



No. 9, Original

In the Supreme Court of the United States

OCTOBER TERM, 1974

UNITED STATES OF AMERICA, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.

**JOINT MOTION FOR ENTRY OF SUPPLEMENTAL DECREE, PRO-
POSED SUPPLEMENTAL DECREE, AND MEMORANDUM IN
SUPPORT OF MOTION**

WILLIAM J. GUSTE, JR.

Attorney General,

PAUL M. HEBERT,

VICTOR A. SACHSE,

OLIVER P. STOCKWELL,

FREDERICK W. ELLIS,

WILLIAM E. SHADDOCK,

Special Assistant Attorneys

General,

NORA K. DUNCAN,

Staff Attorney,

Department of Justice,

State of Louisiana.

ROBERT H. BORK,

Solicitor General,

WALLACE H. JOHNSON,

Assistant Attorney General,

LOUIS F. CLAIBORNE,

Assistant to the Solicitor General,

BRUCE C. RASHKOW,

MICHAEL W. REED,

Attorneys,

Department of Justice,

Washington, D.C. 20530.

In the Supreme Court of the United States

OCTOBER TERM, 1974

No. 9, Original

UNITED STATES OF AMERICA, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.

MOTION FOR ENTRY OF A SUPPLEMENTAL DECREE

The United States of America and the State of Louisiana jointly move that the Court enter a decree in the form and manner of the attached proposed decree, which is explained in an accompanying memorandum presenting reasons and explaining the decree.

THE HISTORY OF THE CITY OF BOSTON

BY
JOHN B. BOWEN

Author of "The History of the City of New York"

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

NEW YORK: PUBLISHED BY
JOHN B. BOWEN

1850

In the Supreme Court of the United States

OCTOBER TERM, 1974

No. 9, Original

UNITED STATES OF AMERICA, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.

PROPOSED SUPPLEMENTAL DECREE

PROPOSED DECREE

On March 17, 1975, this Court overruled the exceptions of the United States and the State of Louisiana to the Report and recommendations of the Special Master, accepted the Report of the Special Master and directed the parties "to prepare and file a decree, for entry by this Court, establishing 'a baseline along the entire coast of the State of Louisiana from which the extent of the territorial waters under the jurisdiction of the State of Louisiana pursuant to the Submerged Lands Act can be measured.' " The parties have agreed on a proposed decree establishing the coastline (baseline) of Louisiana in accordance with the Court's decision of March 17, 1975. That baseline is described in Exhibit A below. Accordingly:

It is ordered, adjudged and decreed:

1. As against the defendant State of Louisiana and all persons claiming under it, the United States has exclusive rights to explore the area of the Continental Shelf lying more than three geographical miles seaward of the line described in Exhibit A hereof, and to exploit the natural resources of said area and the State of Louisiana is not entitled to any interest in such lands, minerals, and resources, and said State, its privies, assigns, lessees, and other persons claiming under it are hereby enjoined from interfering with the rights of the United States in such lands, minerals and resources.

2. All sums now held impounded by the United States under the Interim Agreement of October 12, 1956, as amended, and derived from leases of lands lying wholly within the area referred to in paragraph 1 hereof are hereby released to the United States absolutely, and in accordance with the terms of the Interim Agreement, as amended, and the United States is hereby relieved of any obligation under said Agreement to impound any sums hereafter received by it from leases of lands lying wholly within said area.

3. As against the plaintiff United States and all persons claiming under it, the State of Louisiana has exclusive rights to explore the area lying within three geographical miles seaward of its coastline described in Exhibit A hereof, and to exploit the natural resources of said area, with the exceptions provided by Section 5 of the Submerged Lands Act, 67 Stat. 32, 43 U.S.C. 1313. The United States is not entitled to any interest in such lands, minerals, and resources and said United States, its privies, assigns, lessees and other

persons claiming under it are hereby enjoined from interfering with the rights of the State of Louisiana in such lands, minerals and resources.

4. All sums now held impounded by the State of Louisiana under the Interim Agreement of October 12, 1956, as amended, derived from leases of lands lying wholly within the area referred to in paragraph 3 hereof are hereby released to Louisiana in accordance with the Interim Agreement of 1956, as amended, and Louisiana is hereby relieved of any obligation under said Agreement to impound any sums hereafter received by it from leases of lands lying wholly within said area.

5. Within 90 days after the entry of the Decree—

(a) The State of Louisiana shall pay to the United States or other persons entitled thereto under the Interim Agreement of October 12, 1956, as amended, all sums, if any, now held impounded by the State of Louisiana under said Agreement, derived from or attributable to the lands, minerals or resources described in paragraph 1 hereof;

(b) The United States shall pay to the State of Louisiana or other persons entitled thereto under the Interim Agreement, as amended, all sums, if any, now held impounded by the United States under said Agreement, derived from or attributable to the lands, minerals or resources described in paragraph 3 hereof;

(c) Failure of either party to agree on correctness of the sums due the other shall in no way be reason to retard payment of sums which are admittedly due by the paying party's own calculations.

6. Within 60 days after the entry of this Decree—

(a) The State of Louisiana shall render to the United States and file with the Court a true, full, accurate and appropriate account of any and all other sums of money derived by the State of Louisiana since June 5, 1950, either by sale, leasing, licensing, exploitation or otherwise from or on account of any of the lands, minerals or resources described in paragraph 1 hereof;

(b) The United States shall render to the State of Louisiana and file with the Court a true, full, accurate and appropriate account of any and all other sums of money derived by the United States either by sale, leasing, licensing, exploitation or otherwise from or on account of the lands, minerals or resources described in paragraph 3 hereof;

(c) Within 60 days after receiving the account provided for by paragraph 6(a) or 6(b) hereof, a party may serve on the other and file with the Court its objections thereto. Thereafter either party may file such motion or motions at such time as may be appropriate to have the account settled in conjunction with the issues concerning the areas still in dispute. If neither party files such an objection within 60 days, then each party shall forthwith pay to any third person any amount shown by such accounts to be payable by it to such person, and the party whose obligation to the other party is shown by such accounts to be the greater shall forthwith pay to the other party the net balance so shown to be due. If objections are filed but any undisputed net balance is shown which will be due from one party to the other party or to any third

person regardless of what may be the ultimate ruling on the objections, the party so shown to be under any such obligation shall forthwith pay each such undisputed balance to the other party or other person so shown to be entitled thereto. The payments directed by paragraphs 5(a) and 5(b) hereof shall be made irrespective of the accountings provided for by paragraphs 6(a) and 6(b).

7. All sums heretofore impounded pursuant to the Interim Agreement of 1956, as amended, shall be fully accounted for and paid within the 90 days provided in paragraph 5, except as to split leases that accounting and payment may be deferred on royalty revenue from (a) non-unitized wells with completion points at unidentified locations or locations controverted by the parties; and (b) units partially shoreward of the three-mile boundary as to which there is no present agreement that participation is on a surface acreage basis.

Funds from split leases not accounted for and paid pursuant to the preceding sentence shall be the subject of the accounting to follow the next decree of this Court in this case, unless the parties agree on a prior distribution.

Except as provided above for accountings and payment, pending further order of the Court, leases of land lying partly within three miles of the line described in paragraph 9 hereof shall be in no way affected by anything contained in this Decree.

8. The parties may by agreement modify the time for accounting and payment in whole or part as the progress of technical work may indicate is necessary.

It is understood that the parties may be unable to agree on whether offsets are permitted or whether interest may be due on funds impounded pursuant to the Interim Agreement of October 12, 1956, or upon calculations or audits, and these issues, as well as others not expressly treated herein, shall in no way be affected by this Decree.

9. The coastline or baseline referred to in paragraphs 1 and 3, ante, is described by coordinates in the Louisiana plane coordinate system, south zone, as set forth in Exhibit A, appended to this Decree. This coastline supersedes all prior coastline descriptions of former decrees in this case and is the past and present coastline and shall constitute the coastline as of the date of the final decree in this case.

10. Notwithstanding the provisions of paragraph 9, for limited time periods relevant to this Decree, certain of the points or lines contained in the above baseline description were not part of the Louisiana coastline, and for other periods additional points or lines must be added to that coastline. These variations are described in Exhibit B, which for the sectors and times given, describes portions of the baseline. Otherwise, the Louisiana coastline is to be taken as the same as the present coastline for all relevant times and purposes.

11. The parties are directed to establish lines three geographical miles seaward of the coastlines described in Exhibits A and B to be employed in accountings and submitted in the proposed final decree hereafter, delimiting the seaward limit of the State of Louisiana's rights under the Submerged Lands Act.

The parties are directed to prepare a final decree for entry by this court in the near future resolving the additional issues required to be dealt with that this litigation may be terminated, to include, but not necessarily be limited to, matters related to unresolved issues, if any, concerning accountings and payments, offset claims, payments to others, ambulatory boundary complexities or administrative problems.

12. The Court retains jurisdiction to entertain such further proceedings, enter such orders and issue such writs as may from time to time be deemed necessary or advisable to give proper force and effect to its previous orders or decrees herein or to this decree or to effectuate the rights of the parties in the premises.

13. Nothing in this decree nor in the proceedings leading to it shall prejudice any rights, claims or defenses of the State of Louisiana as to its maritime lateral boundaries with the States of Mississippi and Texas, which boundaries are not at issue in this litigation. Nor shall the United States in any way be prejudiced hereby as to such matters. Nor shall anything in this decree prejudice or modify the rights and obligations under any contracts or agreements, not inconsistent with this decree, between the parties or between a party and a third party, especially, but not limited to, the Interim Agreement of October 12, 1956, as amended, which agreement remains in effect except as explicitly modified hereby.

EXHIBIT A

	X	Y
A LINE FROM-----	2752565	568525
THROUGH-----	2775787	513796
THROUGH-----	2777512	513071
THROUGH-----	2779032	512013
THROUGH-----	2780766	510417
THROUGH-----	2782059	508914
THROUGH-----	2784689	505455
THROUGH-----	2788518	498898
THROUGH-----	2790051	496115
THROUGH-----	2791690	491970
THROUGH-----	2794789	481712
THROUGH-----	2796202	475864
THROUGH-----	2797209	468763
THROUGH-----	2797456	463898
THROUGH-----	2797455	458119
THROUGH-----	2797067	452190
THROUGH-----	2795853	442333
THROUGH-----	2794722	436006
THROUGH-----	2793260	430155
THROUGH-----	2790415	420878
THROUGH-----	2788165	414646
THROUGH-----	2786724	410834
THROUGH-----	2783250	403219
THROUGH-----	2779673	397140
THROUGH-----	2777922	394224
THROUGH-----	2776487	392403
THROUGH-----	2775343	391771
THROUGH-----	2774819	390716
THROUGH-----	2774670	390293
THROUGH-----	2773972	389724
THROUGH-----	2772541	387391
THROUGH-----	2770599	383887
THROUGH-----	2768775	381521
THROUGH-----	2768031	380244

	X	Y
THROUGH-----	2767052	379676
THROUGH-----	2766408	378524
THROUGH-----	2761138	371491
THROUGH-----	2758093	367862
THROUGH-----	2757465	366796
THROUGH-----	2755709	364596
THROUGH-----	2755015	363480
THROUGH-----	2749221	357797
THROUGH-----	2746309	355438
THROUGH-----	2744222	354125
THROUGH-----	2743352	353794
THROUGH-----	2742583	353754
THROUGH-----	2727653	334120
THROUGH-----	2726852	333103
THROUGH-----	2723975	330868
THROUGH-----	2722321	329172
THROUGH-----	2720696	326779
THROUGH-----	2717012	320677
THROUGH-----	2715236	318391
THROUGH-----	2714633	317731
THROUGH-----	2713324	316801
THROUGH-----	2711772	316107
THROUGH-----	2710380	315995
THROUGH-----	2689683	308890
THROUGH-----	2689514	307841
THROUGH-----	2688390	304545
THROUGH-----	2687610	301648
THROUGH-----	2687014	300054
THROUGH-----	2685058	297573
THROUGH-----	2683264	296069
THROUGH-----	2680880	294918
THROUGH-----	2678009	294303
TO-----	2681915	257755
A POINT AT-----	2688235	252215
A POINT AT-----	2689305	250395
A POINT AT-----	2700735	234640
A POINT AT-----	2701500	232820
A POINT AT-----	2707635	223640

	X	Y
A LINE FROM-----	2709100	220995
TO-----	2734900	209275
A POINT AT-----	2737065	210155
A POINT AT-----	2738320	210230
A POINT AT-----	2738938	209975
A POINT AT-----	2750755	206535
A POINT AT-----	2755325	204680
A POINT AT-----	2755178	203815
A POINT AT-----	2754100	186915
A POINT AT-----	2754263	186316
A POINT AT-----	2753885	183460
A POINT AT-----	2752470	182170
A POINT AT-----	2751045	181305
A POINT AT-----	2750586	181270
A POINT AT-----	2736662	175902
A LINE FROM-----	2734720	174030
TO-----	2733040	172295
A LINE FROM-----	2728153	162005
TO-----	2727215	156890
A POINT AT-----	2726951	150846
A POINT AT-----	2726105	148530
A POINT AT-----	2724850	148150
A LINE FROM-----	2725550	153430
TO-----	2724419	152060
A LINE FROM-----	2724314	151595
THROUGH-----	2702461	124148
TO-----	2701735	123905
A POINT AT-----	2699435	118600
A POINT AT-----	2699815	116800
A POINT AT-----	2699695	116700
A LINE FROM-----	2697850	117200
THROUGH-----	2697510	117648
TO-----	2697300	118500
A POINT AT-----	2685325	133800
A LINE FROM-----	2682605	136895
THROUGH-----	2678500	139250
TO-----	2673482	141245
A LINE FROM-----	2672315	141745

	X	Y
THROUGH-----	2644940	134910
THROUGH-----	2641835	129725
THROUGH-----	2639545	126825
THROUGH-----	2638945	126780
THROUGH-----	2635800	123995
THROUGH-----	2633755	121760
THROUGH-----	2630660	116450
THROUGH-----	2628680	113190
THROUGH-----	2625550	109560
THROUGH-----	2624995	108700
THROUGH-----	2624760	108445
THROUGH-----	2624045	107660
THROUGH-----	2621925	105355
THROUGH-----	2620655	104065
THROUGH-----	2618380	102265
THROUGH-----	2615885	99131
THROUGH-----	2615196	98279
THROUGH-----	2611843	94130
THROUGH-----	2610160	92050
THROUGH-----	2609785	91750
THROUGH-----	2609180	91445
THROUGH-----	2607290	93040
THROUGH-----	2607400	93175
THROUGH-----	2607455	93710
THROUGH-----	2608665	95870
THROUGH-----	2610650	98640
TO-----	2614224	105206
A POINT AT-----	2614270	110615
A POINT AT-----	2614553	111404
A LINE FROM-----	2615475	113900
THROUGH-----	2615450	157770
THROUGH-----	2615135	159890
THROUGH-----	2614790	160765
THROUGH-----	2614865	161005
THROUGH-----	2613550	164745
THROUGH-----	2613585	166700
THROUGH-----	2613485	167600

	X	Y
THROUGH-----	2613960	170145
THROUGH-----	2614070	171910
TO-----	2611490	176505
A POINT AT-----	2610755	176310
A POINT AT-----	2609880	177025
A LINE FROM-----	2608270	178325
THROUGH-----	2607710	178665
THROUGH-----	2606370	180190
THROUGH-----	2605125	182710
TO-----	2605025	183315
A LINE FROM-----	2604220	184790
THROUGH-----	2603355	186915
THROUGH-----	2602860	188615
THROUGH-----	2602425	189395
THROUGH-----	2601940	190595
THROUGH-----	2600780	192900
THROUGH-----	2598335	196450
THROUGH-----	2594900	199935
THROUGH-----	2593875	201260
THROUGH-----	2593340	201660
THROUGH-----	2590100	203860
THROUGH-----	2589100	204125
TO-----	2587400	205250
A LINE FROM-----	2585000	206975
THROUGH-----	2583790	207010
THROUGH-----	2576450	210023
THROUGH-----	2576174	209790
THROUGH-----	2575992	210090
THROUGH-----	2574890	210450
THROUGH-----	2574712	210767
THROUGH-----	2571725	211744
THROUGH-----	2568736	212548
THROUGH-----	2566991	212986
TO-----	2565940	212988

	X	Y
A LINE FROM-----	2563010	214045
THROUGH-----	2562149	214046
THROUGH-----	2561385	214258
TO-----	2556172	215383
A LINE FROM-----	2550402	216158
THROUGH-----	2406890	189733
THROUGH-----	2398175	182359
THROUGH-----	2393610	178130
THROUGH-----	2385833	171938
THROUGH-----	2381527	168671
THROUGH-----	2376521	164696
TO-----	2374875	163200
A POINT AT-----	2376485	164409
A LINE FROM-----	2374875	163200
THROUGH-----	2373613	162597
THROUGH-----	2369709	160120
TO-----	2367695	158943
A LINE FROM-----	2366789	158537
THROUGH-----	2365337	157918
TO-----	2364392	157349
A LINE FROM-----	2362830	157339
TO-----	2356733	154323
A LINE FROM-----	2354070	152599
TO-----	2353875	152659
A LINE FROM-----	2347871	153564
THROUGH-----	2342108	151526
TO-----	2339651	150598
A LINE FROM-----	2337450	149987
THROUGH-----	2335471	149301
THROUGH-----	2327933	146251
THROUGH-----	2322466	144396
TO-----	2320164	143811

	X	Y
A LINE FROM-----	2319608	143421
THROUGH-----	2317663	142869
THROUGH-----	2313902	141865
THROUGH-----	2312204	141813
THROUGH-----	2310546	141903
THROUGH-----	2308532	142401
THROUGH-----	2307414	143059
THROUGH-----	2306697	143789
THROUGH-----	2300326	139954
THROUGH-----	2298538	139073
THROUGH-----	2296041	138519
THROUGH-----	2295144	138550
THROUGH-----	2294383	138846
THROUGH-----	2293148	139498
THROUGH-----	2291503	139861
THROUGH-----	2286402	140499
THROUGH-----	2281202	141484
THROUGH-----	2274749	143161
THROUGH-----	2270205	145091
THROUGH-----	2264450	147674
THROUGH-----	2260236	150105
THROUGH-----	2256191	151946
THROUGH-----	2254031	153153
THROUGH-----	2253306	154102
THROUGH-----	2222957	146695
THROUGH-----	2221937	146004
THROUGH-----	2219935	144971
THROUGH-----	2218146	144160
THROUGH-----	2215009	143380
THROUGH-----	2207126	141266
THROUGH-----	2198296	138515
THROUGH-----	2192330	136944
THROUGH-----	2186596	135997
THROUGH-----	2184788	135611
THROUGH-----	2183331	135653
THROUGH-----	2182166	135368
THROUGH-----	2180645	135457
THROUGH-----	2179937	135695
THROUGH-----	2170035	135500

	X	Y
THROUGH.....	2169680	135315
THROUGH.....	2167836	134922
TO.....	2164477	134753
A LINE FROM.....	2162430	135112
TO.....	2157920	135521
A POINT AT.....	2155349	135847
A LINE FROM.....	2148929	136962
THROUGH.....	2147751	136599
THROUGH.....	2143589	136276
THROUGH.....	2139529	136276
TO.....	2138231	136387
A LINE FROM.....	2134210	136726
THROUGH.....	2133089	136940
THROUGH.....	2128819	138694
THROUGH.....	2126697	139353
THROUGH.....	2122523	140238
THROUGH.....	2118829	141971
THROUGH.....	2118065	142532
THROUGH.....	2117317	143491
TO.....	2117632	143583
A POINT AT.....	2131078	175500
A POINT AT.....	2128430	178049
A POINT AT.....	2127239	179020
A POINT AT.....	2124878	180545
A POINT AT.....	2111697	183677
A POINT AT.....	2106412	183216
A LINE FROM.....	2103313	183605
THROUGH.....	2102167	184610
THROUGH.....	2100222	185315
THROUGH.....	2099609	185125
THROUGH.....	2098954	185105
THROUGH.....	2087767	187497
THROUGH.....	2087027	187342
THROUGH.....	2086261	187177
TO.....	2085370	187372

	X	Y
A LINE FROM-----	2077417	189409
THROUGH-----	2076201	189799
TO-----	2075295	190530
A POINT AT-----	2071131	195080
A LINE FROM-----	2062055	199555
THROUGH-----	2058700	200495
THROUGH-----	2057430	200980
THROUGH-----	2055610	201415
THROUGH-----	2054750	201215
THROUGH-----	2053190	201320
THROUGH-----	2051090	201230
THROUGH-----	2049230	201255
THROUGH-----	2045960	201470
THROUGH-----	2042475	201660
THROUGH-----	2037075	203200
THROUGH-----	2035775	203405
THROUGH-----	2033385	204235
THROUGH-----	2029630	205680
THROUGH-----	2026640	206660
THROUGH-----	2023042	208270
THROUGH-----	2021155	208850
THROUGH-----	2017453	210475
THROUGH-----	2016243	211245
THROUGH-----	2014384	213268
THROUGH-----	2010960	216566
THROUGH-----	2008873	218388
THROUGH-----	2008058	219434
THROUGH-----	2006991	221401
THROUGH-----	2006256	222432
THROUGH-----	2004384	224474
THROUGH-----	2000030	228573
THROUGH-----	1998568	230370
THROUGH-----	1996506	233983
TO-----	1995220	235805
A POINT AT-----	1987818	240892
A POINT AT-----	1987371	241272

	X	Y
A LINE FROM-----	1993420	241930
TO-----	1863474	298772
A POINT AT-----	1933172	264238
A POINT AT-----	1924399	268936
A POINT AT-----	1914373	270380
A POINT AT-----	1896827	275747
A POINT AT-----	1882306	270590
A POINT AT-----	1872418	277460
A POINT AT-----	1843467	275912
A POINT AT-----	1835344	270839
A POINT AT-----	1834019	270301
A POINT AT-----	1833527	271423
A POINT AT-----	1820994	291804
A POINT AT-----	1809845	296285
A POINT AT-----	1791584	307545
A POINT AT-----	1783067	321331
A POINT AT-----	1782391	321876
A POINT AT-----	1778769	324757
A LINE FROM-----	1763190	333540
TO-----	1762420	333590
A POINT AT-----	1758630	333490
A LINE FROM-----	1755535	335045
THROUGH-----	1748380	334810
THROUGH-----	1743691	334373
THROUGH-----	1738236	333686
THROUGH-----	1735850	333066
THROUGH-----	1730831	330886
THROUGH-----	1726542	329268
THROUGH-----	1724713	328326
THROUGH-----	1722884	327774
THROUGH-----	1721682	327214
THROUGH-----	1720140	326402
THROUGH-----	1717114	324303
THROUGH-----	1711532	320881
THROUGH-----	1709968	319818
THROUGH-----	1708756	318661

	X	Y
THROUGH.....	1706790	317870
THROUGH.....	1703080	316885
THROUGH.....	1700680	316390
THROUGH.....	1696359	315965
THROUGH.....	1692568	315990
THROUGH.....	1689980	316170
THROUGH.....	1687270	316510
THROUGH.....	1678543	318408
THROUGH.....	1675346	319196
THROUGH.....	1671018	320396
THROUGH.....	1669012	321069
THROUGH.....	1667091	321595
THROUGH.....	1665833	321916
THROUGH.....	1663290	322457
THROUGH.....	1659960	323169
THROUGH.....	1658887	323134
THROUGH.....	1657050	323540
THROUGH.....	1655896	323305
THROUGH.....	1653430	323751
THROUGH.....	1651294	324333
THROUGH.....	1650220	324644
THROUGH.....	1649308	324684
THROUGH.....	1648656	324985
THROUGH.....	1639027	326645
THROUGH.....	1629147	327939
THROUGH.....	1622420	328555
THROUGH.....	1617090	329300
THROUGH.....	1616760	329510
THROUGH.....	1613190	329780
THROUGH.....	1609300	330480
THROUGH.....	1608080	330835
THROUGH.....	1605965	331030
THROUGH.....	1605565	331280
THROUGH.....	1603140	331540
THROUGH.....	1600765	332140
THROUGH.....	1599740	332390
THROUGH.....	1595210	333090
THROUGH.....	1594770	333270
THROUGH.....	1594075	333290

	X	Y
THROUGH	1593910	333645
THROUGH	1593010	333520
THROUGH	1591685	333785
THROUGH	1589460	334525
THROUGH	1586780	335220
THROUGH	1581450	336800
THROUGH	1576170	338670
THROUGH	1571630	340335
THROUGH	1570480	340905
THROUGH	1567695	341990
THROUGH	1566890	342490
THROUGH	1566375	342810
THROUGH	1564160	343480
THROUGH	1562680	344195
THROUGH	1558720	345375
THROUGH	1555105	346865
THROUGH	1553840	347150
THROUGH	1551670	348170
THROUGH	1550645	349050
THROUGH	1546740	350600
THROUGH	1546195	350910
THROUGH	1539270	354040
THROUGH	1536505	355610
THROUGH	1536245	356080
THROUGH	1535690	356465
THROUGH	1532515	357575
THROUGH	1531970	358030
THROUGH	1531240	358190
THROUGH	1524550	361675
THROUGH	1513280	366930
THROUGH	1502470	372625
THROUGH	1496700	375770
THROUGH	1492040	378110
THROUGH	1489725	379370
THROUGH	1479730	384090
THROUGH	1471240	387390
THROUGH	1467685	388820
THROUGH	1460435	391260
THROUGH	1454105	393050

	X	Y
THROUGH -----	1449935	394700
THROUGH -----	1444715	396930
THROUGH -----	1441485	398150
TO -----	1436899	399820
A LINE FROM -----	1431526	400742
THROUGH -----	1431465	400740
TO -----	1429020	401485
A LINE FROM -----	1429035	401760
THROUGH -----	1425600	402610
THROUGH -----	1424630	403175
THROUGH -----	1416365	405700
THROUGH -----	1410175	407090
THROUGH -----	1402525	408365
THROUGH -----	1397220	408870
THROUGH -----	1392000	409180
THROUGH -----	1391954	409243
THROUGH -----	1386636	409216
THROUGH -----	1383990	409136
THROUGH -----	1380235	408500
THROUGH -----	1376515	407966
TO -----	1372945	406862
A LINE FROM -----	1363392	397870
TO -----	1362416	397822
A LINE FROM -----	1354310	403875
THROUGH -----	1351162	404620
THROUGH -----	1341917	405967
THROUGH -----	1333745	406888
THROUGH -----	1328473	407126
THROUGH -----	1323205	407138
THROUGH -----	1317944	407045
THROUGH -----	1312617	406742
THROUGH -----	1307312	406260
THROUGH -----	1296747	405049
THROUGH -----	1291413	404205
THROUGH -----	1286154	403467
THROUGH -----	1280760	402836

	X	Y
THROUGH-----	1275467	402375
THROUGH-----	1264910	401500
THROUGH-----	1259600	400971
THROUGH-----	1254211	400226
THROUGH-----	1248971	399421
THROUGH-----	1243670	398400
THROUGH-----	1240260	397840
THROUGH-----	1235668	396741
THROUGH-----	1233256	395989
THROUGH-----	1228846	394497
THROUGH-----	1228772	394775
THROUGH-----	1226444	393922
THROUGH-----	1225768	393281
THROUGH-----	1225421	393370
THROUGH-----	1219698	390746
THROUGH-----	1219065	390227
THROUGH-----	1217536	389445
THROUGH-----	1217089	389513
THROUGH-----	1216582	389216
TO-----	1215615	388263
A LINE FROM-----	1206795	378672
THROUGH-----	1209227	364245
TO-----	1208456	363990

1208456 363990
 1209227 364245
 1206795 378672
 1215615 388263
 1216582 389216
 1217089 389513
 1217536 389445
 1219065 390227
 1219698 390746
 1225421 393370
 1225768 393281
 1226444 393922
 1228772 394775
 1228846 394497
 1233256 395989
 1235668 396741
 1240260 397840
 1243670 398400
 1248971 399421
 1254211 400226
 1259600 400971
 1264910 401500
 1275467 402375

EXHIBIT B

From January, 1961 to December, 1969, the baseline in the East Bay vicinity from point X=2699435, Y=118600 to point X=2644940, Y=134910 deviates from the present baseline and may be described as follows:

A point at.....	X=2699815	Y=116800
A point at.....	X=2699695	Y=116700
A line from.....	X=2697850	Y=117200
Through	X=2697510	Y=117648
To	X=2697300	Y=118500
A line from.....	X=2687638	Y=130705
Through	X=2685250	Y=131590
Through	X=2684417	Y=131957
Through	X=2683850	Y=132390
Through	X=2682580	Y=133325
Through	X=2681624	Y=134128
Through	X=2677650	Y=138050
Through	X=2644940	Y=134910

Prior to January, 1961 the baseline in the East Bay vicinity from point X=2699435, Y=118600 to point X=2644940, Y=134910 deviates from the present baseline and may be described as follows:

A point at.....	X=2699435	Y=118600
A line from.....	X=2697850	Y=117200
Through	X=2697510	Y=117648
To	X=2697300	Y=118500
A line from.....	X=2687638	Y=130705
Through	X=2685250	Y=131590
Through	X=2684417	Y=131957
Through	X=2683850	Y=132390
Through	X=2682580	Y=133325
Through	X=2681624	Y=134128
Through	X=2677650	Y=138050
Through	X=2644940	Y=134910

Prior to December 6, 1969 the baseline in the Pass du Bois vicinity from point X=2615450, Y=157770

to point $X=2613550$, $Y=164745$ deviates from the present baseline and may be described as follows:

A point at-----	$x=2615151$, $y=158006$
A point at-----	$x=2612771$, $y=162310$
A point at-----	$x=2612120$, $y=164118$

From November 19, 1959 to February 1, 1960 the baseline in the Pass Tante Phine vicinity from point:

$X=2606370$, $Y=180190$ to point $X=2598335$,
 $Y=196450$

deviates from the present baseline and may be described as follows:

A point at $X=2602000$, $Y=183535$

From January 1, 1959 through March 31, 1959 and from March 1, 1964 through July 31, 1964 the baseline North of Pass Tante Phine from point $X=2605025$, $Y=183315$ to point $X=2600780$, $Y=192900$ deviates from the present baseline and may be described as follows:

A point at $X=2602763$, $Y=186885$.

In the Supreme Court of the United States

OCTOBER TERM, 1974

No. 9, Original

UNITED STATES OF AMERICA, PLAINTIFF

v.

STATE OF LOUISIANA, ET AL.

MEMORANDUM IN SUPPORT OF JOINT MOTION FOR A SUPPLEMENTAL DECREE

On March 17, 1975, this Court accepted the recommendations of the Special Master and directed that the parties prepare a decree establishing "a baseline along the entire coast of the State of Louisiana from which the extent of the territorial waters under the jurisdiction of the State of Louisiana pursuant to the Submerged Lands Act can be measured." The proposed decree submitted herewith does this.

The problems existing between the parties cannot be totally resolved by a decree simply fixing the baseline. That is why prior partial decrees have employed three-mile projection technical descriptions, required judicial accountings, allotted time for technical or administrative work to proceed for such matters to be amicably resolved, or made certain exceptions, *e.g.*, as to leases lying partly landward and partly seaward

of the three-mile projection of the baseline, herein called split leases. The proposed decree fixing the baseline will facilitate a three-mile projection agreement and enable partial accountings and payment of funds while continuing the Interim Agreement of October 12, 1956, as amended, in effect pending further technical work and negotiations on the more complex split lease problems and other technically difficult questions. The parties are hopeful that these remaining questions can be resolved in advance of submitting a final decree for consideration next Term; or, in the event of disagreement, they will be presented to the Special Master, pursuant to the Court's opinion of March 17, 1975.

EXPLANATION OF THE PROPOSED DECREE

Paragraphs 1 through 4 of the proposed decree are patterned after corresponding provisions of prior decrees, which partially adjudicated aspects of the controversy, but did not constitute a total or final decree. Paragraphs 1 and 3 adjudicate title; paragraphs 2 and 4 release leases lying wholly within the adjudicated areas to be released from revenue impoundment obligations and authorize self payment of those funds impounded by each government which belong to it under the Court's ruling. These provisions shall also enable leasing of formerly litigated lands, and receipt of new lease revenues by the owner, pending rendition of a final decree in the case.

Paragraph 5 makes provisions for accountings and payments as to impounded funds held by each government but payable to the other.

Paragraph 6 provides for accountings and payments of nonimpounded funds which may be payable by one government to the other or to third persons.

Paragraph 7 provides exceptions to accounting provisions for the special problems presented by split leases. Such leases create technical difficulties which might slow down accounting provisions if special provisions were not made.

Paragraph 8 permits the parties to modify the timetable for accounting payments provided in the decree. This provision is especially important since minor modifications of time may enable the completion of technical work and negotiations which avoid further controversy. Additionally, paragraph 8 provides that present or future differences between the parties not expressly treated by the decree, are not prejudiced by the decree.

Paragraph 9 describes the coastline or baseline by reference to the technical appendix, Exhibit A, and explains that this is a present and former coastline, with the exceptions noted in paragraph 10.

Paragraph 10 describes relevant former coastline variations, by reference to another technical appendix, Exhibit B. Exhibits A and B avoid cluttering the body of the decree with many pages of numbers and surveying calls which might be incomprehensible to nontechnical personnel and would interrupt the continuity of the text of the decree, a problem that users of former decrees have noted. Nonetheless, the publication of these descriptions as appendices or exhibits is essential because widespread dissemination of tech-

nical data is frequently employed by state and federal agencies and the oil and gas industries.

Paragraph 11 recognizes the necessity of a precise description of the three-mile line. Three-mile lines have been partially described in other decrees. Minor corrections are needed, recounting the mathematics to the nearest foot and doing away with a 1-foot hiatus in former technical descriptions. There is no present controversy about the system for constructing the three-mile line and the parties are near total agreement on the voluminous details required for a final decision and for the accountings and payments required by the decree. However, necessary technical checks are not yet complete, and due to the Court's imminent adjournment, we have not included them in the proposed form of the decree. This provision does, however, mandate that the parties establish these lines and submit them in a final decree, which should also deal with several matters which may require considerably more negotiation, but which are unrelated to proceeding with accountings and payments.

Paragraph 12 repeats a provision of a former partial decree, reserving jurisdiction.

Paragraph 13 is a self-explanatory, nonprejudice clause as to unrelated matters.

The parties will enter into a stipulation either concurrently with submission of this motion and proposed decree, or shortly thereafter after agreeing on three-mile projection descriptions and accounting details. It is expected that the agreed form of a final decree will be submitted before the end of 1975.

It would be desirable for the presently submitted decree to be entered prior to the Court's adjournment to facilitate financial disbursements and to expedite oil and gas leasing of importance to the United States and Louisiana.

CONCLUSION

For the foregoing reasons, a decree should be entered in the form herein proposed.

Respectfully submitted.

WILLIAM J. GUSTE, JR., <i>Attorney General.</i>	ROBERT H. BORK, <i>Solicitor General.</i>
PAUL M. HEBERT, VICTOR A. SACHSE, OLIVER P. STOCKWELL, FREDERICK W. ELLIS, WILLIAM E. SHADDOCK, <i>Special Assistant</i> <i>Attorneys General.</i>	WALLACE H. JOHNSON, <i>Assistant</i> <i>Attorney General.</i> LOUIS F. CLAIBORNE, <i>Assistant to the</i> <i>Solicitor General.</i>
NORA K. DUNCAN, <i>Staff Attorney.</i>	BRUCE C. RASHKOW, MICHAEL W. REED, <i>Attorneys.</i>

JUNE 1975.

