

No. 36, Original

**In the
Supreme Court of the United States**
OCTOBER TERM, 1969

THE STATE OF TEXAS,

Plaintiff,

v.

THE STATE OF LOUISIANA,

Defendant.

**MOTION OF THE STATE OF LOUISIANA FOR
LEAVE TO FILE APPLICATION FOR TEMPO-
RARY RESTRAINING ORDER, PRELIMINARY
INJUNCTION AND PERMANENT INJUNCTION
AGAINST THE STATE OF TEXAS, AND MOTION
BY THE STATE OF LOUISIANA FOR TEMPO-
RARY RESTRAINING ORDER, PRELIMINARY
INJUNCTION AND PERMANENT INJUNCTION
AGAINST THE STATE OF TEXAS**

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INDEX

| | PAGE |
|---|------|
| MOTION OF THE STATE OF LOUISIANA FOR LEAVE TO FILE APPLICATION FOR TEMPORARY RESTRAINING OR- DER, PRELIMINARY INJUNCTION AND PERMANENT INJUNCTION AGAINST THE STATE OF TEXAS | 1 |
| MOTION OF THE STATE OF LOUISIANA FOR TEMPORARY RESTRAINING OR- DER, PRELIMINARY INJUNCTION AND PERMANENT INJUNCTION AGAINST THE STATE OF TEXAS | 3 |
| STATEMENT IN SUPPORT OF MOTIONS | 3-10 |
| VERIFICATION | 11 |
| CERTIFICATE | 12 |
| APPENDIX | |
| I. Notice for bids by General Land Office, State of Texas | 13 |
| II. Schedule of tracts offered by General Land Office, State of Texas | 16 |
| III. Sketch of total acreage and square miles in dispute between State of Texas and State of Louisiana as to gulfward extension of Sabine boundary | 17 |
| IV. Plat showing tracts offered by General Land Office, State of Texas | 18 |
| V. Letter of September 17, 1973, from Oliver P. Stockwell, Special Assistant Attorney | |

| | PAGE |
|--|------|
| General, State of Louisiana, to Mr. Larry F. York, First Assistant Attorney General, State of Texas | 19 |
| VI. Resolution by the State Mineral Board for the State of Louisiana protesting the pro- posed leasing of certain submerged lands by the State of Texas | 21 |

CITATIONS

| | |
|---|------|
| <i>State of Texas vs. State of Louisiana</i> , 93 S. Ct. 1215 (1973) | 5, 6 |
|---|------|

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AGAINST THE STATE OF TEXAS

MOTION FOR LEAVE TO FILE

The State of Louisiana (Louisiana), by its Attorney General, asks for leave of the Court to file its motion for temporary restraining order, preliminary injunction and permanent injunction against the State of Texas (Texas) restraining Texas from leasing for oil, gas and other mineral purposes lands and water bottoms in the area in dispute between Texas and Louisiana and Texas and the United States, pending a final determination of the lateral boundary in the

Gulf of Mexico between Texas and Louisiana and between Texas and the United States.

Respectfully submitted,

WILLIAM J. GUSTE, JR.

Attorney General of the
State of Louisiana

By _____

Oliver P. Stockwell

Special Assistant

Attorney General

**MOTION OF THE STATE OF LOUISIANA FOR
TEMPORARY RESTRAINING ORDER, PRELIMINARY
INJUNCTION AND PERMANENT INJUNC-
TION AGAINST THE STATE OF TEXAS**

Now comes the State of Louisiana (Louisiana), defendant in the above entitled cause, and moves this Court for a temporary restraining order, preliminary injunction and permanent injunction against the State of Texas (Texas) enjoining it from leasing for oil, gas and mineral purposes lands and water bottoms offshore in the Gulf of Mexico in the area in dispute between Texas and Louisiana and Texas and the United States pending the final location and establishment of the offshore lateral boundary between Texas and Louisiana and between Texas and the United States.

STATEMENT IN SUPPORT OF MOTION

1.

On the 25th day of June, 1973, this Court referred to the Honorable Robert Van Pelt, United States District Judge, as Special Master, the question as to whether or not the original reference to him in this case should be enlarged to permit him to establish the lateral boundary in the Gulf of Mexico between Texas, Louisiana and the United States.

2.

The Special Master requested representatives of Texas, United States and Louisiana to file memoranda with him in support of or in opposition to enlarging the reference. After receiving responses from the vari-

ous parties the Special Master, on or about the 14th day of September, 1973, filed with this Court a report recommending that his reference be enlarged to settle the lateral boundary between Texas, Louisiana and the United States in the Gulf of Mexico.

3.

On August 8, 1973, the School and Land Board of Texas authorized the Commissioner of the General Land Office of Texas, to advertise for bids for oil, gas and mineral leases on certain lands in the Gulf of Mexico, as is shown by copy of the notice attached to this motion as Appendix I.

4.

The bids are to be received in Austin, Texas on October 2, 1973.

5.

Bids were sought on certain lands in the Gulf of Mexico, including their Tracts Numbers 1263, 1264, 1265, 1266, 1272 and 1273, which, according to the information developed by Louisiana, involve portions of the water bottoms which Louisiana contends fall within its Gulfward boundaries, said Tract Numbers being shown on document attached to this motion as Appendix II.

6.

The exact point from which the lateral boundary of Louisiana is to be projected in the Gulf of Mexico has not as yet been located in accordance with the

opinion of this Court dated the 20th day of March, 1973.¹

7.

Louisiana maintains that when the point has been established from which the lateral boundary is to be extended into the Gulf of Mexico between Louisiana, Texas and the United States, the line should be projected Southerly from said point on Louisiana's coastline three geographical miles.

8.

Texas has recognized a dispute exists concerning the location of the lateral boundary in the Gulf of Mexico between Louisiana and Texas and Texas and the United States, for among material furnished recently to Louisiana by Texas there was a map showing Texas' appreciation of this dispute, a copy of said map being attached to this motion as Appendix III. (This is illustrative and apparently not drawn to scale. It is attached solely to demonstrate Texas' appreciation of the dispute and not as a representation of the exact position of the various parties.)

9.

At this time it is not possible to locate the exact western boundary in the Gulf of Mexico between Louisiana, Texas and the United States in accordance with the opinion of this Court dated the 20th day of March,

¹*State of Texas v. State of Louisiana*, 93 S.Ct. 1215 (1973).

1973², for the reason that the point from which the boundary is to be extended Gulfward has not been located. Nevertheless, Louisiana has projected its western boundary into the Gulf of Mexico on a plat and located the areas to be leased, demonstrating that portions of the area to be leased would be in Louisiana if its western boundary is established in the Gulf of Mexico as contended by Louisiana, and that portions of the area to be leased would be in areas belonging to the United States in an extension of the boundary from the three marine miles of Louisiana from its coast line to three leagues as claimed by Texas. A copy of this map, for illustrative purposes, is attached to this motion as Appendix IV.³

10.

Louisiana has protested the leasing of this land pending the determination of the boundary question, both by letter addressed to Honorable Larry F. York, First Assistant Attorney General, who is trial counsel in this case for Texas, and by resolution of the Louisiana State Mineral Board. A copy of the letter to Honorable Larry F. York is made part hereof as Appendix V and copy of the resolution of the State Mineral Board is made part hereof as Appendix VI.

²*State of Texas v. State of Louisiana*, Supra, footnote 1.

³While on Appendices III and IV reference is made to the position of the United States on these maps, so far as Louisiana knows United States has not taken an official position as to the lateral boundary between Texas and Louisiana. This reference is to the fact that in many of the maps introduced in evidence by Texas in this case, which were prepared by Departments of the United States, showed the boundary into the Gulf down the middle of the jetties.

11.

It was not until September 26, 1973, that Texas advised Louisiana that it would not honor Louisiana's protest, but would receive bids for oil, gas and mineral leases covering the disputed area in accordance with the notice.

12.

Immediately upon receiving such advice, Louisiana so advised the Special Master, on September 26, 1973, and of the necessity of maintaining the status quo pending the determination of the lateral boundary in the Gulf of Mexico. Louisiana was advised by the Special Master that until his reference was enlarged he had no authority to consider the matter.

13.

It is important that the status quo be maintained pending a final determination and location of the boundary between Louisiana and Texas and Texas and the United States in the Gulf of Mexico. Texas should be enjoined from leasing for oil, gas and mineral purposes lands in the disputed area until a final determination and location of the lateral boundary has been made by this Court.

14.

In the alternative, this Court should enjoin Texas from leasing such lands for oil, gas and mineral purposes until it considers whether to enlarge the reference to the Special Master, and if the reference is en-

larged, then the motion of Louisiana for temporary restraining order, preliminary injunction and permanent injunction should be referred to the Special Master with Texas further restrained until the Special Master has had an opportunity to consider the matter. Further, that the temporary restraining order, preliminary injunction and permanent injunction should issue against Texas and any of its subdivisions and/or officials purporting to act on behalf of Texas or its subdivisions.

WHEREFORE, Louisiana prays that this Court grant a temporary restraining order, preliminary injunction and permanent injunction restraining and enjoining Texas, any of its political subdivisions, or any of its officials acting for Texas or its political subdivisions, from offering to lease or leasing for oil, gas and mineral purposes lands and water bottoms in the area in dispute between Texas and Louisiana and Texas and the United States, as represented by the claims of the various parties, pending a final determination of the lateral boundary between Texas and Louisiana and Texas and the United States, and in the alternative issue an order restraining and enjoining Texas, any of its political subdivisions, or any of its officials acting for Texas or its political subdivisions, until the Court has had an opportunity to consider whether to enlarge the reference to the Special Master, and if the reference is enlarged refer to the Special Master Louisiana's motion for temporary restraining order, preliminary injunction and permanent injunction, enjoining Texas as herein prayed for until the

Special Master has had an opportunity to pass on the motion.

Respectfully submitted,

WILLIAM J. GUSTE, JR.,
Attorney General
State of Louisiana

OLIVER P. STOCKWELL,
Special Assistant Attorney General
State of Louisiana

HENRY LASTRAPES, JR.
Assistant Attorney General
State of Louisiana

FREDERICK W. ELLIS,
Special Assistant Attorney General
State of Louisiana

EMMETT C. SOLE,
Special Assistant Attorney General
State of Louisiana

By _____
Oliver P. Stockwell,
For Attorney General
State of Louisiana
ATTORNEYS FOR DEFENDANT

OLIVER P. STOCKWELL
TRIAL COUNSEL

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VERIFICATION OF MOTION BY THE STATE OF
LOUISIANA FOR TEMPORARY RESTRAINING
ORDER, PRELIMINARY INJUNCTION AND PER-
MANENT INJUNCTION AGAINST THE STATE OF
TEXAS

STATE OF LOUISIANA
PARISH OF CALCASIEU

BEFORE ME, the undersigned authority, personally came and appeared OLIVER P. STOCKWELL, who, being by me duly sworn, did depose and say:

That he is Special Assistant Attorney General for the State of Louisiana and that the facts alleged in the foregoing motion by the State of Louisiana for temporary restraining order, preliminary injunction

and permanent injunction against the State of Texas are true and correct to the best of his knowledge, information and belief.

SWORN TO AND SUBSCRIBED, before me,
Notary Public, at Lake Charles, Louisiana, on this
28th day of September, 1973.

Notary Public

CERTIFICATE

I, WILLIAM J. GUSTE, JR., Attorney General of Louisiana and a member of the Bar of the Supreme Court of the United States, hereby certify that on the 27th day of September, 1973, I served copies of the foregoing motion of the State of Louisiana for leave to file application for temporary restraining order, preliminary injunction and permanent injunction against the State of Texas, and motion by the State of Louisiana for temporary restraining order, preliminary injunction and permanent injunction against the State of Texas, by transmitting conformed copies of the same by first class mail, postage prepaid, to the Special Master, the Office of the Governor and Office of the Attorney General, respectively, of the State of Texas, and upon the Solicitor General of the United States.

WILLIAM J. GUSTE, JR.

By _____
Oliver P. Stockwell
Special Assistant Attorney General
State of Louisiana

Appendix I

The State of Texas
General Land Office



Austin, Texas

Bob Armstrong - Commissioner

NOTICE FOR BIDS

OIL AND GAS

TO BE RECEIVED NOT LATER THAN 10:00 A.M.

OCTOBER 2, 1973, AS AUTHORIZED BY THE

SCHOOL LAND BOARD, AUGUST 8, 1973.

Pursuant to the pertinent provisions of House Bill 9, particularly Section 2, and Sub-Sections 1 and 4 under Section 5 thereof, approved June 19, 1939; Chapter 82, Page 139, Acts of the Fiftieth Legislature, Regular Session, 1947, and other applicable laws providing for the leasing of certain areas belonging to the State, the School Land Board of the State of Texas will receive competitive sealed bids until 10:00 A. M., October 2, 1973, at the General Land Office in Austin, Texas, and will lease such areas to the highest bidder (subject to the right to reject any and all bids) for the production of oil and/or gas.

All bids shall be sealed and addressed to the COMMISSIONER OF THE GENERAL LAND OFFICE, AUSTIN, TEXAS. The envelope shall be endorsed, "SEALED BID FOR MINERAL LEASE, October 2, 1973." Bids received not later than 10:00 A. M., October 2, 1973, will be opened at the first meeting of the School Land Board subsequent to 10:00 A. M., October 2, 1973, such meeting to be held in the General Land Office, Austin, Texas. Bids received after the above specified time will not receive consideration by the Board. For the purpose of bidding, the description given in the attached list shall be followed.

Separate bids must be filed for each area identified by a separate Mgl. No. and the cash offered must accompany each bid in some form payable to par to the Commissioner of the General Land Office in Austin, Texas. Article 5356, V. A. C. S., provides that if the highest bid for the same area is made by more than one applicant, all such applications shall be rejected.

The primary term of the oil and gas leases shall be five years, except marginal numbers 170 and 194, which shall be for a primary term of 2 years, and the leases will continue in force so long thereafter as oil and/or gas is produced in paying quantities or drilling or reworking operations are being conducted or shut-in gas royalty being paid, as provided by Senate Bill 148, Chapter 255, Page 672, Acts of the Fifty-Third Legislature, 1953. Oil payment, overriding royalty, logarithmic or sliding scale bids will not be considered. An example of the lease is shown following the list of tracts.

The royalty on the tracts listed in Group I (Mgl. No. 1-85) is fixed at exactly 1/6 of the gross production of oil and/or gas and the bidding shall be on the cash bonus, but no bid of less than \$5.00 per acre shall be considered. The annual rental thereon is fixed at exactly \$2.00 per acre, beginning with the second year of the lease, as authorized by the School Land Board on August 8, 1973.

The royalty on the tracts listed in Group II (Mgl. No. 86-209) is fixed at exactly 1/6 of the gross production of oil and/or gas and the bidding shall be on the cash bonus, but no bid of less than \$20.00 per acre shall be considered. The annual rental thereon is fixed at exactly \$5.00 per acre beginning with the second year of the lease, as authorized by the School Land Board on August 8, 1973.

The royalty on the tracts listed in Group III (Mgl. No. 210-1712) is fixed at exactly 1/6 of the gross production of oil and/or gas and the bidding shall be on the cash bonus, but no bid of less than \$25.00 per acre shall be considered. The annual rental thereon is fixed at exactly \$5.00 per acre beginning with the second year of the lease, as authorized by the School Land Board on August 8, 1973.

Some of the tracts listed herein for oil and gas lease are situated within one thousand feet of production of oil and/or gas on privately owned land. Article 5359, V. A. C. S., provides: "If oil or gas should be produced in commercial quantities in a well on an area privately owned when such well is within one thousand feet of an area leased hereunder, the owner of the lease on such State area leased hereunder, the owner of the lease on such State area shall, within sixty days after the initial production of such privately owned area, begin in good faith and prosecute diligently the drilling of an offset well or wells on the area so leased from the State. Such offset wells shall be drilled to such depth and such means shall be used as may be necessary to prevent the undue drainage of oil or gas from beneath such State area. A log of each well shall be filed in the General Land Office within thirty days after the well has been completed or abandoned."

For additional information or bid forms, write to the Commissioner of the General Land Office, Austin, Texas.

NOTE: SENATE BILL 322, CHAPTER 415, ACTS OF THE FIFTY-FOURTH LEGISLATURE, 1955, PROVIDES THAT EACH BIDDER SHALL REMIT BY SEPARATE CHECK AN AMOUNT EQUAL TO ONE PERCENT OF EACH BID, PAYABLE TO THE COMMISSIONER OF THE GENERAL LAND OFFICE, AS A SPECIAL SALE FEE. THE SPECIAL FEE ON HIGH BIDS ACCEPTED BY THE BOARD WILL BE DEPOSITED BY THE COMMISSIONER OF THE GENERAL LAND OFFICE IN THE STATE TREASURY. ALL SPECIAL FEES REMITTED BY UNSUCCESSFUL BIDDERS WILL BE RETURNED TO THOSE BIDDERS WITH THEIR BID CHECKS. PLEASE REMIT SEPARATE CHECKS WITH EACH BID.

By order of the School Land Board in regular meeting of said Board, August 8, 1973.

He White
Secretary

Bob Armstrong
Commissioner of the General
Land Office and Chairman of
the School Land Board

| | | | |
|--------------------|-----------------------|--------------------|---------------------------------|
| 1161. Tract 1231-S | 635 [±] Ac. | 1171. Tract 1241-S | Part owned 715 [±] Ac. |
| 1162. Tract 1232-S | 640 Ac. | | by State of |
| 1163. Tract 1233-S | 640 Ac. | | Texas N. of |
| 1164. Tract 1234-S | 640 Ac. | | Maritime Boundary |
| 1165. Tract 1235-S | 640 Ac. | | Line. |
| 1166. Tract 1236-S | 575 [±] Ac. | 1172. Tract 1242-S | Part owned 408 [±] Ac. |
| 1167. Tract 1237-S | 1121 [±] Ac. | | by State of |
| 1168. Tract 1238-S | 640 Ac. | | Texas N. of |
| 1169. Tract 1239-S | 640 Ac. | | Maritime Boundary |
| 1170. Tract 1240-S | 1025 [±] Ac. | | Line. |

Galveston County

| | | | |
|-------------------------------|-----------------------|--------------------|--------------------------|
| 1173. Tract 59-L NE/4 | 1440 Ac. | 1211. Tract 151-S* | NE/pt & 307.29 Ac. |
| 1174. Tract 59-L SE/4 | 1440 Ac. | | part of SW/pt |
| 1175. Tract 59-L SW/4 | 1440 Ac. | 1212. Tract 156-S | 440 [±] Ac. |
| 1176. Tract 60-L NE/4 | 1440 Ac. | 1213. Tract 159-S | 640 Ac. |
| 1177. Tract 61-L NW/4 | 1440 Ac. | 1214. Tract 160-S | 640 Ac. |
| 1178. Tract 61-L SE/4 | 1440 Ac. | 1215. Tract 163-S* | 618.95 Ac. |
| 1179. Tract 61-L SW/4 | 1440 Ac. | | On tracts marked thus: * |
| 1180. Tract 62-L NE/4 | 1440 Ac. | | See Map No. 42 |
| 1181. Tract 62-L NW/4 | 1440 Ac. | 1216. Tract 166-S | 640 Ac. |
| 1182. Tract 62-L SE/4 | 1440 Ac. | 1217. Tract 167-S | 640 Ac. |
| 1183. Tract 62-L SW/4 | 1440 Ac. | 1218. Tract 168-S | 640 Ac. |
| 1184. Tract 63-L NE/4 | 1440 Ac. | 1219. Tract 169-S | 680 [±] Ac. |
| 1185. Tract 63-L NW/4 | 1440 Ac. | 1220. Tract 170-S | 415 [±] Ac. |
| 1186. Tract 63-L All the SE/4 | 1280 [±] Ac. | 1221. Tract 171-S | 890 [±] Ac. |
| | N. of 3-marine | 1222. Tract 172-S | 640 Ac. |
| | league line. | 1223. Tract 173-S | 640 Ac. |
| 1187. Tract 63-L SW/4 | 1440 Ac. | 1224. Tract 183-S | 640 Ac. |
| 1188. Tract 96-L All the NE/4 | 625 [±] Ac. | 1225. Tract 184-S | 640 Ac. |
| | & NW/4 N. of | 1226. Tract 185-S | 640 Ac. |
| | 3-marine league line. | 1227. Tract 185-L | SE/4 |
| 1189. Tract 97-L All NE/4 & | 1285 [±] Ac. | 1228. Tract 185-L | SW/4 |
| | SE/4 N. of 3- | 1229. Tract 186-S | |
| | marine league line. | 1230. Tract 187-S | 245 [±] Ac. |
| 1190. Tract 97-L All NW/4 & | 2005 [±] Ac. | 1231. Tract 187-L | NE/4 |
| | SW/4 N. of 3- | 1232. Tract 187-L | NW/4 |
| | marine league line. | 1233. Tract 187-L | SE/4 |
| 1191. Tract 98-L NE/4 | 1440 Ac. | 1234. Tract 188-S | |
| 1192. Tract 98-L NW/4 | 1440 Ac. | 1235. Tract 188-L | NE/4 |
| 1193. Tract 98-L All SE/4 | 1210 [±] Ac. | 1236. Tract 188-L | NW/4 |
| | N. of 3-marine | 1237. Tract 188-L | SW/4 |
| | league line. | 1238. Tract 189-S | |
| 1194. Tract 98-L SW/4 | 1440 Ac. | 1239. Tract 190-S | 640 Ac. |
| 1195. Tract 104-L All NE/4 & | 1335 [±] Ac. | 1240. Tract 191-S | 640 Ac. |
| | SE/4 N. of 3- | 1241. Tract 192-S | 640 Ac. |
| | marine league line. | 1242. Tract 193-S | 640 Ac. |
| 1196. Tract 104-L NW/4 | 1440 Ac. | 1243. Tract 194-S | 570 [±] Ac. |
| 1197. Tract 104-L All SW/4 N. | 760 [±] Ac. | 1244. Tract 195-S | 920 [±] Ac. |
| | of 3-marine | 1245. Tract 196-S | 640 Ac. |
| | league line. | 1246. Tract 197-S | 640 Ac. |
| 1198. Tract 128-S | 640 Ac. | 1247. Tract 214-L | NE/4 |
| 1199. Tract 129-S | 640 Ac. | 1248. Tract 246-L | SW/4 |
| 1200. Tract 130-S | 640 Ac. | 1249. Tract 249-L | NE/4 |
| 1201. Tract 131-S | 525 [±] Ac. | 1250. Tract 249-L | NW/4 |
| 1202. Tract 132-S | 545 [±] Ac. | 1251. Tract 249-L | SE/4 |
| 1203. Tract 133-S | 860 [±] Ac. | 1252. Tract 249-L | SW/4 |
| 1204. Tract 134-S | 640 Ac. | 1253. Tract 250-L | NE/4 |
| 1205. Tract 135-S | 640 Ac. | 1254. Tract 250-L | NW/4 |
| 1206. Tract 140-S | 640 Ac. | 1255. Tract 250-L | All the |
| 1207. Tract 142-S | 640 Ac. | | SE/4 N. of |
| 1208. Tract 145-S | 540 [±] Ac. | | 3-marine league |
| 1209. Tract 148-S* | NE/pt & 404.37 Ac. | | line. |
| | SW/pt | 1256. Tract 250-L | SW/4 |
| 1210. Tract 150-S* | NE/pt | | 1440 Ac. |

| | | | | | |
|-------------------|-----------------|-----------------------|-------------------|----------------|-----------------------|
| 1257. Tract 274-L | All the | 1500 [±] Ac. | 1259. Tract 275-L | All the SE/4 | 1035 [±] Ac. |
| | NE/4, NW/4 & | | | N. of 3-marine | |
| | SW/4 N. of | | | league line. | |
| | 3-marine league | | 1260. Tract 290-S | | 880 [±] Ac. |
| | line. | | 1261. Tract 299-S | | 990 [±] Ac. |
| 1258. Tract 275-L | NE/4 | 1440 Ac. | 1262. Tract 300-S | | 540 [±] Ac. |

Jefferson County

| | | | | | |
|------------------|--------------------------|----------------------|-------------------|------|-----------------------|
| 1263. Tract 2-L | All the | 565.13 Ac. | 1278. Tract 30-L | NE/4 | 1440 Ac. |
| | NE/4, W. of a | | 1279. Tract 30-L | NW/4 | 1440 Ac. |
| | line having a | | 1280. Tract 30-L | SW/4 | 1440 Ac. |
| | bearing of S11° | | 1281. Tract 31-L | NE/4 | 1440 Ac. |
| | 30'00" E (True), | | 1282. Tract 31-L | NW/4 | 1440 Ac. |
| | said line passing | | 1283. Tract 31-L | SW/4 | 1440 Ac. |
| | through a point | | 1284. Tract 32-L | NW/4 | 1440 Ac. |
| | having a Lambert | | 1285. Tract 41-S | | 640 Ac. |
| | Coordinate Valve | | 1286. Tract 42-S | | 640 Ac. |
| | of X=3,638,911.17 & | | 1287. Tract 47-S | | 640 Ac. |
| | Y=710,343.69. | | 1288. Tract 48-S | | 920 [±] Ac. |
| 1264. Tract 2-L | NW/4 | 1440 Ac. | 1289. Tract 49-S | | 620 [±] Ac. |
| 1265. Tract 2-L | All the | 924.95 Ac. | 1290. Tract 51-S | | 970 [±] Ac. |
| | SE/4 W of a | | 1291. Tract 52-S | | 640 Ac. |
| | line having a bearing | | 1292. Tract 53-S | | 640 Ac. |
| | of S11°30'00" E. (True), | | 1293. Tract 54-S | | 640 Ac. |
| | said line passing thru | | 1294. Tract 64-S | | 370 [±] Ac. |
| | a point having a Lambert | | 1295. Tract 65-S | | 680 [±] Ac. |
| | Coordinate valve of | | 1296. Tract 66-S | | 995 [±] Ac. |
| | X=3,638,911.17 & | | 1297. Tract 74-S | | 640 Ac. |
| | Y=710,343.69. | | 1298. Tract 77-S | | 640 Ac. |
| 1266. Tract 2-L | SW/4 | 1440 Ac. | 1299. Tract 78-S | | 640 Ac. |
| 1267. Tract 5-L | SW/4 | 1440 Ac. | 1300. Tract 80-S | | 710 [±] Ac. |
| 1268. Tract 6-L | SE/4 | 1440 Ac. | 1301. Tract 81-S | | 390 [±] Ac. |
| 1269. Tract 6-L | SW/4 | 1440 Ac. | 1302. Tract 82-S | | 720 [±] Ac. |
| 1270. Tract 8-L | NE/4 | 1440 Ac. | 1303. Tract 83-S | | 640 Ac. |
| 1271. Tract 9-L | NW/4 | 1440 Ac. | 1304. Tract 84-S | | 640 Ac. |
| 1272. Tract 13-L | NW/4 | 1440 Ac. | 1305. Tract 96-S | | 640 Ac. |
| 1273. Tract 13-L | SW/4 | 1440 Ac. | 1306. Tract 97-S | | 640 Ac. |
| 1274. Tract 14-S | | 560 [±] Ac. | 1307. Tract 98-S | | 1040 [±] Ac. |
| 1275. Tract 25-L | NE/4 | 1440 Ac. | 1308. Tract 105-S | | 640 Ac. |
| 1276. Tract 25-L | NW/4 | 1440 Ac. | 1309. Tract 106-S | | 640 Ac. |
| 1277. Tract 25-L | SE/4 | 1440 Ac. | 1310. Tract 107-S | | 640 Ac. |

Kenedy County

| | | | | | |
|-------------------|-----------------|-------------|-------------------|----------------|-----------------------|
| 1311. Tract 882-L | NE/4 | 1440 Ac. | 1324. Tract 943-L | NE/4 | 1440 Ac. |
| 1312. Tract 882-L | NW/4 | 1440 Ac. | 1325. Tract 943-L | SE/4 | 1440 Ac. |
| 1313. Tract 882-L | SE/4 | 1440 Ac. | 1326. Tract 944-L | All the | 852.05 |
| 1314. Tract 882-L | SW/4 | 1440 Ac. | | NE/4 & SE/4 W. | |
| 1315. Tract 883-L | All the | 950.27 Ac. | | of 3-marine | |
| | SE/4 W. of | | | league line. | |
| | 3-marine league | | 1327. Tract 944-L | NW/4 | 1440 Ac. |
| | line. | | 1328. Tract 944-L | SW/4 | 1440 Ac. |
| 1316. Tract 883-L | SW/4 | 1440 Ac. | 1329. Tract 959-L | All the | 1598.34 Ac. |
| 1317. Tract 899-L | All the | 1178.69 Ac. | | NE/4 & SE/4 | |
| | NE/4 & | | | W. of 3-marine | |
| | SE/4 W. of | | | league line. | |
| | 3-marine league | | 1330. Tract 959-L | NW/4 | 1440 Ac. |
| | line. | | 1331. Tract 959-L | SW/4 | 1440 Ac. |
| 1318. Tract 899-L | NW/4 | 1440 Ac. | 1332. Tract 960-L | NE/4 | 1440 Ac. |
| 1319. Tract 899-L | SW/4 | 1440 Ac. | 1333. Tract 960-L | SE/4 | 1440 Ac. |
| 1320. Tract 900-L | NE/4 | 1440 Ac. | 1334. Tract 984-L | NE/4 | 1440 Ac. |
| 1321. Tract 900-L | NW/4 | 1440 Ac. | 1335. Tract 984-L | SE/4 | 1440 Ac. |
| 1322. Tract 900-L | SE/4 | 1440 Ac. | 1336. Tract 985-L | All the NW/4 | 1070 [±] Ac. |
| 1323. Tract 900-L | SW/4 | 1440 Ac. | | W. of 3-marine | |
| | | | | league line. | |

565
1440
924
1440

4369-

Conflict with Louisiana

(Louisiana - 3 mi.) \rightarrow

Gulf of Mexico ————— 740 ——— } 300 miles

Sabine River (WEST $\frac{1}{2}$)

from mouth to head of

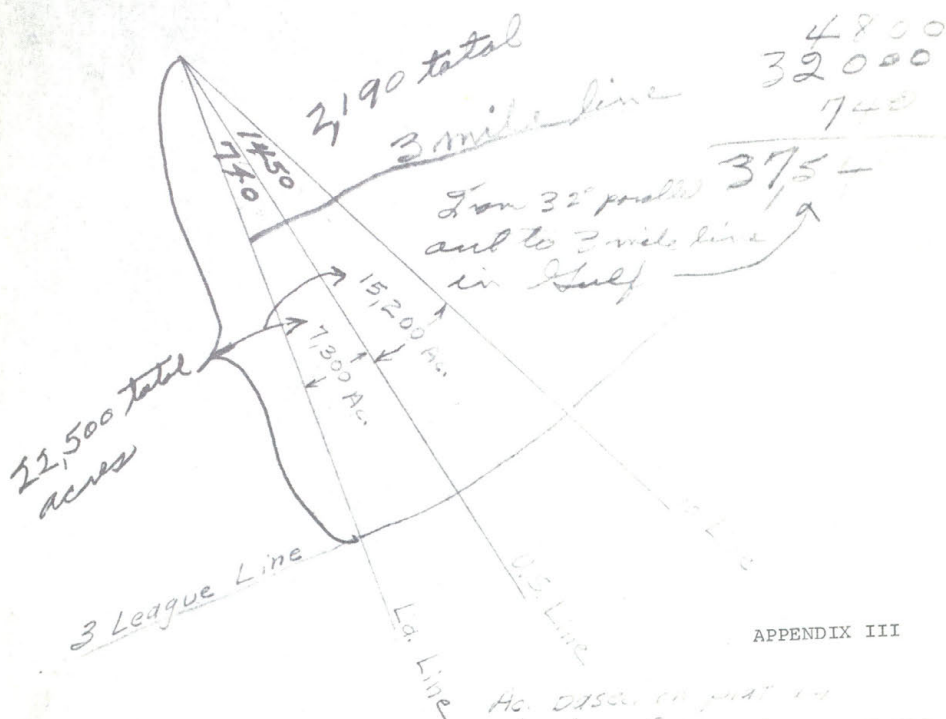
Sabine Lake — — — 32,000 acres

from head of Sabine

Lake to 32nd parallel — 4800

58 square ft. as

Total 37,540



APPENDIX III

Ac. Dase. on just 14
Standard Oil Co. 10 1/2

An approximate location of various positions which have not been drawn to scale since point of departure into the Gulf has not been fixed. This is merely illustrative.

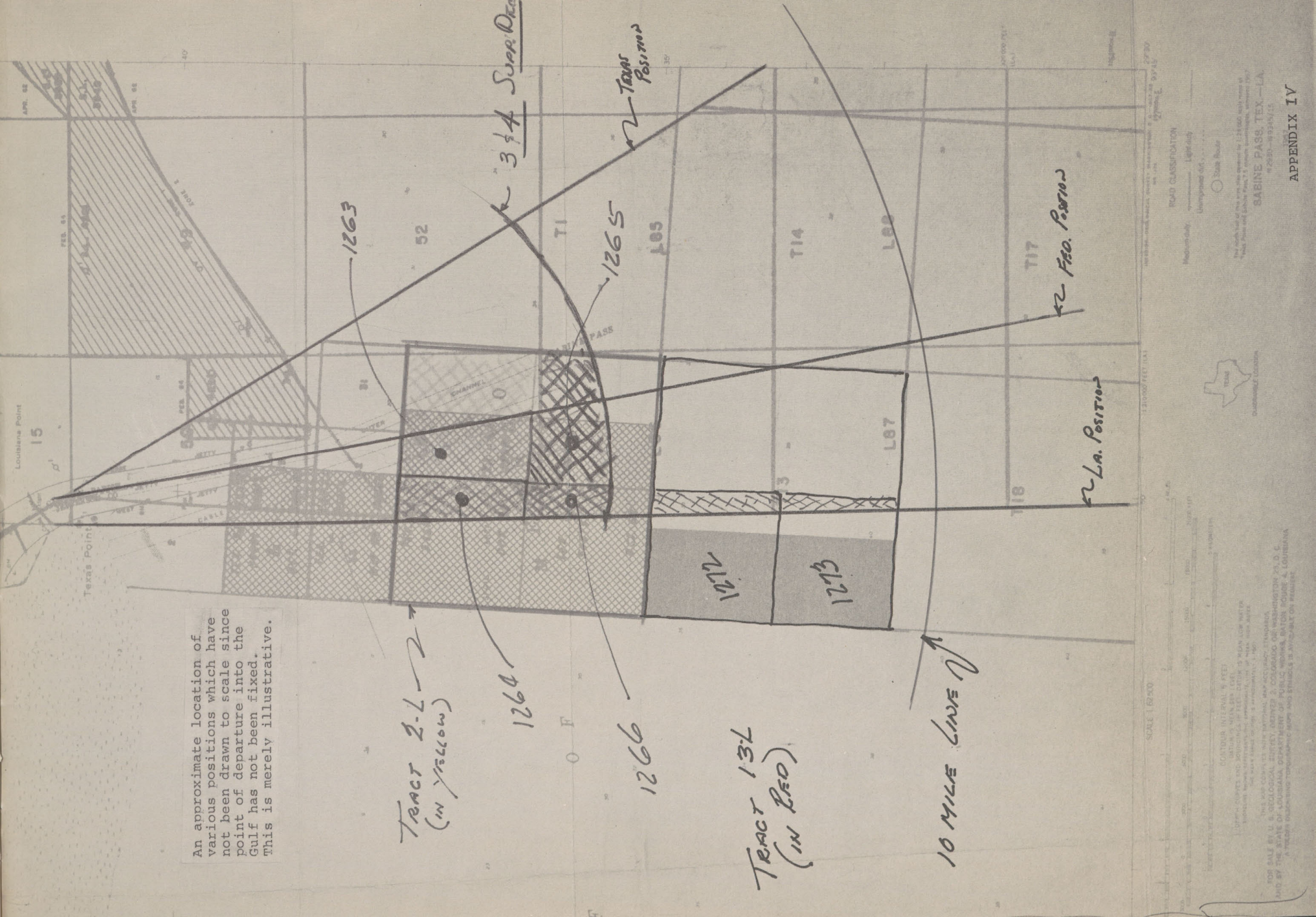
TRACT 2-L-2
(IN YELLOW)

1264

1266

TRACT 13L
(IN RED)

10 MILE LINE



FOR SALE BY U. S. GEOLOGICAL SURVEY, DEPT. OF THE INTERIOR, WASHINGTON, D. C.
AND BY THE STATE OF LOUISIANA, DEPT. OF PUBLIC WORKS, BATON ROUGE, LA.
A FOLDER GIVING THE LOCATION OF THE SURVEY AND THE SURVEYING PARTY IS AVAILABLE ON REQUEST.

THIS MAP WAS MADE BY THE GEOLOGICAL SURVEY, DEPT. OF THE INTERIOR, WASHINGTON, D. C.
AND BY THE STATE OF LOUISIANA, DEPT. OF PUBLIC WORKS, BATON ROUGE, LA.
A FOLDER GIVING THE LOCATION OF THE SURVEY AND THE SURVEYING PARTY IS AVAILABLE ON REQUEST.

Appendix V

September 17, 1973

Honorable Larry F. York
First Assistant Attorney General
Supreme Court Building
Austin, Texas 78711

Re: State of Texas
Vs. State of Louisiana
No. 36, Original

Dear Mr. York:

Last week I discussed with you an informal conference, as suggested by Judge Van Pelt, to consider some of the problems in connection with the establishment of the boundary between Texas and Louisiana in accordance with the opinion of the United States Supreme Court, including the island problem.

I talked with Mr. Ed Korman, in Washington, about the proposed meeting and he suggested the dates of either October 26th or 28th. These are the two dates I discussed with you and also invited you and Mr. Korman to meet in New Orleans, which I understand is agreeable to both parties.

I have not as yet heard from you concerning this proposed meeting and I am very anxious to determine which of the two dates meets with your approval so that I may firm the date up with some of my technical people.

In my conversation with you I mentioned the fact that the General Land Office of the State of Texas had

advertised for bids for oil, gas and mineral leases to be received by October 2, 1973, and that it appeared as though some of the tracts on which leases are sought conflict with the westernmost claim of Louisiana in the Gulf, and possibly with the claim of the United States seaward of Louisiana's line. It was my understanding that you were to check with the Land Department concerning these offerings to avoid any conflict until the lateral boundary has been settled between Louisiana, Texas and the United States. If we are unable to resolve this matter amicably, then it will be necessary for us to either apply to Judge Van Pelt or the United States Supreme Court for relief.

I would appreciate hearing from you regarding these matters at your convenience.

Sincerely yours,

(signed) Oliver P. Stockwell,
Special Assistant Attorney General,
State of Louisiana.

cc: Honorable Robert Van Pelt

Honorable John L. Hill

Honorable Ed Korman

Honorable William J. Guste, Jr.

Appendix VI**RESOLUTION BY THE STATE MINERAL BOARD
FOR THE STATE OF LOUISIANA PROTESTING
THE PROPOSED LEASING OF CERTAIN SUB-
MERGED LANDS BY THE STATE OF TEXAS**

On motion of Mr. Berrigan, seconded by Mr. McClanahan, the following resolution was offered, brought to a vote, and adopted by the State Mineral Board for the State of Louisiana.

WHEREAS, the States of Texas and Louisiana, in an original action being No. 36 in the Supreme Court of the United States entitled "State of Texas v. State of Louisiana" have been and are litigating the question of ownership of the beds of Sabine River, Sabine Lake and Sabine Pass, in which the common inland boundary between said States remains to be determined; and

WHEREAS, there is also pending in said original action, motions by the State of Louisiana and the United States of America for enlargement of the reference by the Supreme Court to the Special Master to determine the lateral seaward boundary between the States of Texas and Louisiana on the one hand and between the State of Texas and United States of America on the other; and

WHEREAS, notwithstanding the pendency of said boundary questions in said original proceeding and without deference to maintaining the status quo until such time as the same shall be resolved judicially,

the State of Texas, acting through the School Land Board of said state, has advertised in a notice of publication for the reception of bids for the granting of oil, gas and mineral leases, at a meeting to be held at the General Land Office of the State of Texas at Austin, Texas, commencing at 10:00 A.M. on October 2, 1973, affecting and covering certain submerged lands located in the West Cameron Area of the State of Louisiana as depicted by Louisiana's offshore Block System, which are claimed by and could be awarded to the State of Louisiana within its three (3) mile seaward boundary and to the United States of America beyond such point and which submerged lands are described in Texas' notice of publication, as follows:

Jefferson County

| | | | |
|-------|------------|--|------------|
| 1263. | Tract 2-L | All the NE/4, W. of a line having a bearing of S11° 30'00" E (True), said line passing through a point having a Lambert Coordinate Value of X = 3,638,911.17 & Y = 710,343.69. | 565.13 Ac. |
| 1264. | Tract 2-L | NW/4 | 1440 Ac. |
| 1265. | Tract 2-L | All the SE/4 of a line having a bearing of S11° 30'00" E. (True) said line passing thru a point having a Lambert Coordinate value of X = 3,638,911.17 & Y = 710,343.69 | 924.95 Ac. |
| 1266. | Tract 2-L | SW/4 | 1440 Ac. |
| 1272. | Tract 13-L | NW/4 | 1440 Ac. |
| 1273. | Tract 13-L | SW/4 | 1440 Ac. |

BE IT RESOLVED, that the State Mineral Board for the State of Louisiana hereby enters its formal protest to the offering of the above identified submerged

lands for oil, gas and mineral leases by the State of Texas, through the School Land Board of said state, and against the granting of any one or all of said proposed leases at the lease sale at the General Land Office of Texas, on October 2, 1973.

BE IT FURTHER RESOLVED, that, inasmuch as the aforesaid areas advertised for lease are involved in the pending original action instituted by the State of Texas against the State of Louisiana, the Attorney General of Louisiana be and he is hereby requested to institute action in the appropriate court to restrain the State of Texas, through its School Land Board, from granting such leases in the event that this protest is not effective in causing the State of Texas to withdraw the tracts identified above from lease sale.

BE IT FURTHER RESOLVED, that the Secretary of the State Mineral Board for the State of Louisiana be and he is directed to transmit certified copies of this resolution to the School Land Board of Texas, c/o the General Land Office, Austin, Texas, to the Governor of the State of Texas, Austin, Texas, the Attorney General of the State of Texas, Austin, Texas, the Secretary of the United States Department of the Interior, Washington, D.C., the Solicitor General of the United States of America, Washington, D.C., the Governor of the State of Louisiana, Baton Rouge, Louisiana, and to the Attorney General of the State of Louisiana, Baton Rouge, Louisiana.

State of Louisiana

Parish of East Baton Rouge

This is to certify that the above and foregoing is a true and correct copy of a resolution adopted by the State Mineral Board for the State of Louisiana at a Regular Meeting of said Board held at its offices in the City of Baton Rouge, Parish of East Baton Rouge, State of Louisiana, on September 12, 1973, at which a quorum of the membership of said Board was present and voting, and that said resolution is in full force and effect and has not been rescinded.

IN FAITH WHEREOF, witness my signature at Baton Rouge, East Baton Rouge Parish, State of Louisiana this 26th day of September, 1973.

(signed) C. J. Bonnacarrere, Secretary
State Mineral Board, for the
State of Louisiana

