



## Jeffrey Pope

Partner

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**Jeff is an experienced advocate who helps clients tackle complex litigation and complex permitting cases.**

When clients need an experienced advocate, they benefit from Jeff's over a decade of experience navigating complex disputes in high-stakes litigation before courts and administrative agencies. Jeff's experience spans dozens of trials and appeals. Jeff excels at crafting innovative arguments on issues of first impression, which often appear in Wyoming.

He represents a range of industries on cases involving state and federal permits, surface use and access, eminent domain, leases, royalty payments, and commercial contracts.

Jeff is also a trusted advisor to clients permitting large-scale projects through Wyoming's industrial siting process. Jeff has assisted clients in permitting carbon capture, refining, wind, and solar projects. With in-depth knowledge of the legal requirements and first-hand experience at each stage of the process, Jeff helps clients engage with reviewing agencies to draft applications that anticipate and address potential issues and advocates for clients at contested case hearings before the Industrial Siting Council.

### PRACTICES

Environmental Litigation  
Environmental  
Business Litigation  
Appellate  
Zoning and Land Use

### INDUSTRIES

Energy and Resources  
Renewable Energy and Storage  
Mining  
Oil and Gas Litigation  
Data Centers

### EDUCATION

University of Kansas School of Law, J.D.,  
2011  
Order of the Coif  
*Kansas Law Review*, Editor  
  
The Catholic University of America, B.A.,  
2006  
*magna cum laude*

### BAR ADMISSIONS

Wyoming  
Colorado

### COURT ADMISSIONS

U.S. District Court for the District of  
Wyoming  
U.S. District Court for the District of  
Colorado  
U.S. Court of Appeals for the Tenth  
Circuit

### EXPERIENCE

#### Energy and Natural Resources Litigation

- Surface Use and Access
- State and Federal Permitting
- Eminent Domain
- Pipeline Disputes
- Oil and Gas Royalties
- Oil and Gas Leasing
- Appeals

#### Commercial Litigation

- Commercial Contracts
- Non-Compete Agreements
- Wrongful Death/Personal Injury
- Appeals

## Industrial Project Development

- Siting Permits for Wind, Solar, Transmission lines, Data Centers, Carbon Capture, and Refining Projects
- County Conditional and Special Use Permits for Transmission lines, Data Centers, and Wind and Solar Projects

## CLIENT RESULTS

### Trial Cases

- Won case of first impression in the nation to resolve development dispute between mining and oil and gas interests, allowing the world's largest surface coal mine to protect the viability of its operations. *BTU Western Resources et. al v. Berenergy Corp.*, 2019 WY 57 (2019).
- Led litigation team that secured victory to uphold and enforce important covenants not to compete related to the sale of an accounting firm, recovering hundreds of thousands of dollars in damages.
- Secured possession of a critical pipeline corridor through use of Wyoming's Eminent Domain Act.
- Won the renewal of coal mine permit in litigation before Wyoming's Environmental Quality Council.

### Appeals

- Secured reversal of \$31 million judgment in royalty dispute before the Wyoming Supreme Court.
- Secured reversal of Environmental Quality Council's denial of coal mine permit in a case of first impression about Wyoming's Environmental Quality Act.
- Won first order in lieu of consent case litigated in over 30 years and secured affirmance on appeal, allowing first coal mine permit application in over 40 years to proceed.

### Site Permitting

- Led team that acquired industrial siting permit for Fortune 100 company's state of the art carbon capture project.
- Led team that acquired first-ever industrial siting permit awarded to a commercial solar and battery storage facility.
- Led the team to permit the largest solar facility in Wyoming.
- Secured industrial siting permits for multiple solar and wind facilities and assisted in subsequent transfers and amendments of those permits.

## PUBLICATIONS

"Avoiding a Cline-Style Judgment: Mitigating class action risks of interest on late payments," *Landman*, Co-Author, January/February 2025

"Wyoming Oil and Gas Section," *The American Bar Association's Section*

*of Environment, Energy, and Resources 2024 Year in Review Publication*, Co-Author, December 2024

"Wyoming Oil and Gas Section," *The American Bar Association's Section of Environment, Energy, and Resources 2023 Year in Review Publication*, Co-Author, December 2023

"Early Engagement Avoids Perils of Wyoming Industrial Siting," *pv magazine*, April 6, 2023

"Wyoming Oil and Gas Section," *The American Bar Association's Section of Environment, Energy, and Resources 2022 Year in Review Publication*, Co-Author, December 2022

"Wyoming Oil and Gas Section," *The American Bar Association's Section of Environment, Energy, and Resources 2021 Year in Review Publication*, Co-Author, December 2021

"Wyoming Courts Raise the Stakes for Former Operators Allowing Surface Owners to Recover Double Damages," *Holland & Hart News Update*, July 29, 2021

"Survey on Oil & Gas," *Texas A&M Journal of Property Law*, Wyoming Chapter, 2021

"Wyoming Industrial Siting: Navigating the Path for Industrial Growth," November 17, 2020

## **SPEAKING ENGAGEMENTS**

"Environmental Issues in Solar Energy Projects," *Panelist, Strafford CLE Webinar*, March 27, 2025

"Building a Better Appellate Process," *Wyoming Municipal Court Judicial Conference*, May 2023

"Legacy Asset Litigation: Wyoming's Perpetual Liability Problem and How to Avoid it," *Petroleum Association of Wyoming Annual Meeting*, August 2021

"Surface Uses for Pipelines—Going Beyond Leasehold Rights," *Rocky Mountain Mineral Law Foundation Special Institute on Oil & Gas Agreements: Surface Use in the 21st Century*, May 2017

## **RECOGNITION**

- *Best Lawyers: Ones to Watch® in America*, Appellate Practice; Commercial Litigation; Environmental Law; Oil and Gas Law, 2024, 2025

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- Mining Associates of Wyoming, Board of Directors, 2023-present
- Cheyenne LEADs, Board of Directors, Secretary, 2021-present

- Wyoming College of Law Prosecution Assistance Clinic, Guest Lecturer, 2013-present
- Cheyenne East High School, Debate Coach, 2011-present
- Wyoming College of Law, Adjunct Professor of Law, 2015-2016
- Wyoming Blockchain Coalition, Founding Member, 2018