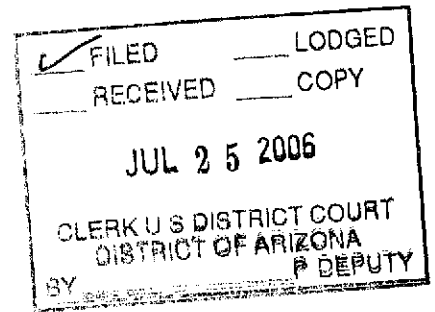


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IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ARIZONA

River Runners for Wilderness, et al.)	No. CV-06-0894 PCT-DGC
)	
Plaintiffs,)	MOTION OF GRAND
)	CANYON PRIVATE BOATERS
v.)	ASSOCIATION TO
)	INTERVENE AS
Joseph F. Alston, et al.)	DEFENDANT (WITH
)	MEMORANDUM IN
Defendants.)	SUPPORT)
)	

The Grand Canyon Private Boaters Association (“GCPBA”), moves this Court for an order allowing it to intervene in this proceeding, either as a matter of right under F.R.C.P. 24(a) or, in the alternative, permissively under Rule 24(b). Counsel for GCPBA has conferred with counsel for plaintiffs and defendants. Counsel for the United States takes no position on the motion. Counsel for plaintiffs opposes intervention on the merits but does not oppose intervention at the remedy stage. GCPBA seeks intervention in all stages of this action.

As set forth in the attached memorandum and the Declaration of David Yeamans, GCPBA should be allowed to intervene because:

1. In 2000, GCPBA challenged the National Park Service’s failure to update its Colorado River Management Plan and to adjust the allocation of boating permits between commercial and private boaters in accordance with current demand,

environmental conditions and other new information. *Grand Canyon Private Boaters Ass'n v. Arnberger*, No. CV-00-1277-PCT-PGR (D. Ariz. Oct. 2, 2000). GCPBA, the Park Service and GCROA, also an applicant for intervention here, settled that case with an agreement by which NPS created the new CRMP and EIS now under challenge. *Id.* GCPBA participated in the public comment process on the new CRMP and EIS. It joined with GCROA in advocating an alternative eventually adopted by the Park Service. GCPBA thus has an interest in defending the decisions that NPS made in response to GCPBA's prior litigation and administrative involvement on a central issue in this litigation.

2. GCPBA has moved to intervene in a timely matter, and granting its intervention will not prejudice any party. GCPBA has a significantly protectable interest in this action warranting the granting of intervention. The disposition of this action may, as a practice matter, impair or impede its interest. GCPBA's interest may not be adequately represented by any existing party.

3. If this Court should find that GCPBA is not entitled to intervene as of right, GCPBA requests that this Court grant it permissive intervention under Rule 24(b). This motion is filed in a timely fashion and granting it will not prejudice any party. There are independent grounds for jurisdiction, and the defenses raised by GCPBA present common questions of law or fact with the defenses of federal defendants.

Consequently, GCPBA respectfully requests that this Court grant this motion to intervene as a matter of right under Fed. R. Civ. P. 24(a), or, in the alternative, permissively under Fed. R. Civ. P. 24(b).

Dated this 24th day of July, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Potter', with a long horizontal flourish extending to the right.

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