

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUITNos. 15-3751/ 3799/ 3817/ 3820/ 3822/ 3823/ 3831/ 3837/ 3839/ 3850/ 3853/
3858/ 3885/ 3887/ 3948 / 4159/ 4162/ 4188/ 4211/ 4234/ 4305/ 4404IN RE: UNITED STATES DEPARTMENT OF DEFENSE AND
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
FINAL RULE: CLEAN WATER RULE: DEFINITION OF "WATERS
OF THE UNITED STATES," 80 FED. REG. 37,054 (JUNE 29, 2015).**FILED**
Feb 22, 2016
DEBORAH S. HUNT, Clerk

MURRAY ENERGY CORPORATION (15-3751); STATE OF OHIO, et al. (15-3799);
NATIONAL WILDLIFE FEDERATION (15-3817); NATURAL RESOURCES DEFENSE
COUNCIL, INC. (15-3820); STATE OF OKLAHOMA (15-3822); CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA, et al. (15-3823); STATE OF NORTH DAKOTA, et al.
(15-3831); WATERKEEPER ALLIANCE INC., et al. (15-3837); PUGET SOUNDKEEPER
ALLIANCE, et al. (15-3839); AMERICAN FARM BUREAU FEDERATION, et al. (15-3850);
STATE OF TEXAS, et al. (15-3853); UTILITY WATER ACT GROUP (15-3858);
SOUTHEASTERN LEGAL FOUNDATION, INC., et al. (15-3885); STATE OF
GEORGIA, et al. (15-3887); ONE HUNDRED MILES, et al., (15-3948); SOUTHEAST
STORMWATER ASSOCIATION, INC., et al. (15-4159); MICHIGAN FARM BUREAU
(15-4162); WASHINGTON CATTLEMEN'S ASSOCIATION (15-4188); ASSOCIATION
OF AMERICAN RAILROADS, et al. (15-4211); TEXAS ALLIANCE FOR RESPONSIBLE
GROWTH, ENVIRONMENT, AND TRANSPORTATION (15-4234); AMERICAN EXPLORATION
& MINING ASSOCIATION (15-4305); ARIZONA MINING ASSOCIATION, et al. (15-4404),
Petitioners,

v.

UNITED STATES DEPARTMENT OF DEFENSE, DEPARTMENT OF THE ARMY CORPS OF
ENGINEERS and UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, et al.,
Respondents.

Before: KEITH, McKEAGUE, and GRIFFIN, Circuit Judges.

JUDGMENT

On Petitions for Review of Final Rule of the United States Department
of Defense and United States Environmental Protection Agency.
Judicial Panel on Multi-District Litigation, No. 135.

THIS MATTER came before the court upon the petitions for review by Petitioners and Intervenor for review of the Clean Water Rule: Definition of "Waters of the United States," 80 Fed. Reg. 37,054 (June 29, 2015).

UPON FULL REVIEW of the record, the motions to dismiss, and arguments of counsel,

IT IS ORDERED, for the reasons more fully set forth in the court's opinions of even date, that all pending motions to dismiss are DENIED.

ENTERED BY ORDER OF THE COURT

Deborah S. Hunt, Clerk