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# In the Supreme Court of the United States

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October Term, 1979  
No. 86, Original

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STATE OF LOUISIANA, *Plaintiff,*

vs.

STATE OF MISSISSIPPI, ET AL., *Defendants.*

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## ANSWER

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*Attorneys for Defendants*

June, 1980



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## ANSWER

COME NOW the defendants, the State of Mississippi, by and through Bill Allain, the Attorney General of the State of Mississippi, and Avery B. Dille, Jr., Richard T. Dille, and Henry W. Dille, by and through their attorney, Mitchell Emmett Ward, and for their answer to the Complaint of the State of Louisiana, respectfully state as follows:

1. That they admit that the jurisdiction of this Court is properly invoked.

2. That they admit the material allegations of Paragraph II of the Complaint.

3. That they admit the material allegations of Paragraph III of the Complaint.

4. That they admit the material allegations of Paragraph IV of the Complaint.

5. That they admit the material allegations of Paragraph V of the Complaint.

6. That they admit the material allegations of Paragraph VI of the Complaint.

7. That they admit the material allegations of Paragraph VII of the Complaint.

8. That they admit the material allegations of Paragraph VIII of the Complaint.

9. That they admit the material allegations of Paragraph IX of the Complaint.

10. That they admit the material allegations of Paragraph X of the Complaint.

11. That they admit the material allegations of the first two paragraphs of Paragraph XI of the Complaint and admit that initially the bottom hole of said well was within the confines of the State of Louisiana when it commenced production of oil in commercial quantities on or about January 15, 1972, but deny that said well has continued to remain in the State of Louisiana and affirmatively state and allege that since January 15, 1972, the thalweg of the Mississippi River has moved, by the process of accretion, to the west of said well so that said well is located in the State of Mississippi and is, therefore, subject to the exclusive and complete jurisdiction of the State of Mississippi.

12. That they deny that the State of Louisiana has complete jurisdiction over the oil well in question although they admit that so long as said well was within the confines of the State of Louisiana, it had jurisdiction to permit and regulate the well after it reached Louisiana lands and that while said well was located in Louisiana it regulated the production thereof, supervised allowables, required production reports and created a drilling unit and received royalties therefrom.

13. That they admit the material allegations of Paragraph XIII of the Complaint.

14. That they admit the material allegations of Paragraph XIV of the Complaint.

15. That they admit the material allegations of Paragraph XV of the Complaint.

16. That they admit the material allegations of Paragraph XVI of the Complaint.

17. That they admit the material allegations of Paragraph XVII so far as they describe the construction of the Giles Bend Cut-off, but deny the remaining allegations of said Paragraph XVII.

18. That they admit the material allegations of Paragraph XVIII of the Complaint.

19. That they admit that Paragraph XIX of the Complaint states the legal position of the State of Louisiana but they deny the material allegations of Paragraph XIX of the Complaint.

20. That they admit that the location of the boundary line between Mississippi and Louisiana is of major and substantial significance but they deny the material allegations of Paragraph XX of the Complaint.

21. That they deny the material allegations of Paragraph XXI of the Complaint.

22. That they admit the material allegations of Paragraph XXII of the Complaint.

23. That they admit that the property rights of the State of Louisiana and the boundary line between the States of Louisiana and Mississippi are involved in the litigation now pending in the United States District Court for the Southern District of Mississippi, but they deny the material allegations of Paragraph XXIII of the Complaint.

24. That they deny the material allegations of Paragraph XXIV of the Complaint.

WHEREFORE, PREMISES CONSIDERED, the defendants respectfully pray:

1. That the Court appoint a senior federal judge to serve as a special master in this original action;
2. That the prayer for relief contained in the Complaint be denied in its entirety;
3. That the Court adjudicate and declare that the subject lands and oil well are located within the territorial boundaries of the State of Mississippi;
4. That all costs incurred in this original action be assessed against the plaintiff; and
5. That the Court grant such other and further relief as may be proper, equitable, and just.

Respectfully submitted,

THE STATE OF MISSISSIPPI, Defendant

By: BILL ALLAIN, Attorney General

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