

David C. Dalthorp
JACKSON, MURDO & GRANT, P.C.
203 North Ewing Street
Helena, MT 59601
Phone: (406) 513-1120
Fax: (406) 447-7033
dalthorp@jmgm.com

James Kaste, WSB No. 6-3244
Erik E. Petersen, WSB No. 7-5608
Wyoming Attorney General's Office
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-6946 (phone)
(307) 777-3542 (fax)
james.kaste@wyo.gov
erik.petersen@wyo.gov

*Attorneys for Defendant-Intervenor
State of Wyoming*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF
RESOURCE COUNCILS, MONTANA
ENVIRONMENTAL INFORMATION
CENTER, POWDER RIVER BASIN
RESOURCE COUNCIL, NORTHERN
PLAINS RESOURCE COUNCIL,
SIERRA CLUB, and NATURAL
RESOURCES DEFENSE COUNCIL,

Plaintiffs,

vs.

U.S. BUREAU OF LAND
MANAGEMENT, an agency within the

Case No. 4:16-cv-00021-BMM

NOTICE OF APPEAL

U.S. Department of the Interior; RYAN ZINKE, in his official capacity as Secretary of the U.S. Department of the Interior; BRIAN STEED, in his official capacity as Deputy Director for Policy and Programs, exercising the authority of the Director of the Bureau of Land Management; and JOE BALASH, in his official capacity as Assistant Secretary of Land and Minerals Management of the U.S. Department of the Interior,

Federal Defendants,

and

CLOUD PEAK ENERGY, INC.,
PEABODY CABALLO MINING, LLC,
and STATE OF WYOMING,

Intervenor-Defendants.

Please take notice that Intervenor-Defendant, State of Wyoming, hereby appeals to the U.S. Court of Appeals for the Ninth Circuit from the District Court's March 26, 2018, Opinion and Amended Order granting in part and denying in part Plaintiffs' motion for summary judgment, Federal Defendants' cross-motion for summary judgment, and Intervenor-Defendants' cross-motion for summary judgment (ECF No. 111); July 31, 2018, Order on remedy (ECF No. 124); and August 1, 2018, judgment in a civil case (ECF No. 125).

Respectfully submitted on this 11th day of October, 2018.

/s/ David C. Dalthorp

David C. Dalthorp, MT Bar No. 3720
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Helena, MT 59601
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Fax: (406) 447-7033
dalthorp@jmgm.com

James Kaste, WSB No. 6-3244
Deputy Attorney General
Erik E. Petersen, WSB No. 7-5608
Senior Assistant Attorney General
Wyoming Attorney General's Office
2320 Capitol Avenue
Cheyenne, WY 82002
(307) 777-6946 (phone)
(307) 777-3542 (fax)
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erik.petersen@wyo.gov

Attorneys for Defendant-Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of October, 2018, I electronically filed the foregoing with the Clerk of Court via the CM/ECF system, which will provide service to counsel for the parties.

/s/ David C. Dalthorp
JACKSON, MURDO & GRANT, P.C.