Holland & Hart



Shawn Welch

Partner

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

Shawn has over 20 years of experience handling lawsuits involving oil, gas and mining projects, and public lands litigation. He represents clients in federal and state courts in Utah and Wyoming, and before the Interior Board of Land Appeals and state regulatory agencies.

Shawn has served as lead counsel in several multi-week trials involving significant industry and public lands disputes, and has argued more than a dozen appeals before the Supreme Courts of Utah and Wyoming, and the United States Court of Appeals for the Tenth Circuit.

EXPERIENCE

- Mineral and surface title, rights-of-way, easements, nuisance, and trespass
- Oil, gas, and mining regulation and litigation
- Oil marketing contracts, midstream gas transportation contracts
- Condemnation, surface access, and surface use agreements
- Farmout agreements, working interests, and overriding royalties
- Royalty disputes, accounting and audits, divisions of interests, and joint interest billings
- Drilling disputes, drilling contracts, and development agreements
- Land use and zoning regulations, data center siting and regulation
- Breach of contract, assignments for the benefit of creditors, and fraudulent transfers
- Federal permit and project litigation involving:
    - National Environmental Policy Act
    - National Historic Preservation Act
    - Endangered Species Act
    - Federal Land Policy and Management Act
    - Clean Air Act
    - Clean Water Act
    - Other federal and state environmental law

CLIENT RESULTS

PRACTICES

Environmental
Environmental Litigation
Federal Lands Permitting

INDUSTRIES

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

EDUCATION

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

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

BAR ADMISSIONS

Utah
Wyoming
Illinois (inactive)

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
U.S. District Court for the District of Utah
U.S. District Court for the District of Wyoming

Representative Matters

Defended oil and gas client's 400 well project and defeated all claims in a 21-count lawsuit alleging violations of the Clean Air Act, Clean Water Act, National Environmental Policy Act, and other state and federal law.

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

Successfully set aside an $8 million default judgment against mining client.

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.

Successfully defended client's data centers from adverse regulation by working with the local government to enact a workable zoning ordinance and by negotiating noise and vibration easements with adjacent property owners.

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

Possesses a breadth of experience with litigation related to rights-of-way, surface use agreements, and pipeline condemnation.

Skillful in handling legal disputes regarding farmout agreements, working interests, and overriding royalties.

Broad experience in protecting drilling operations from allegations regarding loss of well, contract violations, and breach of warranties.

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

PUBLICATIONS

"SCOTUS Reins In NEPA: A Game-Changer for Infrastructure Development," *Holland & Hart NEPA Update*, June 3, 2025

SPEAKING ENGAGEMENTS

"Policy Implications of the Trump Administration on the Energy Sector," Panelist, *National Young Energy Professionals Conference- Institute for Energy Law*, Las Vegas, NV, April 3, 2025

RECOGNITION

- *Chambers USA*, Environment, Natural Resources & Regulated Industries, 2016-2020; Natural Resources & Environment, 2021-2026
- *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, 2011-2027; Litigation - Environmental, 2025-2027
- Legal 500 US City Elite - Salt Lake City, Energy and Natural Resources, 2026
- Mountain States Super Lawyers®, Energy & Resources, 2012-2026
- *Utah Business Magazine*, Utah Legal Elite, Energy & Natural Resources, Civil Litigation

PROFESSIONAL AND CIVIC AFFILIATIONS

- The Foundation for Natural Resources and Energy Law, Member
- American Association of Professional Landmen
- Utah State Bar
    - Section of Environmental, Energy, and Natural Resources, Section President, 2014
    - Appellate Section, Executive Committee

  Wyoming State Bar

    - Energy & Natural Resources Section