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

UNITED STATES OF AMERICA, Plaintiff, v. STATE OF IDAHO; IDAHO DEPARTMENT OF WATER RESOURCES, an agency of the State of Idaho; and GARY SPACKMAN, in his official capacity as Director of the Idaho Department of Water Resources, Defendants.) Case No. 1:22-cv-00236-DCN))) UNITED STATES' NOTICE OF) OPPOSITION TO JOYCE LIVESTOCK) CO., LU RANCHING CO., PICKETT) RANCH & SHEEP CO., AND IDAHO FARM) BUREAU FEDERATION'S MOTION) TO INTERVENE AS DEFENDANTS (ECF) NO. 19))))
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Plaintiff United States of America (“United States”), pursuant to the Court’s Order of September 2, 2022 (ECF No. 23), hereby provides Notice that it opposes intervention as of right as sought in the Motion to Intervene filed by Joyce Livestock Co., L.U. Ranching Co., Pickett Ranch & Sheep Co., and Idaho Farm Bureau Federation (collectively, “Movants”) (ECF No. 19) (the “Motion”). The United States submits that the Motion fails to identify any water right or other property interest that the Movants purport to own which is at issue in or will be affected by the forfeiture proceedings that gave rise to this action. Further, the Motion fails to demonstrate that the existing defendants will not adequately represent the Movants’ interests. *See* Fed. R. Civ. P. 24(a).

The United States takes no position on permissive intervention as long as such intervention will not unduly delay or prejudice the adjudication of the original parties’ rights, including any Litigation Plan, Discovery Plan, and briefing schedule agreed to by the existing parties, and is in the interests of judicial economy. *See* Fed. R. Civ. P. 24(b).

As contemplated by the Order (ECF No. 23), the United States expects to fully develop its positions on the Motion in subsequent briefing and respectfully requests that it be directed to file its opposition on or before October 8, 2022, in light of scheduled leave of the undersigned counsel, several upcoming deadlines that will involve extensive briefing, and travel for a hearing all within the next three weeks.

Respectively submitted this 8th day of September, 2022.

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