

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

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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. )  
 )  
SALLY JEWELL, in her official )  
capacity as Secretary of the United States )  
Department of the Interior, and BUREAU )  
OF LAND MANAGEMENT, )  
 )  
Respondents. )  
\_\_\_\_\_ )

Civil Case No. 15-cv-41-F

**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.<sup>1</sup>

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

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

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