

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

BEFORE THE HONORABLE BARTON H. THOMPSON, JR.

SPECIAL MASTER

WYOMING'S STATUS REPORT NO. 7

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The State of Wyoming presents the following Status Report No. 7 pursuant to Section VII.D. of Case Management Plan No.1:

1. Wyoming previously made arrangements to inspect the records of Art Hayes, Jr., president of Tongue River Water Users' Association, on July 16 & 17, 2012, in Birney, Montana. Wyoming served Mr. Hayes with a subpoena at the request of the Association's attorney, and Wyoming filed notice of that service on July 6, 2012. However, due to a family emergency of Mr. Hayes, Wyoming cancelled that subpoena on July 12, 2012. The anticipated inspection has not yet been rescheduled.

2. Montana filed its Brief in Opposition to Wyoming's Renewed Motion for Partial Summary Judgment and Brief in Support on July 16, 2012.

3. Wyoming filed its Reply Brief in Support of its Renewed Motion for Partial Summary Judgment on July 23, 2012.

4. Montana filed its response to Wyoming's Motion for Leave to Amend its Answer to Include the Defenses of Laches and Mitigation of Damages on July 25, 2012.

5. The Special Master heard arguments from the parties regarding Wyoming's Renewed Motion for Partial Summary Judgment in Denver, Colorado, on July 27, 2012.

6. The Special Master entered his Order Granting the State of Wyoming's Motion for Leave to Amend its Answer to Include the Defenses of Laches and Mitigation of Damages on July 30, 2012.

7. Wyoming filed and served the parties with its Amended Answer to the Bill of Complaint on July 30, 2012.

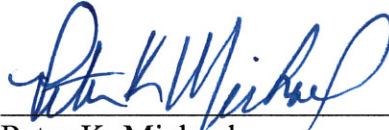
8. Wyoming provided the Special Master with the letter he requested regarding water user requests for regulation in Wyoming, or calls, and supporting materials on July 31, 2012.

9. Wyoming does not currently anticipate conducting any discovery during the partial stay of discovery entered by the Special Master in Case Management Order No. 10, unless Mr. Art Hayes, Jr., is again available for inspection of the Tongue River Water Users' Association records. Wyoming will attempt to arrange such an inspection in concert with Montana. Wyoming does anticipate actively engaging in discovery immediately upon expiration of the partial discovery stay. To that end, Wyoming may confer with Montana during the stay to make Montana witness deposition arrangements.

Dated this 3rd day of August, 2012.

Respectfully submitted,

THE STATE OF WYOMING



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the Wyoming's Status Report No. 7 was served by electronic mail and by placing the same in the United States mail, postage paid, this 3rd day of August, 2012.

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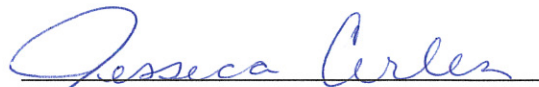
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