

Continued from Page A1

\$9.5 million, slightly higher than the engineers' estimate.

There were about a half-dozen bidders for the work with Molstad Excavating of Grand Forks, the apparent low bidder. The bids were let in February, Waind said, and the State Water Commission had been examining them. He said the state water engineer has the authority to authorize award of the contract.

Meanwhile, the city manager said Molstad had already started moving in equipment for the job in anticipation that the court would allow resumption of the construction work.

Waind said he hasn't seen the decision yet and hasn't had a chance to analyze it. "But, it's very welcome news," he said.

Conrad, in making his announcement said, "It is unfortunate that Manitoba, as a neighbor, has chosen to attack this critical project in the courts. However, today's decision is a big win in this ongoing legal battle."

NAWS is designed to bring water from Lake Sakakawea to Minot and then be distributed to thousands of people in Minot and the surrounding 10-county area.

Manitoba has sought to stop construction of the NAWS project completely due to environmental concerns. In February, the federal court in Washington ruled that the project needed additional scientific study.

The Bureau of Reclamation has not yet fully analyzed the consequences of failing to fully treat the water before it crosses from the Missouri River basin into the Hudson Bay drainage.

"I have been assured by the Bureau of Reclamation that the letter of the law has been met here," Conrad said. "This project has gone through the most thorough analysis and review and has

passed with flying colors. The need for NAWS is real and is one step closer to becoming a reality.

As the Canadians see it, a break in the pipeline north of the continental divide, located near the former Minot radar base, some 15 miles south of Minot, might allow partially treated water to flow into the Souris River and back into Canada where the river originates.

The water might contain unwanted biota that could get into Lake Winnipeg and harm the commercial fishery there, the Canadians argue. "(The transfer of water from one basin to another) would introduce 'non-native' species including pathogens and diseases," to Manitoba's aquatic ecosystems and freshwater resources."

U.S. officials argue that the water would be partially treated at the source and fully treated at the Minot water treatment plant.

Manitoba wants the water completely treated at the source, entailing an additional water treatment plant between the lake and a point near the former radar base. If that provision were mandated, Waind said it could add millions of dollars to the project's price tag.

The legal battle has been ongoing since Manitoba brought the suit in 2002.

Gov. John Hoeven issued a statement Friday in which he said, "Over the course of 20 years, this project has met all federal legal and water-quality standards.

"The Department of Interior's Bureau of Reclamation has allowed us to move forward. In addition, the project has also been found to be in compliance with the Boundary Waters Treaty of 1909 and the National /Environmental Policy Act.

"We are committed to continuing with the NAWS, an environmentally sound project that will bring high quality water to the people of northwestern North Dakota who need it."

Construction on NAWS began in 2002, with plans to start treating water in 2007 and finish the entire project ins 2016.

**NORTHWEST AREA WATER SUPPLY**

# NAWS can proceed with construction

By **KEN CRITES**  
Staff Writer  
kcrites@ndweb.com

NAWS has been given a green light to proceed - again.

A federal court judge's decision Friday to allow construction to go ahead on the Northwest Area Water Supply project was met with joy in North Dakota.

In addition, Judge Rosemary Collyer also ruled that construction could proceed on other facilities associated with NAWS "as long as it can be demonstrated that they don't impact on a decision regarding water treatment options."

Sen. Kent Conrad, D-N.D., conveyed the news concerning



Hoeven



Waind



Conrad

the court's action. The ruling will allow construction on the 15-mile next, and final leg, of the pipeline to proceed soon, even as the Bureau of Reclamation does additional environmental reviews.

A Grand Forks contractor could start work on the final leg of the NAWS pipeline project as soon as the state Water Engineer gives the go ahead on a contract, said Minot City Manager David Waind Friday. The Grand Forks company was the successful bidder on the last 15 miles with an offer of

See NAWS — Page A7