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## **Mora County Fracking Ban Tramples Personal Property Rights** <sup>[1]</sup>

*Western Energy Alliance amicus brief urges court to overturn unlawful fracking ban*

(DENVER) - Western Energy Alliance filed an *amicus* brief in support of royalty owner Mary Vermillion and co-plaintiffs Yates Petroleum and the Independent Petroleum Association of New Mexico (IPANM) in their lawsuit challenging Mora County's ban on hydraulic fracturing.

In the brief, Western Energy Alliance, represented by Bob Comer and Meredith Kapushion of Jackson Kelly PLLC and Joel Carson of the Carson Ryan Law Firm, highlights how Mora County overstepped its jurisdiction and trampled the personal property rights of individual royalty owners by seeking to ban safe and responsible energy development. By raising the illegality of a similar ban in Colorado, the Alliance briefs the U.S. District Court for New Mexico that states have the technical expertise to properly regulate fracking and other oil and natural gas activities, a capability not found at the county level.

"Counties and municipalities certainly have a role to play in oil and natural gas development," said Tim Wigley, president of Western Energy Alliance, "but they do not have the jurisdiction to simply ban an activity that is legal in the state. The State of New Mexico has stringent rules in place to ensure that fracking is done safely while protecting the environment, and we urge the court to overturn the ban.

"Counties cannot ignore the rights of individual mineral owners like Mary Vermillion, who seeks to responsibly develop energy on her property and supplement her income. Mora County's ordinance banning fracking and all oil and natural gas activities is misguided, and raises stark issues of taking property away from ordinary citizens and denying job creation and economic growth."

Western Energy Alliance's brief is available [here](#) <sup>[2]</sup>.

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### **Links:**

[1] <https://www.westernenergyalliance.org/press-room/mora-county-fracking-ban-tramples-personal-property-rights>

[2] <http://cdn.westernenergyalliance.org/sites/default/files/Western%20Energy%20Alliance%20Mora%20County%20Amicus.pdf>