

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:15-cv-130  
(Consolidated with Civil Action No. 1:15-cv-131 and Civil Action No. 1:15-cv-286)

IN re GUNNISON SAGE-GROUSE ENDANGERED SPECIES ACT LITIGATION

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Civil Action No.1:15-cv-286 - ONLY

THE STATE OF COLORADO by and through the Colorado Department of Natural Resources, the Division of Parks and Wildlife, and the Parks and Wildlife Commission,  
Plaintiff

v.

UNITED STATES FISH AND WILDLIFE SERVICE,  
DANIEL ASHE, in his official capacity as Director of the United States Fish and  
Wildlife Service,  
SALLY JEWELL, in her official capacity as Secretary of the United States Department  
of the Interior,  
Defendants

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**ORDER GRANTING UNOPPOSED JOINT MOTION BY GUNNISON COUNTY  
AND THE GUNNISON COUNTY STOCKGROWERS' ASSOCIATION TO  
INTERVENE AS PLAINTIFF-INTERVENORS AND TO BRING ADDITIONAL  
CLAIMS IN CIVIL ACTION NO. 1:15-CV-286**

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This matter is currently before me on the Board of County Commissioners of the County of Gunnison, Colorado and the Gunnison County Stockgrowers' Association, Inc. (collectively "Gunnison Plaintiff-Intervenors") Unopposed Joint Motion to Intervene and To Bring Additional Claims in Civil Action No. 1:15-cv-286 (Doc. 23). The Gunnison Plaintiff-Intervenors seek to jointly intervene in this matter pursuant to either Fed. R. Civ.

P. 24(a)(2) (allowing intervention as a matter of right) or Fed. R. Civ. P. 24(b)(1)(B) (allowing permissive intervention). Plaintiff and Defendants do not oppose Gunnison Plaintiff-Intervenors' intervention in this litigation.

I find that the Gunnison Plaintiff-Intervenors have satisfied the requirements of Fed. R. Civ. P. 24(a)(2), and their Unopposed Joint Motion Seeking Leave to Intervene and Bring Additional Claims in Civil Action No. 1:15-cv-286 (Doc. 23) is GRANTED. The clerk shall enter their Complaint/Petition in Intervention with Additional Claims attached to their Motion to Intervene.

In the interest of the efficient conduct of the proceedings, *San Juan County, Utah v. United States*, 503 F.3d 1163, 1189 (10<sup>th</sup> Cir. 2007), the Gunnison Plaintiff-Intervenors' participation in these proceedings will be subject to the following limitations:

1. Counsel for Plaintiff and counsel for Gunnison Plaintiff-Intervenors must confer before filing any motion, responsive filing, or brief to determine whether their positions may be set forth in a consolidated fashion.
2. Gunnison Plaintiff-Intervenors may file separate motions, responsive filings, or briefs only to raise arguments or issues Plaintiff declines to address adequately in its filings.
3. Any separate filings must include a Certificate of Compliance with the condition requiring the Gunnison Plaintiff-Intervenors to confer with counsel for Plaintiff

before filing, and a statement that the issues raised are not adequately covered by Plaintiff's position.

Dated: July 6, 2015

**s/ John L. Kane**  
Senior U.S. District Judge