

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ENVIRONMENTAL INTEGRITY
PROJECT; NATURAL RESOURCES
DEFENSE COUNCIL, EARTHWORKS;
CENTER FOR HEALTH,
ENVIRONMENT, AND JUSTICE; WEST
VIRGINIA CITIZEN ACTION GROUP
D/B/A WEST VIRGINIA SURFACE
OWNERS' RIGHTS ORGANIZATION;
RESPONSIBLE DRILLING ALLIANCE;
AND SAN JUAN CITIZENS ALLIANCE,

Plaintiffs,

v.

GINA McCARTHY, in her official capacity
as Administrator, United States
Environmental Protection Agency,

Defendant.

Case No. 1:16-cv-00842-JDB

NOTICE OF APPEAL

Notice is hereby given on this 13th day of January, 2017, that Proposed Intervenor-Defendant State of North Dakota, pursuant to Rule 4(a) of the Federal Rules of Appellate Procedure, appeals to the United States Court of Appeals for the District of Columbia Circuit from the Order of this Court entered in this action on November 18, 2016 (Dkt. 29); the Memorandum Opinion of this Court entered in this action on November 18, 2016 (Dkt. 30); the Consent Decree of this Court entered in this action on December 28, 2016 (Dkt. 33); and all other orders and rulings adverse to the State of North Dakota in this case.

Dated: January 13, 2017

Respectfully submitted,

Wayne Stenehjem
Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2017, I electronically filed the foregoing **NOTICE OF APPEAL** with the Clerk of the Court using CM/ECF system, which will send notification of this filing to the attorneys of record.

/s/ Paul M. Seby

Paul M. Seby