

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

WESTERN WATERSHEDS PROJECT,)
 ALLIANCE FOR THE WILD ROCKIES, and)
 YELLOWSTONE TO UINTAS CONNECTION,)

No. 1:20-cv-00860-APM

Plaintiffs,

v.

DAVID BERNHARDT, in his official capacity as)
 Secretary of the United States Department of the)
 Interior; UNITED STATES FISH AND)
 WILDLIFE SERVICE; and UNITED STATES)
 FOREST SERVICE,)

**MOTION TO INTERVENE BY
 UPPER GREEN RIVER CATTLE
 ASSOCIATION; SOMMERS
 RANCH, LLC; PRICE CATTLE
 RANCH; MURDOCK LAND AND
 LIVESTOCK CO.; AND
 WYOMING STOCK GROWERS
 ASSOCIATION**

Defendants,

and

UPPER GREEN RIVER CATTLE)
 ASSOCIATION; SOMMERS RANCH, LLC;)
 PRICE CATTLE RANCH, MURDOCK LAND)
 AND LIVESTOCK CO.; and WYOMING STOCK)
 GROWERS ASSOCIATION,)

Applicants in Intervention.

Pursuant to Fed. R. Civ. P. 24(a), the Upper Green River Cattle Association, Sommers Ranch, LLC, Price Cattle Ranch, Murdock Land & Livestock Co., and the Wyoming Stock Growers Association (collectively “Ranchers”) move to intervene as of right in the above-captioned case as Intervenor-Defendant. Alternatively, Ranchers move for permissive intervention pursuant to Fed. R. Civ. P. 24(b). This Motion is accompanied by a supporting Memorandum of Points and Authorities, declarations in support of each applicant-intervenor’s motion to intervene, and a Proposed Order granting Ranchers’ Motion to Intervene. Also,

contemporaneously with this Motion to Intervene, Ranchers submit their Proposed Answer to Plaintiffs' Complaint, pursuant to Fed. R. Civ. P. 24.

Additionally, because Plaintiffs have moved for preliminary relief, *see* ECF No. 15, given the short time frame between the filing of this Motion and the deadline to file a response in opposition to Plaintiffs' motion, and to ensure that the existing parties are not prejudiced by Ranchers' intervention, Ranchers respectfully attach their Proposed Response in Opposition to Plaintiffs' Motion for Preliminary Injunction hereto for the Court's consideration.

Prior to filing this Motion, counsel for Ranchers contacted Plaintiffs' counsel and Defendants' counsel to request their position, pursuant to Local Civil Rule 7(m). Counsel for Plaintiffs stated that Plaintiffs would take no position until they had an opportunity to review the Motion papers. Counsel for Defendants stated that Defendants took no position on the Motion.

DATED: May 20, 2020.

Respectfully submitted by:

MOUNTAIN STATES LEGAL FOUNDATION

/s/ Zhonette M. Brown

Zhonette M. Brown, Esq. (D.D.C. Bar No. 463407)

Brian E. Gregg (Colo. Bar No. 51063)

(admission application forthcoming)

2596 South Lewis Way

Lakewood, Colorado 80227

(303) 292-2021

(303) 292-1980 (facsimile)

zhonette@mslegal.org

brian@mslegal.org

Attorneys for Applicants in Intervention

CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2020, I electronically transmitted the attached document to the Clerk's office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all parties or counsel of record, as more fully reflected on the Notice of Electronic Filing.

s/ Brian E. Gregg