males and females. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected investment rate of return assumption for the RHIC fund was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of RHIC investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Estimates of arithmetic real rates of return, for each major asset class included in the RHIC's target asset allocation as of July 1, 2021 are summarized in the following table:



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED**  
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Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Large Cap Domestic Equities	33%	5.85%
Small Cap Domestic Equities	6%	6.75%
International Equities	26%	6.25%
Core-Plus Fixed Income	35%	0.50%

**Discount Rate**

The discount rate used to measure the total OPEB liability was 6.50%. The projection of cash flows used to determine the discount rate assumed plan member and statutory rates described in this report. For this purpose, only employer contributions that are intended to fund benefits of current RHIC members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries are not included. Based on those assumptions, the RHIC fiduciary net position was projected to be sufficient to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on RHIC investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

**Sensitivity of the Total OPEB Liability to Changes in the Discount Rate**

The following presents the net OPEB liability of the Plans as of June 30, 2021, calculated using the discount rate of 6.50%, as well as what the Authority's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower (5.50 percent) or one percentage point higher (7.50 percent) than the current rate:

	<b>1% Decrease (5.50%)</b>	<b>Current Discount Rate (6.50%)</b>	<b>1% Increase (7.50%)</b>
Employer's proportionate share of the net OPEB liability	\$ 43,538	\$ 29,355	\$ 17,355

**OPEB Plan Fiduciary Net Position**

Detailed information about the OPEB plan's fiduciary net position is available in the separately issued NDPERS financial report. Requests to obtain or review this report should be addressed to the Executive Director – NDPERS, P.O. Box 1657, Bismarck, North Dakota, 58502-1657.

**2020**

**North Dakota Public Employees Retirement System**

The following brief description of NDPERS is provided for general information purposes only. Participants should refer to NDAC Chapter 71-06 for more complete information.

NDPERS OPEB plan is a cost-sharing multiple-employer defined benefit OPEB plan that covers members receiving the retirement benefits from the PERS, the HPRS, and Judges retired under premium under the state health plan based upon the member's years of credited service.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
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Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision, and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The Retiree Health Insurance Credit Fund is advance-funded on an actuarially determined basis.

Responsibility for administration for NDPERS defined benefit OPEB plan is assigned to a Board comprised of nine members. The Board consists of a Chairman, who is appointed by the Governor; one member appointed by the Attorney General; one member appointed by the State Health Officer; three members elected by the active membership of the NDPERS system; one member elected by the retired public employees; and two members of the legislative assembly appointed by the chairman of the legislative management.

### **OPEB Benefits**

The employer contribution for the PERS, the HPRS and the Defined Contribution Plan is set by statute at 1.14% of covered compensation. The employer contribution for employees of the state board of career and technical education is 2.99% of covered compensation for a period of eight years ending October 1, 2015. Employees participating in the retirement plan as part-time/temporary members are required to contribute 1.14% of their covered compensation to the Retiree Health Insurance Credit Fund. Employees purchasing previous service credit are also required to make an employee contribution to the Fund. The benefit amount applied each year is shown as "prefunded credit applied" on the Statement of Changes in Plan Net Position for the OPEB trust funds. Beginning January 1, 2020, members first enrolled in the NDPERS Main System and the Defined Contribution Plan on or after that date will not be eligible to participate in RHIC. Therefore, RHIC will become for the most part a closed plan. There were no other benefit changes during the year.

Retiree health insurance credit benefits and death and disability benefits are set by statute. There are no provisions or policies with respect to automatic and ad hoc post-retirement benefit increases. Employees who are receiving monthly retirement benefits from the PERS, the HPRS, the Defined Contribution Plan, the Chapter 27-17 judges or an employee receiving disability benefits, or the spouse of a deceased annuitant receiving a surviving spouse benefit or if the member selected a joint and survivor option are eligible to receive a credit toward their monthly health insurance premium under the state health plan.

Effective July 1, 2015, the credit is also available to apply towards monthly premiums under the state dental, vision and long-term care plan and any other health insurance plan. Effective August 1, 2019, the benefit may be used for any eligible health, prescription drug plan, dental, vision, or long-term care plan premium expense. The benefits are equal to \$5.00 for each of the employee's, or deceased employee's years of credited service not to exceed the premium in effect for selected coverage. The retiree health insurance credit is also available for early retirement with reduced benefits.

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**OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources related to OPEB**

At December 31, 2020, the Authority reported a liability of \$55,652 for its proportionate share of the net OPEB liability. The net OPEB liability was measured as of July 1, 2020, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date. The Employer's proportion of the net OPEB liability was based on the Employer's share of covered payroll in the OPEB plan relative to the covered payroll of all participating OPEB employers. At December 31, 2020, the Authority's proportion was 0.066158 percent, which was a decrease of 0.022294 from its proportion measured as of December 31, 2019.

For the year ended December 31, 2020, the Employer recognized OPEB expense of \$6,030. At December 31, 2020, the Authority reported outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 1,236	\$ (1,334)
Changes of assumptions	7,462	-
Net difference between projected and actual earnings on OPEB plan investments	1,914	-
Changes in proportion and differences between employer contributions and proportionate share of contributions	4,022	(13,250)
Employer contributions subsequent to the measurement date	<u>7,873</u>	<u>-</u>
Total	<u>\$ 22,507</u>	<u>\$ (14,584)</u>

\$7,873 reported as deferred outflows of resources related to OPEB resulting from Authority contributions to OPEB subsequent to the measurement date will be recognized as a reduction of the total pension liability in the year ending December 31, 2021.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

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**Year ending December 31:**

2021	\$	(186)
2022		309
2023		218
2024		(379)
2025		(147)
Thereafter		235

**Actuarial Assumptions**

The total OPEB liability in the July 1, 2020 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.25%
Salary Increase	Not Applicable
Investment Rate of Return	6.50%, net of investment expenses
Cost-of-living adjustments	None

For active members, inactive members and healthy retirees, mortality rates were based on the MortalityPub-2010 Healthy Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 103% for males and 101% for females. Pub-2010 Disabled Retiree Mortality table (for General Employees), sex-distinct, with rates multiplied by 117% for males and 112% for females. Pub-2010 Employee Mortality table (for General Employees), sex-distinct, with rates multiplied by 92% for both males and females. Mortality rates are projected from 2010 using the MP-2019 scale.

The long-term expected investment rate of return assumption for the RHIC fund was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of RHIC investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Estimates of arithmetic real rates of return, for each major asset class included in the RHIC's target asset allocation as of July 1, 2020 are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Large Cap Domestic Equities	33%	6.10%
Small Cap Domestic Equities	6%	7.00%
International Equities	21%	6.45%
Domestic Fixed Income	40%	1.15%

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**Discount Rate**

The discount rate used to measure the total OPEB liability was 6.50%. The projection of cash flows used to determine the discount rate assumed plan member and statutory/Board approved employer contributions will be made at rates equal to those based on the July 1, 2020 actuarial valuation report. For this purpose, only employer contributions that are intended to fund benefits of current RHIC members and their beneficiaries are included. Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries are not included. Based on those assumptions, the RHIC fiduciary net position was projected to be sufficient to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on RHIC investments was applied to all periods of projected benefit payments to determine the total OPEB liability.

**Sensitivity of the Total OPEB Liability to Changes in the Discount Rate**

The following presents the net OPEB liability of the Plans as of June 30, 2020, calculated using the discount rate of 6.50%, as well as what the Authority's total OPEB liability would be if it were calculated using a discount rate that is one percentage point lower (5.50 percent) or one percentage point higher (7.50 percent) than the current rate:

	1% Decrease (5.50%)	Current Discount Rate (6.50%)	1% Increase (7.50%)
Employer's proportionate share of the net OPEB liability	\$ 72,989	\$ 55,652	\$ 40,991

**OPEB Plan Fiduciary Net Position**

Detailed information about the OPEB plan's fiduciary net position is available in the separately issued NDPERS financial report. Requests to obtain or review this report should be addressed to the Executive Director – NDPERS, P.O. Box 1657, Bismarck, North Dakota, 58502-1657.

**NOTE 11 CONCENTRATION OF CREDIT RISK**

Western Area Water Supply Authority, located in Williston, North Dakota, provides a comprehensive water supply largely utilizing Missouri River water treated at the Williston Regional Water Treatment Plant and distributed to meet the municipal, rural and industrial water needs for all or parts of McKenzie, Williams, Divide, Burke and Mountrail counties. The Authority grants credit to customers located within this service area. The amount of accounting loss could be equivalent to the accounts receivable balance at year end.

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**NOTE 12 RISK MANAGEMENT**

The Authority is exposed to various risks of loss related torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. In 1986, the state agencies and political subdivisions of the State of North Dakota joined together to form the North Dakota Insurance Reserve Fund (NDIRF), a public entity risk pool currently operating as a common risk management and insurance program for the state and over 2,000 political subdivisions. The Authority pays an annual premium to NDIRF for its general liability, auto and public assets insurance coverage. The coverage by NDIRF is limited to losses of \$2,000,000 per occurrence.

The Authority also participates in the North Dakota Fire and Tornado Fund. The Authority pays an annual premium to the Fire and Tornado Fund to cover property damage to buildings and personal property. Replacement cost coverage is provided by estimated replacement cost in consultation with the Fire and Tornado Fund. The Fire and Tornado Fund is reinsured by a third party insurance carrier for losses in excess of one million dollars per occurrence during a 12-month period. The State Bonding Fund currently provides the Authority with blanket fidelity bond coverage in the amount of \$2,000,000 for its employees. The State Bonding Fund does not currently charge any premium for this coverage. The Authority also has an additional employee dishonesty policy with Liberty Mutual which covers losses up to \$3,000,000.

The Authority continues to carry commercial insurance for other risks of loss. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.

**NOTE 13 FUTURE GASB PRONOUNCEMENTS**

GASB Statement No. 87, *Leases*, establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use an underlying asset. This Statement requires recognition of certain lease assets and liabilities for leases that were previously classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities. This Statement is effective for reporting periods beginning after June 15, 2021. Earlier application is encouraged.

GASB Statement No. 91, *Conduit Debt Obligations*, provides a single method of reporting conduit debt obligations by issuers and eliminates diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This Statement clarifies the existing definition of a conduit debt obligation; establishes that a conduit debt obligation is not a liability of the issuer; establishes standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improves required note disclosures. This Statement also addresses arrangements—often characterized as leases—that are associated with conduit debt obligations. The requirements of this Statement are effective for reporting periods beginning after December 15, 2021. Earlier application is encouraged.

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GASB Statement No. 92, *Omnibus 2020*, provides additional guidance to improve consistency of authoritative literature by addressing practice issues identified during the application of certain GASB statements. This statement provides accounting and financial reporting requirements for specific issues related to leases, intra-entity transfers of assets, postemployment benefits, government acquisitions, risk financing and insurance-related activity of public entity risk pools, fair value measurements and derivative instruments. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021. Earlier application is encouraged.

GASB Statement No. 93, *Replacement of Interbank Offered Rates*, provides guidance to address accounting and financial reporting implications that result from the replacement of an interbank offered rate (IBOR), most notable, the London Interbank Offered Rate (LIBOR). As a result of global reference rate reform, LIBOR is expected to cease to exist in its current form at the end of 2021, prompting governments to amend or replace financial instruments for the purpose of replacing LIBOR with other reference rates, by either changing the reference rate or adding or changing fallback provisions related to the reference rate. This statement provides exceptions and clarifications regarding hedging derivative instruments for such transactions that result from the replacement of IBOR. The requirements of this Statement are effective for reporting periods beginning after June 15, 2021. Earlier application is encouraged.

GASB Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, improves financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs) and also provides guidance for accounting and financial reporting for availability payment arrangements (APAs). The statement provides definitions of PPPs and APAs and provides uniform guidance on accounting and financial reporting for transactions that meet those definitions. A PPP is an arrangement in which a government (the transferor) contracts with an operator (a governmental or nongovernmental entity) to provide public services by conveying control of the right to operate or use a nonfinancial asset, such as infrastructure or other capital asset (the underlying PPP asset), for a period of time in an exchange or exchange-like transaction. An APA is an arrangement in which a government compensates an operator for services that may include designing, constructing, financing, maintaining, or operating an underlying nonfinancial asset for a period of time in an exchange or exchange-like transaction. The requirements of this Statement are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. Earlier application is encouraged.

GASB Statement No. 96, *Subscription-Based Information Arrangements* provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs). A SBITA is defined as a contract that conveys control of the right to use another party's (a SBITA vendor's) information technology (IT) software, alone or in combination with tangible capital assets (the underlying IT assets), as specified in the contract for a period of time in an exchange or exchange-like transaction. Under this Statement, a government generally should recognize a right-to use subscription asset—an intangible asset—and a corresponding subscription liability. The requirements of this Statement will improve financial reporting by establishing a definition for SBITAs and providing uniform guidance for accounting and financial reporting for transactions that meet that definition. The requirements of this Statement are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter. Earlier application is encouraged.

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GASB Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans—an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32* provides additional guidance for determining whether a primary government is financially accountable for a potential component unit. This Statement requires that the financial burden criterion in paragraph 7 of Statement No. 84, *Fiduciary Activities*, be applicable to only defined benefit pension plans and defined benefit OPEB plans that are administered through trusts that meet the criteria in paragraph 3 of Statement No. 67, *Financial Reporting for Pension Plans*, or paragraph 3 of Statement No. 74, *Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans*, respectively. This Statement (1) requires that a Section 457 plan be classified as either a pension plan or an other employee benefit plan depending on whether the plan meets the definition of a pension plan and (2) clarifies that Statement 84, as amended, should be applied to all arrangements organized under IRC Section 457 to determine whether those arrangements should be reported as fiduciary activities. The requirements of this Statement that (1) exempt primary governments that perform the duties that a governing board typically performs from treating the absence of a governing board the same as the appointment of a voting majority of a governing board in determining whether they are financially accountable for defined contribution pension plans, defined contribution OPEB plans, or other employee benefit plans and (2) limit the applicability of the financial burden criterion in paragraph 7 of Statement 84 to defined benefit pension plans and defined benefit OPEB plans that are administered through trusts that meet the criteria in paragraph 3 of Statement 67 or paragraph 3 of Statement 74, respectively, are effective immediately. The requirements of this Statement that are related to the accounting and financial reporting for Section 457 plans are effective for fiscal years beginning after June 15, 2021.

GASB Statement No. 99, *Omnibus 2022*, provides guidance on the following accounting matters:

- Classification and reporting of derivative instruments within the scope of Statement No. 53, *Accounting and Financial Reporting for Derivative Instruments*, that do not meet the definition of either an investment derivative instrument or a hedging derivative instrument.
- Clarification of provisions in Statement No. 87, *Leases*, as amended, related to the determination of the lease term, classification of a lease as a short-term lease, recognition and measurement of a lease liability and a lease asset, and identification of lease incentives.
- Clarification of provisions in Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, related to (a) the determination of the public-private and public-public partnership (PPP) term and (b) recognition and measurement of installment payments and the transfer of the underlying PPP asset.
- Clarification of provisions in Statement No. 96, *Subscription-Based Information Technology Arrangements*, related to the subscription-based information technology arrangement (SBITA) term, classification of a SBITA as a short-term SBITA, and recognition and measurement of a subscription liability.
- Extension of the period during which the London Interbank Offered Rate (LIBOR) is considered an appropriate benchmark interest rate for the qualitative evaluation of the effectiveness of an interest rate swap that hedges the interest rate risk of taxable debt.



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- Accounting for the distribution of benefits as part of the Supplemental Nutrition Assistance Program (SNAP).
- Disclosures related to nonmonetary transactions.
- Pledges of future revenues when resources are not received by the pledging government.
- Clarification of provisions in Statement No. 34, *Basic Financial Statements— and Management’s Discussion and Analysis—for State and Local Governments*, as amended, related to the focus of the government-wide financial statement.
- Terminology updates related to certain provisions of Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*.
- Terminology used in Statement 53 to refer to resource flows statements.

The requirements of this statement are effective as follows:

- The requirements related to extension of the use of LIBOR, accounting for SNAP distributions, disclosures of nonmonetary transactions, pledges of future revenues by pledging governments, clarification of certain provisions in Statement 34, as amended, and terminology updates related to Statement 53 and Statement 63 are effective upon issuance.
- The requirements related to leases, PPPs, and SBITAs are effective for fiscal years beginning after June 15, 2022, and all reporting periods thereafter.
- The requirements related to financial guarantees and the classification and reporting of derivative instruments within the scope of Statement 53 are effective for fiscal years beginning after June 15, 2023, and all reporting periods thereafter.

GASB Statement No. 100, *Accounting Changes and Error Corrections – An Amendment of GASB Statement No. 62*, provides guidance on accounting and financial reporting requirements for accounting changes and error corrections. Statement requires that (a) changes in accounting principles and error corrections be reported retroactively by restating prior periods, (b) changes to or within the financial reporting entity be reported by adjusting beginning balances of the current period, and (c) changes in accounting estimates be reported prospectively by recognizing the change in the current period. The requirements of this Statement for changes in accounting principles apply to the implementation of a new pronouncement in absence of specific transition provisions in the new pronouncement. This Statement also requires that the aggregate amount of adjustments to and restatements of beginning net position, fund balance, or fund net position, as applicable, be displayed by reporting unit in the financial statements.

This Statement requires disclosure in notes to financial statements of descriptive information about accounting changes and error corrections, such as their nature. In addition, information about the quantitative effects on beginning balances of each accounting change and error correction should be disclosed by reporting unit in a tabular format to reconcile beginning balances as previously reported to beginning balances as restated. The requirements of this Statement are effective for accounting changes and error corrections made in fiscal years

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beginning after June 15, 2023, and all reporting periods thereafter. Earlier application is encouraged.

GASB Statement No. 101, *Compensated Absences*, provides guidance on the recognition and measurement guidance for compensated absences. This Statement requires that liabilities for compensated absences be recognized for (1) leave that has not been used and (2) leave that has been used but not yet paid in cash or settled through noncash means. A liability should be recognized for leave that has not been used if (a) the leave is attributable to services already rendered, (b) the leave accumulates, and (c) the leave is more likely than not to be used for time off or otherwise paid in cash or settled through noncash means. This Statement also requires that a liability for specific types of compensated absences not be recognized until the leave is used. This Statement also establishes guidance for measuring a liability for leave that has not been used, generally using an employee's pay rate as of the date of the financial statements. A liability for leave that has been used but not yet paid or settled should be measured at the amount of the cash payment or noncash settlement to be made. Certain salary-related payments that are directly and incrementally associated with payments for leave also should be included in the measurement of the liabilities. This Statement amends the existing requirement to disclose the gross increases and decreases in a liability for compensated absences to allow governments to disclose only the net change in the liability (as long as they identify it as a net change). In addition, governments are no longer required to disclose which governmental funds typically have been used to liquidate the liability for compensated absences. The requirements of this Statement are effective for fiscal years beginning after December 15, 2023, and all reporting periods thereafter. Earlier application is encouraged.

With the exception of the new standards discussed above, management has not identified any other new accounting pronouncements that have potential significance to the Authority's Financial Statements.

Management has not yet determined what effect these statements will have on the Authority's financial statements.

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**NOTE 14 JOINT AGREEMENTS**

**Access and use agreements**

The Authority has entered into access and use agreements with their member entities. These agreements set forth the terms and conditions on which the members will permit the Authority to access and use identified infrastructure owned by the various members. This includes infrastructure identified under sub-agreements with the cities of Watford City, Fortuna, Ray, Stanley, Tioga, Columbus, Noonan and Crosby. The members will be responsible for all repairs and maintenance of the access infrastructure identified in agreements. The members will have the authority and responsibility for the general management and operation of the identified infrastructure, establishing and implementing purchasing and administrative policies, ensuring compliance with applicable legal requirements, budgeting and accounting procedures, programs and other operational matters. The members retain ownership of the infrastructure unless purchase options are exercised. As consideration for the agreements, the Authority will make payments equal to the amount of debt service requirements on loans identified in the agreements. The members are also entitled to reimbursement for costs for operating and maintenance and approved capital expenditures as outlined in the agreements. The members bear the risk of loss to the infrastructure. The term of the agreements continue until the earlier of: (i) repayment of all the Authority's debt or ii) 99 years after the effective date of the agreement.

**Infrastructure operating agreements**

The Authority has entered into infrastructure operating agreements with each member entity and Watford City, Ross and Wildrose under sub-agreements. Under these agreements, the member will be responsible for all repairs and maintenance of infrastructure owned by the Authority as identified in each agreement. The members may also make approved capital expenditures with respect to the Authority's infrastructure in accordance with an approved budget. The members will have the authority and responsibility for the general management and operation of the identified infrastructure, establishing and implementing purchasing and administrative policies, programs and other operational matters. Under the agreements, the members are entitled to reimbursement for costs identified in the agreement and in accordance with an approved budget. The Authority will bear the risk of loss to the infrastructure. The agreements are in effect until the earlier of: (i) repayment of all of the Authority's debt or ii) 99 years after the effective date of the agreement.

**Output agreements**

The Authority has entered into output agreements with R&T Water Supply Commerce Authority, the City of Williston, and BDW Water System Association. These agreements set forth the terms and conditions upon which these members will sell the output of their facilities to the Authority. As consideration for the entire output of the treated water, the Authority will make payments equal to the debt service paid by the members during the term, approved operation and maintenance costs, capital expenditure reimbursements, and baseline 2010 industrial water sales revenue. Effective March 15, 2018, the agreement was amended to remove the requirement for WAWSA to accrue baseline sales if they do not have sufficient free cash flows to make the payments. The amendment also discharges WAWSA's requirement to pay past accrued amounts.

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**Water supply agreements**

The Authority has entered into water supply agreements with each member entity and Watford City under a sub-agreement. Under these agreements, the members commit to purchasing water from the Authority. Subject to a minimum monthly quantity, peak instantaneous flow, and minimum pressure limitation set forth in the agreements, the Authority agrees to provide, pump, transmit and deliver treated water to the members. The members will pay for the water using an agreed upon base rate plus supplemental rate as outlined in the agreement, which is subject to change. These agreements are effective only when the Authority's water supply is connected at identified delivery points. The agreements remain in effect until all of the Authority's debt is repaid.

As part of the above agreements, all industrial water sales will be for the benefit of WAWSA. The members will be reimbursed an amount as outlined in the agreements based on their 2010 industrial water sales revenue if WAWSA has sufficient free cash flows.

Under the above agreements, the Authority has agreed to reimburse the member entities \$1,223,379 and \$968,237 for the purchase of water along with \$6,299,370 and \$6,399,351 for operations and maintenance during the years ended December 31, 2021 and 2020, respectively. There were no baseline sales reimbursements made during the years ended December 31, 2021 and 2020. During the years ended December 31, 2021 and 2020, debt payment reimbursements totaled \$3,055,171 and \$3,118,981, respectively, of which \$2,425,021 and \$2,372,803 was for principal. Of the above amounts \$936,139 and \$26,613 was payable to the members for other operating reimbursements and is included in accounts payable as of December 31, 2021 and 2020, respectively.

As of December 31, 2021 and 2020, the Authority has net intangible assets representing the organization's right to use infrastructure owned by member entities of \$106,144,124 and \$106,185,375 respectively, which were originally valued at the present value of the future debt payments to be made to the member entities, as well as capital expenditure reimbursements. Intangible assets are amortized over the remaining period of 99 years from the effective date of the infrastructure operating agreements. Amortization for the years ended December 31, 2021 and 2020 was \$1,129,402 and \$1,090,631, respectively. The Authority also has access and use liabilities of \$20,257,657 and \$22,682,678 as of December 31, 2021 and 2020, respectively, which is the present value of future debt payments remaining to be made to the member entities.

**Cost shared infrastructure**

Effective January 1, 2016, the members agreed to share in the cost of a \$20,000,000 project to further build out the infrastructure. The members share in the cost based on the portion of the project that is within their service area. The Authority funded the entire project in 2016 by taking out a note payable from BND for \$10,000,000 and using \$10,000,000 of its own funds. Two of the members, R & T Water District and Williams Rural Water District, agreed to each take out \$5,000,000 loans in their names. The proceeds from those loans were used to pay back the Authority.

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In December 2018, the members agreed to share in the cost of a \$16,500,000 loan held in WAWSA's name bringing the total cost share amount to \$36,500,000. This loan was not fully funded as of December 31, 2021. Total amount funded under this loan as of December 31, 2021 and 2020 was \$12,889,770 and \$12,542,641, respectively. During 2019, WAWSA discovered that \$1,817,730 of costs for these projects were unable to be covered by the loan but is still the responsibility of the members entities.

In October 2020, the members agreed to share in the cost of an additional \$16,500,000 loan held in WAWSA's name bringing the total cost share amount to \$53,000,000. This loan was not fully funded as of December 31, 2021. The total amount funded under this loan as of December 31, 2021 and 2020 was \$5,256,682 and \$1,189,048, respectively.

The remaining receivable as of December 31, 2021 and 2020 was \$25,515,486 and \$22,370,100, respectively, and is recorded in the amount due from member entities account. Of this amount, \$1,686,985 is current.

The deferred inflows – member entities represent the unamortized portion of the future interest that the Authority has in the \$36,500,000 of cost shared infrastructure. The deferred inflow is amortized into income over a period of 20 to 30 years based on the life of the loans attached to the infrastructure. The Authority amortized \$1,533,742 and \$1,345,663 into income during the years ended December 31, 2021 and 2020, respectively, leaving deferred inflows – member entities of \$33,902,956 and \$31,021,935 as of December 31, 2021 and 2020, respectively.

#### **NOTE 15 COMMITMENTS**

The Authority has entered into various contracts for infrastructure construction and improvements. The total costs of these projects are estimated to be approximately \$26,087,000 as of December 31, 2021. The Authority has used loans and grants to pay for the projects. As of December 31, 2021, the Authority had incurred and capitalized approximately \$17,162,000 in costs related to the projects. Estimated costs to complete the projects as of December 31, 2021 are \$8,925,000.

**Engineering services** – Effective January 1, 2019, the Authority entered into a contract with Advanced Engineering and Environmental Services, Inc. for professional services. The fee for the agreement will be hourly for basic engineering services and negotiated separately for each task order. The agreement is effective and applicable to task orders issued through December 31, 2021.

**Facility leases** – During 2012, the Authority entered into agreements with Armstrong Water Solutions, Inc. to lease facilities at several fill stations for the purpose of providing water heating services on the leased premises. The term is for five years from the effective date of each individual lease agreement. The lease was paid off and terminated in 2020.

During 2019, the Authority entered into an agreement with McKenzie County to lease a building for 25 years. The Authority paid the entire lease balance of \$750,000 up front in 2019 and was recorded in prepaid rent. The lease commenced December 1, 2019. The Authority recognized expense on this lease of \$27,500 and \$30,000 for the years ended December 31, 2021 and 2020, respectively. The lease was terminated in 2021 and the Authority received payment for the unused portion of the lease.

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**NOTE 16 SUBSEQUENT EVENTS**

Change orders totaling approximately \$832,000 were approved on the outstanding construction contracts.

No other significant events occurred subsequent to the Authority's year end. Subsequent events have been evaluated through September 21, 2022, which is the date these financial statements were available to be issued.

REQUIRED SUPPLEMENTARY INFORMATION

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF EMPLOYER OPEB CONTRIBUTIONS**  
**LAST TEN FISCAL YEARS\***

	Statutorily required contribution	Contributions in relation to the statutorily required contribution	Contribution deficiency (excess)	Employer's covered- employee payroll	Contributions as a percentage of covered- employee payroll
2021	\$ 7,067	\$ (7,067)	\$ -	\$ 858,931	0.82%
2020	14,485	(14,485)	-	1,270,642	1.14%
2019	13,581	(13,581)	-	1,191,301	1.14%
2018	12,520	(12,520)	-	1,098,221	1.14%

\* Complete data for this schedule is not available prior to 2018.

SEE NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF EMPLOYER'S PROPORTIONATE**  
**SHARE OF NET OPEB LIABILITY**  
**LAST TEN FISCAL YEARS\***

	Employer's proportion of the net OPEB liability (asset)	Employer's proportionate share of the net OPEB liability	Employer's covered- employee payroll	Employer's proportionate share of the net OPEB liability (asset) as a percentage of its covered- employee payroll	Plan fiduciary net position as a percentage of the total OPEB liability
2021	0.052781%	\$ 29,355	\$ 575,445	5.10%	76.63%
2020	0.066158%	55,652	754,183	7.38%	63.38%
2019	0.088452%	71,044	987,001	7.20%	63.13%
2018	0.082320%	64,833	900,757	7.20%	61.89%

\* Complete data for this schedule is not available prior to 2018.

SEE NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF EMPLOYER PENSION CONTRIBUTIONS**  
**LAST TEN FISCAL YEARS\***

	Statutorily required contribution	Contributions in relation to the statutorily required contribution	Contribution deficiency (excess)	Employer's covered- employee payroll	Contributions as a percentage of covered- employee payroll
2021	\$ 63,880	\$ (63,880)	\$ -	\$ 858,931	7.44%
2020	90,470	(90,470)	-	1,270,642	7.12%
2019	84,821	(84,821)	-	1,191,301	7.12%
2018	78,193	(78,193)	-	1,098,221	7.12%
2017	73,490	(73,490)	-	1,032,167	7.12%
2016	74,094	(74,094)	-	1,040,648	7.12%
2015	63,008	(63,008)	-	884,945	7.12%

\* Complete data for this schedule is not available prior to 2015.

SEE NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF EMPLOYER'S PROPORTIONATE**  
**SHARE OF NET PENSION LIABILITY**  
**LAST TEN FISCAL YEARS\***

	Employer's proportion of the net pension liability	Employer's proportionate share of the net pension liability	Employer's covered- employee payroll	Employer's proportionate share of the net pension liability as a percentage of its covered-employee payroll	Plan fiduciary net position as a percentage of the total pension liability
2021	0.06121%	\$ 637,992	\$ 693,142	92.04%	78.26%
2020	0.07318%	2,302,101	807,206	285.19%	48.91%
2019	0.09489%	1,112,156	987,001	112.68%	63.53%
2018	0.08768%	1,479,713	900,757	164.27%	62.80%
2017	0.09637%	1,548,918	983,750	157.45%	61.98%
2016	0.10119%	985,503	1,019,044	96.71%	70.46%
2015	0.09097%	618,567	810,415	76.33%	77.15%

\* Complete data for this schedule is not available prior to 2015.

SEE NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION  
DECEMBER 31, 2021 AND 2020

**NOTE 1 NDPERS Pension**

***Changes of benefit terms.***

The interest rate earned on member contributions will decrease from 7.00 percent to 6.50 percent effective January 1, 2021 (based on the adopted decrease in the investment return assumption). New Main System members who are hired on or after January 1, 2020 will have a benefit multiplier of 1.75 percent (compared to the current benefit multiplier of 2.00 percent). The fixed employer contribution for new members of the Main System will increase from 7.12 percent to 8.26 percent. For members who terminate after December 31, 2019, final average salary is the higher of the final average salary calculated on December 31, 2019 or the average salary earned in the three highest periods of twelve consecutive months employed during the last 180 months of employment. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2020.

***Changes of assumptions.***

All other actuarial assumptions and the actuarial cost method are unchanged from the last actuarial valuation as of July 1, 2020.

**NOTE 2 NDPERS OPEB**

***Changes of benefit terms.***

Beginning January 1, 2020, members first enrolled in the NDPERS Main System and the Defined Contribution Plan on or after that date will not be eligible to participate in RHIC. Therefore, RHIC will become for the most part a closed plan. There have been no other changes in plan provisions since the previous actuarial valuation as of July 1, 2020.

***Changes of assumptions.***

All other actuarial assumptions and the actuarial cost method are unchanged from the last actuarial valuation as of July 1, 2020.

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER  
MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS  
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Directors  
Western Area Water Supply Authority  
Williston, North Dakota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the business-type activities of Western Area Water Supply Authority as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise Western Area Water Supply Authority's basic financial statements, and have issued our report thereon dated September 21, 2022.

### **Report on Internal Control over Financial Reporting**

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

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control that we consider to be a material weakness and a significant deficiency.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency described in the accompanying schedule of findings and questioned costs as item 2021-001 to be a material weakness.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompanying schedule of findings and questioned costs as item 2021-002 to be a significant deficiency.

### **Report on Compliance and Other Matters**

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

### **Western Area Water Supply Authority's Response to Findings**

*Government Auditing Standards* requires the auditor to perform limited procedures on Western Area Water Supply Authority's response to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. Western Area Water Supply Authority's responses were not subjected to the other auditing procedures applied in the audit of the financial statements, and accordingly, we express no opinion on them.

### **Purpose of this Report**

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



**BRADY, MARTZ & ASSOCIATES, P.C.  
MINOT, NORTH DAKOTA**

September 21, 2022

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE  
FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE  
REQUIRED BY THE UNIFORM GUIDANCE**

To the Board of Directors  
Western Area Water Supply Authority  
Williston, North Dakota

**Report on Compliance for Each Major Federal Program**

***Opinion on Each Major Federal Program***

We have audited Western Area Water Supply Authority's compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of Western Area Water Supply Authority's major federal programs for the year ended December 31, 2021. Western Area Water Supply Authority's major federal program is identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, Western Area Water Supply Authority complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2021.

***Basis for Opinion on Each Major Federal Program***

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Western Area Water Supply Authority and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of Western Area Water Supply Authority's compliance with the compliance requirements referred to above.

## ***Responsibilities of Management for Compliance***

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to Western Area Water Supply Authority's federal programs.

## ***Auditor's Responsibilities for the Audit of Compliance***

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on Western Area Water Supply Authority's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about Western Area Water Supply Authority's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding Western Area Water Supply Authority's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of Western Area Water Supply Authority's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of Western Area Water Supply Authority's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

## **Report on Internal Control over Compliance**

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over



compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



**BRADY, MARTZ & ASSOCIATES, P.C.**  
**MINOT, NORTH DAKOTA**

September 21, 2022

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2021**

**Section I: Summary of Auditor's Results:**

*Financial Statements*

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified?   X   yes        no
- Significant deficiencies identified that are not considered to be material weaknesses?   X   yes        no

Noncompliance material to financial statements noted?        yes   X   no

*Federal Awards*

Internal control over major programs:

- Material weakness(es) identified?        yes   X   no
- Significant deficiencies identified that are not considered to be material weaknesses?        yes   X   no

Type of auditor's report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516(a)?        yes   X   no

Identification of major programs:

<u>CDFA Number(s)</u>	<u>Name of Federal Program or Cluster</u>
66.468	Drinking Water State Revolving Funds Program

Dollar threshold used to distinguish between type A and type B programs: \$750,000

Auditee qualified as low-risk auditee?        yes   X   no

**WESTERN AREA WATER SUPPLY AUTHORITY**  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - CONTINUED  
DECEMBER 31, 2021

**Section II. Findings Relating to Financial Statements**

**2021-001**    *Preparation of Financial Statements – Material Weakness*

Criteria:                    An appropriate system of internal control requires the Authority to prepare financial statements in compliance with accounting principles generally accepted in the United States of America.

Condition/Context:      The Authority's personnel prepare periodic financial information for internal use that meets the needs of management and the board. However, the Authority currently does not prepare financial statements, including accompanying note disclosures, as required by accounting principles generally accepted in the United States of America. The Authority has elected to have the auditors assist in the preparation of the financial statements and notes.

Cause:                      The Authority elected to not allocate resources for the preparation of the financial statements.

Effect:                      There is an increased risk of material misstatement to the Authority's financial statements.

Recommendation:      We recommend the Authority consider the additional risk of having the auditors assist in the preparation of the financial statements and note disclosures and consider preparing them in the future. As a compensating control the Authority should establish an internal control policy to document the annual review of the financial statements and schedules and to review a financial statement disclosure checklist.

Indication of repeat finding:                    This is a repeat finding. See prior year finding 2020-001.

View of responsible officials and corrective actions:      We agree with this finding. Due to the small size of the Authority, it is not cost effective for the Authority to properly address this material control deficiency at this time.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS - CONTINUED  
DECEMBER 31, 2021

**2021-002**    *Segregation of Duties – Significant Deficiency*

Criteria:                    Generally, an appropriate system of internal control has the proper separation of duties between authorization, custody, record keeping, and reconciliation functions.

Condition/Context:      The billing and collection functions of the Authority do not provide for an adequate segregation of duties.

Cause:                      The Authority has a limited number of staff available due to the size of the organization.

Effect:                      Under the current system, one individual has the ability to enter receipts, prepare and post payments, and reconcile the Authority's bank accounts.

Recommendation:      While the Authority does have some monitoring controls in place, we recommend that the Authority review its current process to determine if the monitoring controls can be expanded and if any segregation controls can be economically implemented.

Indication of repeat finding:      This is a repeat finding. See prior year finding 2020-002.

View of responsible officials and corrective actions:      The Board will review the accounting functions and will strive to improve in areas that are economically feasible.

**Section III. Federal Award Findings and Questioned Costs**

None

**WESTERN AREA WATER SUPPLY AUTHORITY**  
SCHEDULE OF PRIOR YEAR AUDIT FINDINGS  
DECEMBER 31, 2021

**Section IV. Prior Year Findings Relating to Financial Statements**

**2020-001**    *Preparation of Financial Statements – Material Weakness*

Criteria:                    An appropriate system of internal control requires the Authority to prepare financial statements in compliance with accounting principles generally accepted in the United States of America.

Condition/Context:      The Authority's personnel prepare periodic financial information for internal use that meets the needs of management and the board. However, the Authority currently does not prepare financial statements, including accompanying note disclosures, as required by accounting principles generally accepted in the United States of America. The Authority has elected to have the auditors assist in the preparation of the financial statements and notes.

Cause:                      The Authority elected to not allocate resources for the preparation of the financial statements.

Effect:                      There is an increased risk of material misstatement to the Authority's financial statements.

Status:                      This is a repeat finding. See current year finding 2021-001.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
SCHEDULE OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS - CONTINUED  
DECEMBER 31, 2021

**2020-002**    *Significant Adjusting Entries – Material Weakness*

Criteria:                    The Authority is required to maintain internal controls at a level where underlying support for general ledger accounts can be developed and a determination can be made that the general ledger accounts are properly reflected on a GAAP basis.

Condition:                During our audits, adjusting entries to the financial statements were proposed in order to bring the financial statements into compliance with the accrual basis of accounting. The Authority is required to maintain internal controls at a level where a determination can be made that the general ledger accounts are properly reflected on accrual basis of accounting.

Context:                    Accounts related to property, depreciation, accounts payable, OPEB and pension liabilities and notes payable are adjusted throughout the financial statement preparation process.

Cause:                      It is currently not cost effective for the Authority to determine the proper balance of each general ledger account prior to the start of the audit.

Effect:                      The Authority does not maintain internal controls at a level where a determination can be made that the general ledger account is properly reflected on a full accrual basis.

Status:                      This was corrected in the current year.

**WESTERN AREA WATER SUPPLY AUTHORITY**  
SCHEDULE OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS - CONTINUED  
DECEMBER 31, 2021

**2020-003**    *Segregation of Duties – Significant Deficiency*

Criteria:                      Generally, an appropriate system of internal control has the proper separation of duties between authorization, custody, record keeping, and reconciliation functions.

Condition/Context:        The billing and collection functions of the Authority do not provide for an adequate segregation of duties.

Cause:                         The Authority has a limited number of staff available due to the size of the organization.

Effect:                        Under the current system, one individual has the ability to enter receipts, prepare and post payments, and reconcile the Authority's bank accounts.

Status:                        This is a repeat finding. See current year finding 2021-002.



# WESTERN AREA

WATER SUPPLY AUTHORITY

## CORRECTIVE ACTION PLAN

Name of Auditee: Western Area Water Supply Authority

Auditor / Audit Firm: Brady Martz & Associates, P.C.

Audit Period: Year Ending December 31, 2021

### 2021-001 Preparation of Financial Statements – Material Weakness

- A. Prior Year Findings
  - The prior year finding is a repeat finding in the current year.
- B. Comments on Findings and Recommendations
  - We concur with the findings.
- C. Actions Taken or Planned
  - Will document review of financial statements and notes.

### 2021-002 Segregation of Duties – Significant Deficiency

- A. Prior Year Findings
  - The prior year finding is a repeat finding in the current year.
- B. Comments on Findings and Recommendations
  - We concur with the findings.
- C. Actions Taken or Planned
  - Board will review the accounting functions and will strive to improve in areas that are economically feasible.

Signed,

A handwritten signature in cursive script that reads "Cheryl McNeil".

Cheryl McNeil, Financial Controller  
Western Area Water Supply Authority  
Ph: (701) 774-6605



SUPPLEMENTARY INFORMATION

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**  
**FOR THE YEAR ENDED DECEMBER 31, 2021**

<u>Federal Grantor/Program Title</u>	<u>Identifying Pass-Through Grant Number</u>	<u>AL Number</u>	<u>Amount Expended</u>
U.S. Environmental Protection Agency (EPA) Passed through North Dakota Public Finance Authority Capitalization Grants for Drinking Water State Revolving Funds	Unknown	66.468	<u>\$ 4,261,834</u>

SEE NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

**WESTERN AREA WATER SUPPLY AUTHORITY**  
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
FOR THE YEAR ENDED DECEMBER 31, 2021

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

Expenditures reported on the schedule of expenditures of federal awards (the “schedule”) are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, wherein certain types of expenditures are not allowable or limited as to reimbursement.

**NOTE 2 DE MINIMIS INDIRECT COST RATE**

Western Area Water Supply Authority has not elected to use the 10-percent de minimis cost rate as allowed under the Uniform Guidance

**NOTE 3 BASIS FOR PRESENTATION**

This accompanying schedule includes the federal award activity of Western Area Water Supply Authority under programs of the federal government for the year then ended December 31, 2020. The information in this schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. Because the schedule presents only a selected portion of the operations of Western Area Water Supply Authority, it is not intended to and does not present the financial position, change in net position, or cash flows of Western Area Water Supply Authority.

**NOTE 4 RECONCILIATION TO FINANCIAL STATEMENTS**

The following is a reconciliation between the amount presented on the schedule and amounts presented on the financial statements as of December 31, 2021.

Reconciliation to the Financial Statements	
Notes payable, December 31, 2020 (expended before 2021)	\$ 13,316,689
Advances during 2021 (expended during 2020)	595,298
Advances during 2021 (expended during 2021)	* 3,819,465
Principal payments during 2021	(425,000)
Notes payable, December 31, 2021	17,306,452
 Advances during 2022 (expended during 2021)	* 442,369
 Total expended during 2021	* <u>\$ 4,261,834</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF NET POSITION BY FUND**  
**DECEMBER 31, 2021**

**ASSETS**

	Industrial	Domestic	Intercompany Eliminations	Total
Current assets:				
Cash and cash equivalents	\$ 1,485,268	\$ 18,173,627	\$ -	\$ 19,658,895
Accounts receivable (net of allowance of \$65,510 in 2021 and \$74,382 in 2020)	1,909,498	2,260,180	(328,792)	3,840,886
Current portion of amount due from Member entities	-	1,686,985	-	1,686,985
Supplies inventory	-	531,171	-	531,171
Prepaid expenses	-	54,435	-	54,435
Total current assets	<u>3,394,766</u>	<u>22,706,398</u>	<u>(328,792)</u>	<u>25,772,372</u>
Noncurrent assets:				
Capital assets, net of accumulated depreciation	-	267,179,188	-	267,179,188
Intangible assets, net of accumulated amortization	-	106,144,124	-	106,144,124
Amount due from Member entities, net	-	23,828,501	-	23,828,501
Total noncurrent assets	<u>-</u>	<u>397,151,813</u>	<u>-</u>	<u>397,151,813</u>
Total assets	<u>3,394,766</u>	<u>419,858,211</u>	<u>(328,792)</u>	<u>422,924,185</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>				
Deferred outflow - OPEB	-	16,477	-	16,477
Deferred outflow - pension	-	799,147	-	799,147
Total deferred outflows of resources	<u>-</u>	<u>815,624</u>	<u>-</u>	<u>815,624</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF NET POSITION BY FUND - CONTINUED**  
**DECEMBER 31, 2021**

**LIABILITIES**

	Industrial	Domestic	Intercompany Eliminations	Total
Current liabilities:				
Accounts payable	\$ 328,792	\$ 1,364,410	\$ (328,792)	\$ 1,364,410
Other current liabilities	-	71,906	-	71,906
Current portion of access and use liabilities	-	2,236,953	-	2,236,953
Current portion of notes payable	-	5,540,998	-	5,540,998
Total current liabilities	<u>328,792</u>	<u>9,214,267</u>	<u>(328,792)</u>	<u>9,214,267</u>
Noncurrent liabilities:				
Access and use liabilities, net of current portion	-	18,020,704	-	18,020,704
Notes payable, net of current portion	-	94,859,743	-	94,859,743
Interest payable	6,598,388	-	-	6,598,388
Unamortized loan origination fees	-	(27,315)	-	(27,315)
OPEB liability	-	29,355	-	29,355
Net pension liability	-	637,992	-	637,992
Total noncurrent liabilities	<u>6,598,388</u>	<u>113,520,479</u>	<u>-</u>	<u>120,118,867</u>
Total liabilities	<u>6,927,180</u>	<u>122,734,746</u>	<u>(328,792)</u>	<u>129,333,134</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred inflow - Member entities	-	33,902,956	-	33,902,956
Deferred inflow - OPEB	-	27,341	-	27,341
Deferred inflow - pension	-	1,554,392	-	1,554,392
Deferred inflow - customers	14,994	-	-	14,994
Total deferred inflows of resources	<u>14,994</u>	<u>35,484,689</u>	<u>-</u>	<u>35,499,683</u>
<b>NET POSITION</b>				
Net investment in capital and intangible assets	-	244,304,759	-	244,304,759
Unrestricted	(3,547,408)	18,149,641	-	14,602,233
Total net position	<u>\$ (3,547,408)</u>	<u>\$ 262,454,400</u>	<u>\$ -</u>	<u>\$ 258,906,992</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF NET POSITION BY FUND**  
**DECEMBER 31, 2020**

**ASSETS**

	Industrial	Domestic	Intercompany Eliminations	Total
Current assets:				
Cash and cash equivalents	\$ 1,942,576	\$ 15,703,630	\$ -	\$ 17,646,206
Accounts receivable (net of allowance of \$74,382 in 2020 and \$85,779 in 2019)	2,723,419	946,296	-	3,669,715
Current portion of amount due from Member entities	-	1,269,718	-	1,269,718
Supplies inventory	-	531,171	-	531,171
Prepaid expenses	-	50,267	-	50,267
Current portion of prepaid rent	-	30,000	-	30,000
Total current assets	<u>4,665,995</u>	<u>18,531,082</u>	<u>-</u>	<u>23,197,077</u>
Noncurrent assets:				
Capital assets, net of accumulated depreciation	-	257,681,235	-	257,681,235
Intangible assets, net of accumulated amortization	-	106,185,375	-	106,185,375
Amount due from Member entities, net	-	21,100,382	-	21,100,382
Prepaid rent, net of current portion	-	687,500	-	687,500
Total noncurrent assets	<u>-</u>	<u>385,654,492</u>	<u>-</u>	<u>385,654,492</u>
Total assets	<u>4,665,995</u>	<u>404,185,574</u>	<u>-</u>	<u>408,851,569</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>				
Deferred outflow - OPEB	-	22,507	-	22,507
Deferred outflow - pension	-	1,431,866	-	1,431,866
Total deferred outflows of resources	<u>-</u>	<u>1,454,373</u>	<u>-</u>	<u>1,454,373</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF NET POSITION BY FUND - CONTINUED**  
**DECEMBER 31, 2020**

**LIABILITIES**

	Industrial	Domestic	Intercompany Eliminations	Total
Current liabilities:				
Accounts payable	\$ -	\$ 989,588	\$ -	\$ 989,588
Other current liabilities	-	43,584	-	43,584
Current portion of access and use liabilities	-	2,425,021	-	2,425,021
Current portion of notes payable	-	5,061,089	-	5,061,089
Total current liabilities	<u>-</u>	<u>8,519,282</u>	<u>-</u>	<u>8,519,282</u>
Noncurrent liabilities:				
Access and use liabilities, net of current portion	-	20,257,657	-	20,257,657
Notes payable, net of current portion	-	169,434,207	-	169,434,207
Interest payable	5,895,547	-	-	5,895,547
Unamortized loan origination fees	-	(46,959)	-	(46,959)
OPEB liability	-	55,652	-	55,652
Net pension liability	-	2,302,101	-	2,302,101
Total noncurrent liabilities	<u>5,895,547</u>	<u>192,002,658</u>	<u>-</u>	<u>197,898,205</u>
Total liabilities	<u>5,895,547</u>	<u>200,521,940</u>	<u>-</u>	<u>206,417,487</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>				
Deferred inflow - Member entities	-	31,021,935	-	31,021,935
Deferred inflow - OPEB	-	14,584	-	14,584
Deferred inflow - pension	-	570,862	-	570,862
Deferred inflow - customer	1,423,714	-	-	1,423,714
Total deferred inflows of resources	<u>1,423,714</u>	<u>31,607,381</u>	<u>-</u>	<u>33,031,095</u>
<b>NET POSITION</b>				
Net investment in capital and intangible assets	-	158,083,760	-	158,083,760
Unrestricted	(2,653,266)	15,426,866	-	12,773,600
Total net position	<u>\$ (2,653,266)</u>	<u>\$ 173,510,626</u>	<u>\$ -</u>	<u>\$ 170,857,360</u>

**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION BY FUND**  
**FOR THE YEAR ENDED DECEMBER 31, 2021**

	<u>Industrial</u>	<u>Domestic</u>	<u>Total</u>
<b>OPERATING REVENUE</b>			
Water sales	\$ 11,295,514	\$ 8,330,592	\$ 19,626,106
Billing and invoicing	-	76,319	76,319
Bulk commercial water reimbursement	-	90,830	90,830
Industrial water reimbursement	<u>(3,193,409)</u>	<u>3,193,409</u>	<u>-</u>
Total operating revenue	<u>8,102,105</u>	<u>11,691,150</u>	<u>19,793,255</u>
<b>OPERATING EXPENSES</b>			
Operating and maintenance	-	6,447,242	6,447,242
Professional fees	-	97,918	97,918
Purchase of water	-	1,223,379	1,223,379
Management fees	-	71,089	71,089
Administrative and general	-	274,458	274,458
Payroll and employee benefits	75,000	1,218,291	1,293,291
Communications and utilities	-	83,367	83,367
Transportation	-	61,679	61,679
Depreciation	-	5,985,439	5,985,439
Amortization	-	1,136,791	1,136,791
Total operating expenses	<u>75,000</u>	<u>16,599,653</u>	<u>16,674,653</u>
<b>OPERATING INCOME (LOSS)</b>	<u>8,027,105</u>	<u>(4,908,503)</u>	<u>3,118,602</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>			
Miscellaneous income	750	74,673	75,423
Surcharge income	-	24,300	24,300
Interest income	8,392	9,646	18,038
Notes payable principal reimbursement	(3,103,487)	3,103,487	-
Interest expense	(2,771,731)	(19,644)	(2,791,375)
Access and use principal payment reimbursement	(2,425,020)	2,425,020	-
Access and use interest and admin fee	(630,151)	-	(630,151)
Grant revenue	-	12,130,170	12,130,170
Gain on forgiveness of notes payable	-	74,500,000	74,500,000
Amortization of Member entities deferred inflows	-	1,533,742	1,533,742
Gain on disposal of capital assets	-	70,883	70,883
Total nonoperating revenues (expenses)	<u>(8,921,247)</u>	<u>93,852,277</u>	<u>84,931,030</u>
<b>CHANGE IN NET POSITION</b>	<u>(894,142)</u>	<u>88,943,774</u>	<u>88,049,632</u>
<b>NET POSITION - JANUARY 1</b>	<u>(2,653,266)</u>	<u>173,510,626</u>	<u>170,857,360</u>
<b>NET POSITION - DECEMBER 31</b>	<u>\$ (3,547,408)</u>	<u>\$ 262,454,400</u>	<u>\$ 258,906,992</u>



**WESTERN AREA WATER SUPPLY AUTHORITY**  
**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION BY FUND**  
**FOR THE YEAR ENDED DECEMBER 31, 2020**

	<u>Industrial</u>	<u>Domestic</u>	<u>Total</u>
<b>OPERATING REVENUE</b>			
Water sales	\$ 10,309,526	\$ 8,098,233	\$ 18,407,759
Billing and invoicing	-	80,339	80,339
Bulk commercial water reimbursement	-	90,134	90,134
Industrial water reimbursement	<u>(2,968,939)</u>	<u>2,968,939</u>	<u>-</u>
Total operating revenue	<u>7,340,587</u>	<u>11,237,645</u>	<u>18,578,232</u>
<b>OPERATING EXPENSES</b>			
Operating and maintenance	-	6,500,545	6,500,545
Professional fees	-	68,501	68,501
Purchase of water	-	968,237	968,237
Management fees	-	111,890	111,890
Administrative and general	3,609	278,628	282,237
Payroll and employee benefits	75,000	1,713,098	1,788,098
Communications and utilities	-	101,014	101,014
Transportation	-	87,740	87,740
Depreciation	-	5,872,569	5,872,569
Amortization	-	1,098,020	1,098,020
Total operating expenses	<u>78,609</u>	<u>16,800,242</u>	<u>16,878,851</u>
<b>OPERATING INCOME (LOSS)</b>	<u>7,261,978</u>	<u>(5,562,597)</u>	<u>1,699,381</u>
<b>NONOPERATING REVENUES (EXPENSES)</b>			
Miscellaneous income (expense)	-	66,748	66,748
Surcharge income	-	55,050	55,050
Interest income	20,057	19,674	39,731
Notes payable principal reimbursement	(799,553)	799,553	-
Interest expense	(3,089,948)	(8,085)	(3,098,033)
Capital project reimbursement	(67,966)	67,966	-
Access and use principal payment reimbursement	(2,380,727)	2,380,727	-
Access and use interest and admin fee	(746,178)	-	(746,178)
Grant revenue	-	7,785,307	7,785,307
Amortization of Member entities deferred inflows	-	1,345,663	1,345,663
Gain on disposal of capital assets	-	18,557	18,557
Total nonoperating revenues (expenses)	<u>(7,064,315)</u>	<u>12,531,160</u>	<u>5,466,845</u>
<b>CHANGE IN NET POSITION</b>	<u>197,663</u>	<u>6,968,563</u>	<u>7,166,226</u>
<b>NET POSITION - JANUARY 1</b>	<u>(2,850,929)</u>	<u>166,542,063</u>	<u>163,691,134</u>
<b>NET POSITION - DECEMBER 31</b>	<u>\$ (2,653,266)</u>	<u>\$ 173,510,626</u>	<u>\$ 170,857,360</u>