



Jeffrey Pope

Partner

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

PRACTICES

Environmental Litigation
Environmental
Business Litigation
Appellate
Zoning and Land Use

INDUSTRIES

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

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

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.

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

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

"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

"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

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