

No. 137, Original

IN THE
SUPREME COURT OF THE UNITED STATES

STATE OF MONTANA,
Plaintiff,

v.

STATE OF WYOMING, and
STATE OF NORTH DAKOTA,
Defendants.

On Bill of Complaint

ANSWER OF STATE OF NORTH DAKOTA

The State of North Dakota, pursuant to the Special Master's Case Management Order No. 4, dated September 4, 2009, for its Answer to the Bill of Complaint ("Complaint"):

1. Admits the averments in Paragraph 1 of the Complaint.
2. Admits the averments in Paragraph 2 of the Complaint.
3. Admits the averment in Paragraph 3 of the Complaint that it ratified the Yellowstone River Compact by legislative act codified as North Dakota Century Code 61-23-01 and lacks knowledge or information sufficient to form a belief about the truth of all other averments in Paragraph 3 of the Complaint.

4. Admits the averment in Paragraph 4 of the Complaint that it is a signatory to the Yellowstone River Compact and lacks knowledge or information sufficient to form a belief about the truth of all other averments in Paragraph 4 of the Complaint.

5. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 5 of the Complaint.

6. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 6 of the Complaint.

7. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 7 of the Complaint.

8. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 8 of the Complaint.

9. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 9 of the Complaint.

10. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 10 of the Complaint.

11. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 11 of the Complaint.

12. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 12 of the Complaint.

13. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 13 of the Complaint.

14. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 14 of the Complaint.

15. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 15 of the Complaint.

16. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 16 of the Complaint.

17. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 17 of the Complaint.

18. Lacks knowledge or information sufficient to form a belief about the truth of the averments in Paragraph 18 of the Complaint.

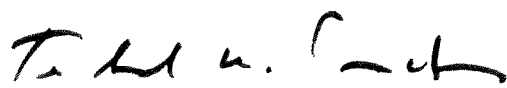
19. Affirmatively alleges that the Complaint fails to state a claim against the State of North Dakota upon which relief can be granted.

WHEREFORE, the State of North Dakota respectfully requests that the Complaint against it be dismissed.

RESPECTFULLY SUBMITTED,

State of North Dakota
Wayne Stenehjem
Attorney General

By:



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the **ANSWER OF STATE OF NORTH DAKOTA** was served by electronic mail and placing the same in the United States mail, postage paid, this 18th day of September, 2009, to the following:

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