L. Poe Leggette (Wyoming Bar No. 7-4652)
Mark S. Barron
Alexander K. Obrecht (Wyoming Bar No. 7-5542)
BAKER & HOSTETLER LLP
1801 California, Suite 4400
Denver, Colorado 80202-5835
Telephone: 303.861.0600
Facsimile: 303.861.7805
pleggette@bakerlaw.com

mbarron@bakerlaw.com aobrecht@bakerlaw.com FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
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STEPHAN HARRIS, CLERK
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Attorneys for Petitioners Independent Petroleum Association of America & Western Energy Alliance

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF WYOMING

INDEPENDENT PETROLEUM)
ASSOCIATION OF AMERICA, and)
WESTERN ENERGY ALLIANCE,)
)
Petitioners,)
v.) Civil Case No. $15-cV-41-F$
)
SALLY JEWELL, in her official)
capacity as Secretary of the United States)
Department of the Interior, and BUREAU)
OF LAND MANAGEMENT,)
)
Respondents.)
<u>-</u>	

PETITION FOR REVIEW OF FINAL AGENCY ACTION

Petitioners Independent Petroleum Association of America ("IPAA") and Western Energy Alliance ("the Alliance") submit respectfully this petition for review of final agency action under the Administrative Procedure Act, 5 U.S.C. §§ 701-706 ("APA") and Local Civil Rule 83.6. On March 20, 2015, the federal Bureau of Land Management ("BLM") issued a final

rule intended to regulate hydraulic fracturing associated with oil and gas development on federal

and Indian lands. See Docket ID BLM-2013-0002, Regulatory Information Number 1004-

AE26.1

BLM's rulemaking represents a reaction to unsubstantiated concerns and the

administrative record lacks the factual, scientific, or engineering evidence necessary to sustain

the agency's final rule. The rulemaking has been procedurally deficient and the final rule as

issued is contrary to law. Because the regulatory conditions the final rule imposes constitute

arbitrary and unnecessary burdens that either duplicate state law requirements or improperly

curtail the primary jurisdiction of state governments, and because the regulations are not properly

tailored to achieve a legitimate government purpose, the Court should find the rule invalid and

set aside the challenged agency action.

This Court has federal-question jurisdiction over this petition under 28 U.S.C. § 1331.

Respondent Sally Jewell is an officer of the United States; Respondent BLM is an entity of the

United States Government. The United States has waived its sovereign immunity under the

APA, 5 U.S.C. § 704.

Submitted respectfully this 20th day of March, 2015,

/s/ L. Poe Leggette

L. Poe Leggette

Mark S. Barron

Alexander K. Obrecht

BAKER & HOSTETLER LLP

1801 California, Suite 4400

Denver, Colorado 80202-5835

Telephone: 303.764.4020

Facsimile: 303.861.7805

pleggette@bakerlaw.com

mbarron@bakerlaw.com

aobrecht@bakerlaw.com

¹ An electronic copy of the final rule will be filed with the Court when available.

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Attorneys for Petitioners, Independent Petroleum Association of America and Western Energy Alliance