

UNITED STATES DISTRICT COURT  
DISTRICT OF WYOMING

CLOUD PEAK ENERGY INC.; NATIONAL MINING  
ASSOCIATION; and WYOMING MINING ASSOCIATION,

Petitioners,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; *et al.*,

Respondents.

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING  
2021 SEP -8 PM 3:13  
MARGARET BOTKINS, CLERK  
CASPER

No. 19-CV-120-SWS  
(Lead Case)

AMERICAN PETROLEUM INSTITUTE;

Petitioner,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; *et al.*,

Respondents.

No. 19-CV-121-SWS  
(Joined Case)

TRI-STATE GENERATION AND TRANSMISSION ASS'N,  
INC.; BASIN ELECTRIC POWER COOPERATIVE; and  
WESTERN FUELS-WYOMING, INC.,

Petitioners,

v.

DAVID BERNHARDT, in his official capacity as Secretary  
of the U.S. Department of Interior; *et al.*

Respondents.

No. 19-CV-126-SWS  
(Joined Case)

JUDGMENT

These joined cases came before the Court under the Administrative Procedure Act (APA), 5 U.S.C. § 706, for judicial review of a rule promulgated in 2016 by the Office of Natural Resources Revenue (ONRR), which effectively changed how royalties owed to the federal government were calculated on oil, gas, and coal produced from federal lands and offshore leases as well as coal produced from Indian lands (2016 Valuation Rule). The Court entered an Order Upholding in Part and Reversing in Part 2016 Valuation Rule on September 8, 2021 (19-CV-120 Doc. 107), which is fully incorporated herein by this reference. In accordance with the findings of fact and conclusions of law set forth in that Order,

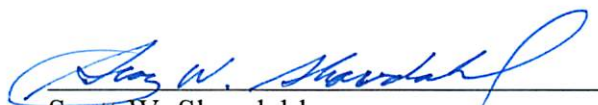
**IT IS HEREBY ORDERED AND ADJUDGED** that the federal and Indian coal-valuation provisions of the 2016 Valuation Rule are hereby **SET ASIDE AND VACATED**.

**IT IS FURTHER ORDERED AND ADJUDGED** that the federal oil-valuation provisions and federal gas-valuation provisions of the 2016 Valuation Rule are hereby **UPHELD AND AFFIRMED**.

**IT IS FURTHER ORDERED AND ADJUDGED** that Federal Respondents' Motion for Final Judgment (Doc. 87) is hereby **DENIED AS MOOT**.

**FINAL JUDGMENT** is hereby entered accordingly.

**DATED:** September 8<sup>th</sup>, 2021.

  
Scott W. Skavdahl  
United States District Judge