

FILED



9:32 am, 5/12/21

U.S. Magistrate Judge

United States District Court
For The District of Wyoming

STATE OF WYOMING

Petitioner,

vs.

UNITED STATES DEPARTMENT OF
THE INTERIOR, et al.

Respondents,

Conservation Groups,

Movant

Civil No. 21-CV-56-J

**ORDER GRANTING CONSERVATION GROUPS' MOTION TO
INTERVENE [20]**

This matter is before the Court on the Center for Biological Diversity, Citizens for a Healthy Community, Conservation Colorado, Dine Citizens Against Ruining Our Environment, Earthworks, Food & Water Watch, Friends of the Earth, Great Old Broads for Wilderness, Indian People's Action, Montana Environmental Information Center, National Parks Conservation Association, Powder River Basin Resource Council, Sierra Club, Southern Utah Wilderness Alliance, The Wilderness Society, Valley Organic Growers Association, Western Colorado Alliance, Western Organization of Resource Councils, Western Watersheds Project, WildEarth Guardians, Wilderness Workshop ("Conservation

Groups”) Motion to Intervene [Doc. 20], and the Court having carefully considered the Motion, FINDS:

On March 24, 2021, Petitioner, the State of Wyoming, filed a Petitioner for Review [Doc. 1]. On April 19, 2021, the Conservation Groups filed the instant Motion to Intervene. In the Motion, the Conservation Groups state that they had complied with Local Rule 7.1 wherein counsel conferred with the attorneys for the other parties about the request to intervene. Petitioner, the State of Wyoming, indicated it did not oppose the request. Respondents U.S. Department of Interior, Debra Haaland, in her official capacity as Secretary of the United States Department of the Interior, the United States Bureau of Land Management, Nada Culver, in her official capacity as acting Director of the Bureau of Land Management, and Kim Liebhauser, in her official capacity as the acting Wyoming State Bureau of Land Management Director (“Federal Respondents”) informed movants that no position would be taken until after reviewing the Motion. On April 27, 2021, the Federal Respondents filed a Response to the Motion to Intervene [Doc. 25] taking no position on the request to intervene.

After reviewing the requirements for intervention and taking into account the fact no current party filed any objection to the proposed intervention, the Court finds the Conservation Groups should be allowed to intervene. First, the Motion is timely. “The timeliness of a motion to intervene is determined ‘in light of all of the circumstances.’” *Okla. ex rel. Edmondson v. Tyson Foods, Inc.*, 619 F.3d 1223, 1232 (10th Cir. 2010). Next, the movants share a claim or defense with the underlying actions that share a common question of law and fact, and the relief sought by Petitioners would directly impact their interests. Fed. R. Civ. P. 24(b)(1)(B). Lastly, the proposed intervention will not unduly

delay or prejudice the adjudication of the original parties' rights. Fed. R. Civ. P. 24(b)(3). Therefore, the Conservation Groups' Motion to Intervene is granted. *See Utah Ass'n of Ctys. v. Clinton*, 255 F.3d 1246, 1249 (10th Cir. 2001)(stating when considering whether to grant intervention under Rule 24, the Tenth Circuit follows "a somewhat liberal line").

NOW, THEREFORE, IT IS ORDERED Center for Biological Diversity, Citizens for a Healthy Community, Conservation Colorado, Dine Citizens Against Ruining Our Environment, Earthworks, Food & Water Watch, Friends of the Earth, Great Old Broads for Wilderness, Indian People's Action, Montana Environmental Information Center, National Parks Conservation Association, Powder River Basin Resource Council, Sierra Club, Southern Utah Wilderness Alliance, The Wilderness Society, Valley Organic Growers Association, Western Colorado Alliance, Western Organization of Resource Councils, Western Watersheds Project, WildEarth Guardians, Wilderness Workshop ("Conservation Groups") Motion to Intervene [Doc. 20] is GRANTED.

IT IS FURTHER ORDERED the caption in this case may be amended to reflect this ruling.

Dated this 12th day of May, 2021.



Kelly H. Rankin
U.S. Magistrate Judge