

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

IDAHO STATE SNOWMOBILE  
ASSOCIATION; and THE BLUERIBBON  
COALITION,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE; U.S.  
FOREST SERVICE, Northern Region;  
CLEARWATER NATIONAL FOREST;  
FAYE KRUGER; Regional Forester, Northern  
Region; RICK BRAZELL, Forest Supervisor,  
Clearwater National Forest,

Defendants.

Case No. 3:12-CV-447-BLW

**MEMORANDUM DECISION AND  
ORDER**

**MEMORANDUM DECISION**

The Court has before it a motion to intervene filed by (1) the Great Burn Study Group; (2) the Idaho Conservation League, and (3) the Wilderness Society. The plaintiffs filed no objection. The Forest Service filed a response stating that it takes “no position” on the motion but asks the Court to impose conditions on the intervention, including requiring intervenors to (1) confine their arguments to the issues raised in the complaint; (2) be subject to the same APA constraints as the other parties; (3) be

allocated their own page limits and oral argument time; and (4) focus their presentation on arguments not raised by the Forest Service.

The first two proposed constraints are imposed automatically when the intervention is granted. The Court agrees that the next two must be imposed, and so will (1) allow the intervenors their own page limits and time to argue at oral argument, and not subtract those pages or time from that allocated to the Forest Service, and (2) direct the intervenors to not cover issues already covered in the Forest Service's briefing.

The intervenors will be assisted in following the latter condition by the staggered briefing schedule governing the motions for summary judgment that has them filing their briefing about a week after the Forest Service's brief. *See Case Management Order (Dkt. No. 20)*. That schedule has the plaintiffs filing a combined reply brief, and the Court will grant the plaintiffs extra pages up to the number of pages in the intervenors' brief. Upon these conditions, the Court will grant the motion and allow permissive intervention.

### **ORDER**

In accordance with the Memorandum Decision set forth above,

NOW THEREFORE IT IS HEREBY ORDERED, that the motion to intervene (docket no. 7) is GRANTED, and that the following entities are granted permissive intervention under the conditions set forth above: (1) the Great Burn Study Group; (2) the Idaho Conservation League, and (3) the Wilderness Society.



DATED: April 3, 2013

A handwritten signature in black ink, reading "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill  
Chief Judge  
United States District Court