### **Outdoor Heritage Fund Grant Application**

#### Instructions



After completing the form, applications and supporting documentation may be submitted by e-mail to <u>ndicgrants@nd.gov</u>. It is preferred that only electronic copies are submitted.

You are not limited to the spacing provided, except in those instances where there is a limit on the number of words. If you need additional space, please indicate that on the application form, answer the question on a separate page, and include with your submission.

The application and all attachments must be received by the application deadline. You may submit your application at any time prior to the application deadline. <u>Applicants are strongly encouraged to</u> <u>submit applications prior to the deadline for staff review in order ensure that proposals will be</u> <u>complete when submitted on deadline date</u>. Incomplete applications may not be considered for funding.

### <u>Please review the back of this form to determine project eligibility, definitions, budget criteria, and statutory requirements.</u>

Project Name: Wildlife and Livestock Dams – Wetlands Creation, Restoration, and Enhancement II

Name of Organization: North Dakota Natural Resources Trust

Federal Tax ID#: 36-3512179

Contact Person/Title: Rick Warhurst, Biologist

Address: 1605 East Capitol Avenue, Suite 101

City: Bismarck

State: North Dakota

Zip Code: 58501

E-mail Address: rick@naturalresourcestrust.com

Web Site Address (If applicable): www.ndnrt.com

Phone: 701-471-9760 or 701-223-8501

List names of co-applicants if this is a joint proposal: NA

#### **MAJOR Directive:**

Choose only one response

O **<u>Directive A</u>**. Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

O **<u>Directive B</u>**. Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

**X** <u>**Directive C**</u>. Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

O **<u>Directive D</u>**. Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

#### Additional Directive:

Choose all that apply

#### X Directive A.

- X Directive B.
- O Directive C.
- O Directive D.

#### Type of organization:

- O State Agency
- O Political Subdivision
- O Tribal Entity
- **X** Tax-exempt, nonprofit corporation.

#### Abstract/Executive Summary.

Summarize the project, including its objectives, expected results, duration, total project costs and participants. (no more than 500 words)

North Dakota's wetlands are among the most biologically productive biome systems on earth. The 2015 North Dakota State Wildlife Action Plan (SWAP), prepared by the ND Game and Fish Department, provides a conservation strategy for specific conservation habitats. Specifically, the conservation habitat of wetlands was identified in SWAP with suggested conservation actions that include incentives and programs that restore and enhance wetlands. Obligate wetland migratory bird species such as waterfowl-including mallards and Northern pintails; shorebirds-including willets and avocets; wading birds-including long-billed curlews and American bitterns; and marsh birds-including black terns and horned grebes (all listed in SWAP) will use this program's project wetlands for production, brood-rearing and during migration. Resident wildlife species including ring-necked pheasants, white-tailed deer, mule deer and Pronghorn antelope will also use the created, restored, and enhanced

wetland habitats resulting from this program. In many previous years a significant portion of North Dakota has experienced moderate to serious drought conditions. The availability of water to agriculture producers and landowners has declined. The ND Natural Resources Trust (Trust) and conservation partners have received numerous requests from landowners seeking assistance in creating small dams and repairing existing dams on their land or restoring drained wetlands. This grant proposal will provide a partnership between the Outdoor Heritage Fund, the Trust, and landowners to complete these new wetlands or repair small, nonfunctional dams for wildlife and livestock benefits. During 2018-2020, OHF, Trust and landowners cooperatively completed the "Livestock and Wildlife Dams-Wetland Creation and Enhancement " project. Fourteen (14) wetlands were created, restored, or enhanced covering 72.78 surface acres. This proposed project will assist landowners with approximately 20 wetland dam creations, dam repairs, and drain ditch plugs throughout the state impacting 112 surface acres of wetland habitat (Mean = 5.6 acres). The OHF grant will provide 50% or \$225,000 cost-share assistance for wetland construction with the remaining cost-share supplied by the Trust 25% or \$112,500 and other project cooperators including landowners and conservation partners 25% or \$112,500. The Trust requests \$30,000 from OHF for Contracted Services including Engineering Design/Construction Management/Cultural Resources Survey. The Trust will match this with \$15,000. The Trust will offer \$12,750 of In-kind Staffing and Delivery Services and requests \$12,750 from OHF as match. This project will supply vital wetland habitat for numerous wildlife species, provide a stable water source for livestock producers, improve water quality, and accommodate water storage.

#### **Project Duration:**

#### Indicate the intended schedule for drawing down OHF funds. 4 Years

#### Amount of Grant request: \$ 267,750 (51.4%)

#### Total Project Costs: \$520,500

Note: in-kind and indirect costs can be used for matching funds.

#### Amount of Matching Funds: \$252,750 (48.6%)

<u>A minimum of 25% Match Funding is required.</u> Indicate if the matching funds will be in-kind, indirect or cash. Please provide verification that these matching funds are available for your project. Note that effective as of July 1, 2015 no State General Fund dollars can be used for a match unless funding was legislatively appropriated for that purpose.

Amount of Match	Funding Source	Type of Match (Cash, In- kind or Indirect)	
\$127,500	ND Natural Resources Trust	Cash	
\$12,750	ND Natural Resources Trust	In-Kind	
\$112,500	Landowners, Conservation Partners	Cash	

#### Certifications

**X** I certify that this application has been made with the support of the governing body and chief executive of my organization.

**X** I certify that if awarded grant funding none of the funding will be used for any of the exemptions noted in the back of this application.

#### Narrative

Organization Information – Briefly summarize your organization's history, mission, current programs and activities.

Include an overview of your organizational structure, including board, staff and volunteer involvement. (no more than 300 words)

The North Dakota Natural Resources Trust was created in 1986 and was originally called the North Dakota Wetlands Trust until 2000. The Trust's mission is to promote the retention, restoration, creation, and wildlife friendly management of wetlands, grasslands, and riparian areas by presenting practical conservation opportunities throughout North Dakota. The Trust achieves this mission by partnering with agricultural and conservation organizations to promote the productive use of private agricultural lands and to support private property rights that result in enhancement and protection of private lands, to effectively use North Dakota's public lands both for agriculture and recreation, to promote good land use planning along urban river corridors, and to enhance the state's significant water resources. The Trust helps shape the landscape through its programs and does its best to help shape both public attitude and public policy to support natural resources protection. The Trust is managed by a six-member Board of Directors. Three of the Directors are appointed by the governor of North Dakota, one by the National Audubon Society, one by the National Wildlife Federation, and one by the North Dakota Chapter of The Wildlife Society. The North Dakota Game and Fish Department Director is an ex-officio member. The Trust has an Executive Director and six staff. From its inception, the Trust has played a role as facilitator between agricultural and conservation interests. In addition to facilitating and funding sound, on-the-ground conservation of natural resources, its goal is to identify common issues, create dialogue, and resolve conflicts

# Purpose of Grant – Describe the proposed project identifying how the project will meet the specific directive(s) of the Outdoor Heritage Fund Program

Identify project goals, strategies and benefits and your timetable for implementation. Include information about the need for the project and whether there is urgency for funding. Indicate if this is a new project or if it is replacing funding that is no longer available to your organization. Identify any innovative features or processes of your project. Note: if your proposal provides funding to an individual, the names of the recipients must be reported to the Industrial Commission/Outdoor Heritage Fund. These names will be disclosed upon request.

The goal of this project is to assist landowners create, restore, and enhance approximately 20 wetlands covering 112 surface acres located throughout the state. These wetland developments will supply vital habitat for numerous wildlife species. Obligate wetland migratory bird species including waterfowl, shorebirds, wading birds, and marsh birds will use these project wetlands for production, brood-rearing and during migration. Resident wildlife species including ring-necked pheasants, white-tailed deer, mule deer and Pronghorn antelope will also use the wetlands. Other wildlife species such as frogs, salamanders, turtles, and snakes will live in or near these wetlands. Pollinator species such as native bees and butterflies will also use these important project wetlands. The wetlands developed by this project will provide a stable source of livestock water, provide water storage, and improve water quality, as well as supplying vital wildlife habitat. When functional, the 20 wetlands developed by this project will facilitate the enhancement of several thousand acres of surrounding grassland habitat through implementation of managed grazing systems. The Trust seeks to develop and enhance wetlands in landscapes dominated by grassland that is used for livestock grazing. These wetlands supply waterfowl breeding pairs and broodrearing habitat that is interspersed in excellent nesting cover and significantly enhances the biodiversity of plants and animals in these grasslands. The ponds also provide vital water sources for livestock production, improve water quality, and help retain ranchers and the ranching lifestyle on the North Dakota landscape. Project development activities will include: the construction of new dams and emergency spillways, repair of existing, nonfunctional dams and emergency spillways, installation of primary spillways and water control structures, and the earthen plugging of drain ditches. With professional project design and management these wetland creations should have a lifespan of 25 plus years. This project addresses OHF Directive C and will develop, enhance, conserve, and restore wildlife habitat on private lands. It also addresses Directive B by improving and restoring water quality and supports other practices of land stewardship to enhance farming and ranching. Several of the proposed wetland sites occur on public land and Directive A would be addressed; to provide access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen. All private landowners on which wetlands are developed will be encouraged to enroll the area in the North Dakota Game and Fish Department's Public Land Open to Sportsmen (PLOTS) Program. Over a dozen landowners from numerous North Dakota counties have contacted the Trust expressing the desire for wetland creations or repairs on their land and the list grows annually when conditions become drier. Also, word of mouth and neighbor to neighbor communications has led to numerous landowners contacting the Trust about developing wetland projects. These landowners have expressed interest in cooperating with OHF and the Trust to develop and enhance wetland habitat on their property. Most of the wetlands to be created or enhanced will be small and can be developed without professional engineering design. However, a few sites might have large watersheds or need a ND State Water Commission conditional water permit and would therefore require professional Engineering Design. Contracted Services for Engineering Design/Construction Management/Cultural Resources Survey totaling \$45,000 is included in the Project Budget.

For tree/shrub/grass plantings: provide a planting plan describing the site design, planting methods, number of trees/shrubs by species and stock size, grass species and future maintenance. A statement certifying that the applicant will adhere to USDA-NRCS tree/shrub/grass planting specifications along with the name of the governmental entity designing the planting may be substituted for a planting plan.

For projects including Section 319 funding: provide in detail the specific best management practices that will be implemented and the specific projects for which you are seeking funding.

For projects including fencing: A minimum cost share of 40% by the recipient is preferred. Include detailed information on the type of fencing to be installed, whether funding is requested for boundary fencing, new or replacement of existing fencing, and/or cross fencing.

If yes, provide a copy with the application.

*Note: Projects involving buildings and infrastructure will only be considered if part of a Comprehensive Conservation Plan. Please refer to the "Definitions" section at the back of the form for more details.* 

# Management of Project – Provide a description of how you will manage and oversee the project to ensure it is carried out on schedule and in a manner that best ensures its objectives will be met.

Include a brief background and work experience for those managing the project.

The Trust will oversee and coordinate all activities associated with this project proposal. Wetlands will be developed on 20 private land sites with a few possibly on public land. The Trust will develop site specific agreements with landowners which will include a map defining project boundaries, proposed construction activities, the cost-share estimates and the responsibility of each landowner, conservation partner, and the Trust. All agreements will be signed and dated by the landowner and the Trust. In addition, all project agreements will have the OHF logo at the header of the agreement and all landowners will be informed about OHF funding as part of the project. The Trust's staff will coordinate the wetland development project from our office located in Bismarck. Rick Warhurst, Biologist, will serve as the Program Coordinator. Rick has over 35 years of experience in delivering wetland conservation projects throughout the Dakotas. The Trust will coordinate with landowners and partners to ensure that the OHF funds are spent effectively. The Trust will provide all tracking and reporting of all participant agreements following grant guidelines.

#### Evaluation – Describe your plan to document progress and results.

Please be specific on the methods you will utilize to measure success. Note that regular reporting, final evaluation, and expenditure reports will be required for every grant awarded.

The Trust will measure success of the "Wildlife and Livestock Dams – Wetlands Creation, Restoration, and Enhancement" Project by completing the creations, restorations, and enhancements of 20 wetlands totaling 112 surface acres on the North Dakota landscape and monitoring the sites periodically in spring, summer, and fall. These on-site visits and electronic photographs of pre-construction and post construction will document the success of the project. All grant administration will be completed for this grant by the Trust. The Trust's programs are structured to be flexible and accommodating to agreement participants.

#### Information

### Project Budget – Use the table below to provide an itemized list of project expenses and describe the matching funds being utilized for this project.

Indicate if the <u>matching funds</u> are in the form of cash, indirect costs or in-kind services. The budget should identify all other committed funding sources and the amount of funding from each source. <u>A</u> <u>minimum of 25% match funding is required.</u> An application will be scored higher the greater the amount of match funding provided. (See Scoring Form.)

Certain values have been identified for in-kind services as detailed under "Budget Information" at the back of this form. Refer to that section and utilize these values in identifying your matching funds. NOTE: No indirect costs will be funded. Supporting documentation for project expenses, including bids, must be included or application will be considered incomplete.

Project Expense	OHF Request	Applicant's Match Share (Cash)	Applicant's Match Share (In-Kind)	Other Project Sponsor's Share	Total Each Project Expense
Wetland Creation Construction Costs	\$225,000	\$112,500		\$112,500	\$450,000
Engineering and Contracted Services	\$30,000	\$15,000			\$45,000
Staffing Total Costs	\$12,750 \$267,750	\$127,500	\$12,750 \$12,750	\$112,500	\$25,500 \$520,500

Note: Costs for seeding, fencing, pipelines, wells, and cover crops cannot exceed NRCS Field Office Tech Guide without justification. Projects involving perimeter fencing must follow NRCS eligibility standards.

#### Budget Narrative – Use the space below to provide additional detail regarding project expenses.

**Wetland Creations, Wetland Dam Repairs and Wetland Restorations:** These funds will pay for the construction of new, small wetland creations, repair of existing dams on wetland creations and restoration of wetlands with earthen plugs placed in drain ditches throughout North Dakota. The payments will be to contractors for dirt work to construct earthen dams across water drainages, install primary spillways/water control structures and develop emergency spillways (OHF 50%/Trust 25%/Other Match 25%).

**Contracted Services**: Engineering design of wetland creations and dam repairs is important to ensure proper design of the projects, to ensure long life of the structure and to ensure each project wetland functions in the desired manner. The Trust will contract for these services, so that engineering standards are used in the project design. The Trust will consult with the State Historical Society for SHPO review and approval and if outside cultural resources field reviews are necessary, then a cultural review company will be hired to complete the reviews.

**Staffing/Delivery**: The grant application is requesting \$12,750.00 of OHF support for staffing/delivery and the Trust will provide \$12,750.00 of in-kind match over the Program duration. The administration of the Wildlife and Livestock Dams (WLD) Program is based on actual staff time, benefits, and travel to deliver WLD Program agreements. This includes promotion and outreach, meeting with landowners, meeting with partners, processing payments, and agreement monitoring.

**Sustainability – Indicate how the project will be funded or sustained in future years.** Include information on the sustainability of this project after OHF funds have been expended and whether the sustainability will be in the form of ongoing management or additional funding from a different source.

This proposal represents landowners who have contacted the Trust or other conservation partners about their interest in wetland creations and wetland structure repairs on their property. Many of these wetland projects need repair because of inadequate construction design and not necessarily any fault of the landowners. With updated wetland creation designs that include properly sized primary spillways and emergency spillways, the projects completed in this proposal will have a long life span. The project participants will manage their property to ensure that the integrity of the structures developed is properly maintained. These landowners will agree to provide the annual maintenance of the installed structures to maintain the integrity and proper function of the project.

# Partial Funding – Indicate how the project will be affected if less funding is available than that requested.

The Trust would like to thank the OHF Advisory Board for the consideration of this proposal. This wetland development project brings 50% matching funds from Trust, conservation partners and landowners to assist in wetland creations, restorations, and enhancements. If OHF does not recommend full funding, then a smaller portion of the proposed project sites will be completed, and matching funds will be reduced proportionally.

# Partnership Recognition - If you are a successful recipient of Outdoor Heritage Fund dollars, how would you recognize the Outdoor Heritage Fund partnership? \* *There must be signage at the location of the project acknowledging OHF funding when appropriate.*

The Trust will place signage at each project site recognizing the OHF as a partner in the project. Any news releases, publications, and Trust website information will include OHF recognition.

## Awarding of Grants - Review the appropriate sample contract for your organization on the website at <u>http://www.nd.gov/ndic/outdoor-infopage.htm</u>.

Can you meet all the provisions of the sample contract? **Yes** No If there are provisions in that contract that your organization is unable to meet, please indicate below what those provisions would be: Yes, the Trust can meet the provisions of the sample contract.

### ABOUT OHF:

The purpose of the North Dakota Outdoor Heritage Fund is to provide funding to state agencies, tribal governments, political subdivisions, and nonprofit organizations, with higher priority given to projects that enhance **conservation** practices in this state by:

**<u>Directive A</u>**. Providing access to private and public lands for sportsmen, including projects that create fish and wildlife habitat and provide access for sportsmen;

**Directive B**. Improving, maintaining and restoring water quality, soil conditions, plant diversity, animal systems and by supporting other practices of stewardship to enhance farming and ranching;

**<u>Directive C</u>**. Developing, enhancing, conserving and restoring wildlife and fish habitat on private and public lands; and

**<u>Directive</u>** D. Conserving natural areas and creating other areas for recreation through the establishment and development of parks and other recreation areas.

### EXEMPTIONS

Outdoor Heritage Fund grants may not be used to finance the following:

- Litigation;
- Lobbying activities;
- Any activity that would interfere, disrupt, or prevent activities associated with surface coal mining operations; sand, gravel, or scoria extraction activities; oil and gas operations; or other energy facility or infrastructure development;
- The acquisition of land or to encumber any land for a term longer than twenty years; or
- Projects outside this state or projects that are beyond the scope of defined activities that fulfill the purposes of Chapter 54-17.8 of the North Dakota Century Code.

OHF funds may not be used, except after a finding of exceptional circumstances by the Industrial Commission, to finance:

- A completed project or project commenced before the grant application is submitted;
- A feasibility or research study;
- Maintenance costs;
- A paving project for a road or parking lot;
- A swimming pool or aquatic park;
- Personal property that is not affixed to the land;
- Playground equipment, except that grant funds may be provided for up to 25% of the cost of the equipment not exceeding \$10,000 per project and all playground equipment grants may not exceed 5% of the total grants per year (see Definitions/Clarifications for how this will be calculated);
- Staffing or outside consultants except for costs for staffing or an outside consultant to design and implement an approved project based on the documented need of the applicant and the expenditures may not exceed 5% of the grant to a grantee if the grant

exceeds \$250,000 and expenditures may not exceed 10% of the grant to a grantee if the grant is \$250,000 or less (see Definitions/Clarifications for how this will be calculated);

- A building except for a building that is included as part of a comprehensive conservation plan for a new or expanded recreational project (see Definitions/Clarifications for definition of comprehensive conservation plan and new or expanded recreational project); or
- A project in which the applicant is not directly involved in the execution and completion of the project.

The goal of the Industrial Commission is that at a minimum 15% of the funding received for a biennium will be given priority for recreation projects that meet Directive D.

The following projects are not eligible for funding, unless there is a finding of exceptional circumstances by the Industrial Commission include:

- Construction or refurbishment of indoor/outdoor ice rinks,
- Construction or refurbishment of indoor/outdoor athletic courts and sports fields,
- Other substantially similar facilities.
- Infrastructure that is not part of a comprehensive conservation plan.
- Projects not meeting a minimum funding request of \$2,500.

#### **Budget Information**

In-kind services used to match the request for Outdoor Heritage Fund dollars shall be valued as follows:

- Labor costs \$15.00 an hour • Land costs Average rent costs for the county as shown in the most recent publication of the USDA, National Agricultural Statistics Services, North Dakota Field Office Any equipment purchased must be listed separately with documentation Permanent Equipment showing actual cost. (For example: playground equipment) Actual documentation Equipment usage • Seed & Seedlings Actual documentation • Transportation Mileage at federal rate •
- Supplies & materials Actual documentation

More categories will be added as we better understand the types of applications that will be submitted. We will use as our basis for these standards other State and Federal programs that have established rates. For example, the North Dakota Nonpoint Source Pollution Management Program has established rates. If your project includes work that has an established rate under another State Program, please use those rates and note your source.

#### Definitions/Clarifications:

Building - Defined as "A structure with a roof either with walls or without walls and is attached to the ground in a permanent nature."

<u>Comprehensive Conservation Plan</u> - Defined as "A detailed plan that has been formally adopted by the governing board which includes goals and objectives--both short and long term, must show how this building will enhance the overall conservation goals of the project and the protection or preservation of

wildlife and fish habitat or natural areas." This does not need to be a complex multi-page document. It could be included as a part of the application or be an attachment.

<u>New and Expanded Recreational Project</u> means that the proposed building cannot be a replacement of a current building. The proposed building must also be related to either a new or expanded recreational project--either an expansion in land or an expansion of an existing building or in the opportunities for recreation at the project site.

<u>Playground equipment calculation</u> - Only the actual costs of the playground equipment (a bid or invoice showing the amount of the equipment costs must be provided) - cannot include freight or installation or surface materials or removal of old equipment, etc.

<u>Staffing/Outside Consultants Costs</u> - If you are requesting OHF funding for staffing or for an outside consultant, you must provide information in your application on the need for OHF funding to cover these costs. For example, if you are an entity that has engineering staff you must explain why you don't have sufficient staff to do the work or if specific expertise is needed or whatever the reason is for your entity to retain an outside consultant. If it is a request for reimbursement for staff time then a written explanation is required in the application of why OHF funding is needed to pay for the costs of that staff member(s)' time. The budget form must reflect on a separate line item the specific amount that is being requested for staffing and/or the hiring of an outside consultant. This separate line item will then be used to make the calculation of 5% or 10% as outlined in the law. Note that the calculation will be made on the grant less the costs for the consultant or staff.

<u>Maintenance</u> – Activities that preserve or keep infrastructure in a given existing condition, including repairs. Repair means to restore to sound condition after damage, to renew or refresh; except repairs due to damage caused by Acts of God.

#### Scoring of Grants

<u>**Oral Presentation.**</u> Please note that you will be given an opportunity to make a ten-minute Oral Presentation at a meeting of the Outdoor Heritage Fund Advisory Board. These presentations are strongly encouraged.

**Open Record.** Please note that your application and any attachments will be open records as defined by law and will be posted on the Industrial Commission/Outdoor Heritage Fund website.

All applications will be scored by the Outdoor Heritage Fund Advisory Board after your tenminute oral presentation. The ranking form that will be used by the Board is available on the website at <u>http://www.nd.gov/ndic/outdoor-infopage.htm</u>.

#### Awarding of Grants

All decisions on requests will be reported to applicants no later than 30 days after Industrial Commission consideration. The Commission can set a limit on duration of an offer on each application or if there isn't a specific date indicated in the application for implementation of the project, then the applicant has until the next Outdoor Heritage Fund Advisory Board regular meeting to sign the contract and get the project underway or the commitment for funding will be terminated and the applicant may resubmit for funding. Applicants whose proposals have been approved will receive a contract outlining the terms and conditions of the grant.

#### **Responsibility of Recipient**

The recipient of any grant from the Industrial Commission must use the funds awarded for the specific purpose described in the grant application and in accordance with the contract. The recipient cannot use any of the funds for the purposes stated under Exemptions on the first page of this application.

If you have any questions about the application, the Commission can be reached at 701-328-3722 or <u>outdoorheritage@nd.gov</u>.

Revised: November 4, 2019, April 12, 2023

#### Login

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Lists	Advanced ➤ Results	: 3	Filing Type	Corporation - Nonprofit - Domestic	
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	RESOURCES		Term of Duration	Perpetual	
	TRUST		Initial Filing Date	03/13/1986	
	Corporation - Nonprofit - Domestic		Principal Address	1605 E CAPITOL AVE STE 101 BISMARCK, ND 58501-2102	
	NORTH DAKOTA NATURAL RESOURCES	> 00 > 00	Mailing Address	1605 E CAPITOL AVE STE 101 BISMARCK, ND 58501-2102	
	CONSERVATION		AR Due Date	02/01/2024	
	Reserved Name		Registered Agent	KEITH A TREGO 1605 E CAPITOL AVE STE 101 BISMARCK, ND 58501	
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