



Shawn Welch

Partner

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Shawn Welch represents clients in energy, environmental and natural resources litigation.

PRACTICES

Environmental and Natural Resources
Environmental and Natural Resources
Litigation
Eminent Domain
NEPA, Public Lands, and Cultural
Resources
American Indian Law
Oil and Gas

EDUCATION

University of Illinois College of Law, J.D.,
1994

Utah State University, B.A., 1991
cum laude

BAR ADMISSIONS

Utah
Wyoming

COURT ADMISSIONS

U.S. Supreme Court
U.S. Court of Appeals for the Tenth
Circuit
U.S. Court of Appeals for the District of
Columbia

Shawn serves as lead counsel in multi-week trials and appeals involving oil, gas and mining lawsuits, and in public lands litigation. He represents clients in federal and state courts in Utah and Wyoming, and also before the Interior Board of Land Appeals and state regulatory agencies.

EXPERIENCE

Litigation

- Title, right-of-way, surface access and condemnation
- Farmout agreements, working interests and overriding royalties
- Drilling disputes, contracts, and exploration and development agreements
- Federal permits and projects involving NEPA, FLPMA, NHPA, ESA and environmental law

CLIENT RESULTS

Representative Matters

Secured appellate reversal of a \$31 million jury verdict and take nothing judgment in an oil and gas royalty lawsuit.

Obtained appellate en banc dismissal of Supremacy Clause preemption claims involving public lands.

Obtained appellate reversal of adverse trespass decision and dismissal of all claims.

Quieted title to 65 miles of right-of-way following a two-week trial.

Quieted title to oil and gas interests and won money judgment for royalty over payments at trial.

Successfully defended oil and gas client in lawsuit claiming a breach of the duty to market and develop.

Secured favorable settlement in product defect litigation involving corrosion damage to client's oilfield equipment.

Extensive experience in litigating rights-of-way, surface use agreements,

and pipeline condemnation.

Extensive experience litigating farmout agreements, working interests, and overriding royalties.

Extensive experience defending drilling operations against claims involving loss of well, breach of contract, and breach of warranty.

Extensive experience defending federal records of decision, permits, and compliance with environmental law.

PUBLICATIONS

"Litigation Trends Affecting Upstream and Midstream Operators," *Rocky Mountain Mineral Law Foundation Special Institute on Midstream Oil & Gas from the Upstream Perspective*, Co-Author, April 2018

"5th Circ. ESA Decision Highlights Deference Discord," *Law360*, 04/18/2017

"Critical Habitat for Endangered Species: Does It Have To Be Habitat?," *Holland & Hart News Update*, 03/21/2017

"Public Land Withdrawals: The Age-Old Struggle Over Federal Land Management Policy Continues," *61 Rocky Mt. Min. L. Inst. 9*, Co-Author, 2015

SPEAKING ENGAGEMENTS

"Oil and Gas Royalty Issues on the Horizon," *2017 Rocky Mountain Chapter Annual Meeting, Panelist*, May 2017

RECOGNITION

- *Chambers USA: America's Leading Lawyers for Business*, Environment, Natural Resources & Regulated Industries, 2016-2019
- *The Best Lawyers in America*® Lawyer of the Year, Oil & Gas Law – Salt Lake City, 2017
- *The Best Lawyers in America*® Natural Resources Law, Oil and Gas Law, 2011-2020
- Mountain States Super Lawyers®, Energy & Resources, 2012-2019
- *Utah Business Magazine*, Utah Legal Elite, Energy & Natural Resources, Civil Litigation

PROFESSIONAL AND CIVIC AFFILIATIONS

- Rocky Mountain Mineral Law Foundation, Member
- Western Energy Alliance, Member
- Utah State Bar, Member
Energy, Natural Resources, and Environmental Law, Section President, 2014