

NAWS

Attorney general files motion to dismiss complaint

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Minot officials say they are pleased that the attorney general has filed a motion in federal court to throw out Manitoba's complaint against the Northwest Area Water Supply project.

Attorney General Wayne Stenehjem took the action Monday. He contends the U.S. District Court lacks jurisdiction in the case.

Manitoba filed the suit contending that the NAWS project might harm Canada's environment by allowing foreign biota from the Missouri River basin to enter the Hudson Bay basin.

Stenehjem's motion would dismiss Manitoba's complaint and refer the matter to the International Joint Commission, established by the Boundary Waters Treaty of 1909. The attorney general said since its inception, the IJC has studied and issued recommendation on more than 100 international disputes.

Stenehjem's motion asserts that since the dispute implicates a treaty and the foreign affairs of the United States, the federal court lacks jurisdiction.

Manitoba's reply is due June 9 and the state's response is due July 9. Oral argument on the motions is scheduled for July 23.

Meanwhile, Minot City Manager David Waind said Monday, "The state has tech-

nical reasons for asking for the lawsuit's dismissal. We fully support the action the state is taking."

Minot Mayor Curt Zimbelman said there is absolutely no justification for the lawsuit. "There are better ways to spend money, such as doing the job," he said.

There is some question whether money will be restored in President Bush's budget for further construction of the line designed to bring Missouri River water to Minot and more than a dozen other communities in the northwest part of the state.

Local officials have called for the restoration of those funds so that the work can continue to Lake Sakakwea, where the water for the cities will be drawn.