

Appellate Case: 12-7045 Document: 01019120586 Date Filed: 09/05/2013 Page: 1

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

Byron White United States Courthouse
1823 Stout Street
Denver, Colorado 80257
(303) 844-3157

Elisabeth A. Shumaker
Clerk of Court

September 05, 2013

Douglas E. Cressler
Chief Deputy Clerk

Mr. Tom Bates
Mr. P. Clayton Eubanks
Mr. Patrick R Wyrick
Office of the Attorney General for the State of Oklahoma
313 N.E. 21st Street
Oklahoma City, OK 73105

Mr. Erik C. Johnson
Mr. G. Daniel Kelley Jr.
Ice Miller
P.O. Box 82001
One American Square
Indianapolis, IN 46282-0000

Mr. Thomas J. McGeady
Mrs. Donna L. Smith
Logan & Lowry, LLP
101 South Wilson Street
P.O. Box 558
Vinita, OK 74301-0558

Mr. Brian Pipkin
Mr. Stanley Dale Smith
Mitchell, Williams, Selig, Gates & Woodyard
425 West Capitol Avenue, Suite 1800
Little Rock, AR 72201

Mr. Mark Christopher Secrest
Oklahoma Department of Mines
2915 North Classen Boulevard, Suite 213
Oklahoma City, OK 73106

RE: 12-7045, 12-7048, Farrell-Cooper Mining Company v. US Department of the Interior, et al
Dist/Ag docket: 6:11-CV-00428-FHS

Dear Counsel:

Enclosed is a copy of the opinion of the court issued today in this matter. The court has entered judgment on the docket pursuant to Fed. R. App. P. Rule 36.

Pursuant to Fed. R. App. P. Rule 40, any petition for rehearing must be filed within 14 days after entry of judgment. Please note, however, that if the appeal is a civil case in which the United States or its officer or agency is a party, any petition for rehearing must be filed within 45 days after entry of judgment. Parties should consult both the Federal Rules and local rules of this court with regard to applicable standards and requirements. In particular, petitions for rehearing may not exceed 15 pages in length, and no answer is permitted unless the court enters an order requiring a response. If requesting rehearing en banc, the requesting party must file 12 paper copies with the clerk, in addition to satisfying all Electronic Case Filing requirements. *See* Fed. R. App. P. Rules 35 and 40, and 10th Cir. R. 35 and 40 for further information governing petitions for rehearing.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

cc: John Wheeler Austin II
Katherine J. Barton
Susan Stidham Brandon
Ashley C. Brown
Kenneth T. Cuccinelli II
Michael C. Geraghty
Earle Duncan Getchell Jr.
Joseph L. Jenkins
Cheryl R. Triplett

EAS/na