

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

MONTANA WILDLIFE, et al.,
Plaintiffs,

vs.

RYAN K. ZINKE, Secretary of the
Interior, et al.,
Defendants.

CV-18-69-GF-BMM

ORDER

Applicants for intervention, State of Wyoming and Western Energy Alliance (collectively “Applicants”) have moved to intervene as of right pursuant to Federal Rule of Civil Procedure 24(a)(2). (Docs. 15; 17.) Plaintiffs take no position on either motion. (Docs. 15 at 2; 17 at 2.) Federal Defendants likewise take no position on either motion. (Docs. 15 at 2; 17 at 2.)

To intervene as of right under Fed. R. Civ. P. 24(a)(2), an applicant must show that “(1) it has a significant protectable interest relating to the property or transaction that is the subject of the action; (2) the disposition of the action may, as a practical matter, impair or impede the applicant's ability to protect its interest; (3) the application is timely; and (4) the existing parties may not adequately represent the applicant's interest.” *In re Estate of Ferdinand E. Marcos Human Rights Litig.*, 536 F.3d 980, 984 (9th Cir. 2008).

Plaintiffs challenge six Bureau of Land Management (BLM) lease sales in

Montana, Wyoming, and Nevada. (Doc. 1.) The State of Wyoming seeks to intervene to protect its interests in preventing the interruption of oil and gas leasing within the state. (Doc. 16 at 3.) Western Energy Alliance seeks to intervene to protect the economic interests of its members in the leasing and development of oil and gas resources on public lands. (Doc. 17 at 2.) Federal Defendants likely possess similar, but not necessarily the same, interests as the Applicants. The Applicants meet the standard for intervention as of right.

IT IS ORDERED that the motion (Doc. 15) for intervention as of right of Applicant State of Wyoming is hereby **GRANTED**.

IT IS FURTHER ORDERED that the motion (Doc. 17) for intervention as of right of Applicant Western Energy Alliance is hereby **GRANTED**.

IT IS FURTHER ORDERED that the Clerk of Court shall file the Defendant-Intervenors' Proposed Answers as separate docket entries.

The Court will impose briefing word limits on all parties at the preliminary pretrial conference, which will be scheduled by forthcoming Order.

DATED this 16th day of July, 2018.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style and is positioned above a horizontal line.

Brian Morris
United States District Court Judge