

HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC
C. Timothy Hopkins, ISBN 1064
Sean J. Coletti, ISBN 7199
428 Park Avenue
P.O. Box 51219
Idaho Falls, Idaho 83405-1219
Telephone: 208-523-4445

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR - 9 2012	
By _____	Clerk
_____	Deputy Clerk

Attorneys for Intervenor Wells Fargo Bank, N.A.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

MOTION TO INTERVENE

SUBCASE NOS.: 22-13434,
22-13721 and 22-13723

COMES NOW WELLS FARGO BANK, N.A., ("Intervenor"), by and through its attorneys of record, Hopkins Roden Crockett Hansen & Hoopes, PLLC, and moves pursuant to Rule 24(a) of the Idaho Rules of Civil Procedure to intervene in this action as a Defendant-Respondent. In support of this Motion, Intervenor states the following:

1. Rule 24(a) of the Idaho Rules of Civil Procedure provides that anyone shall be permitted to intervene in an action "(2) when the applicant claims an interest relating to the property or transaction which is the subject of the action and the

MOTION TO INTERVENE - 1

applicant is so situated that the disposition of the action may as a practical matter impair or impede applicant's ability to protect that interest[.]”

2. In this case the Intervenor moves to intervene under Rule 24(a).

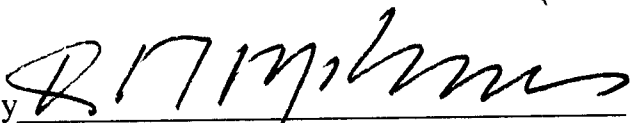
On January 5, 2012, the Intervenor purchased the real property previously owned in this matter by BC Properties LLC. As the owner of one of the properties at issue in this case, Intervenor's interest is not adequately represented by the existing parties. Disposition of this action in its present state as a practical matter may impair or impede Intervenor's ability to protect its interest in the real property it owns. As such, the Intervenor should be allowed to intervene as a matter of right in accordance with the provisions of Rule 24(a) to protect its interest in said real property.

3. This Motion is based upon the pleadings and papers on file herein and the Affidavit of C. Timothy Hopkins filed in support hereof.

WHEREFORE, the Intervenor respectfully requests that the Court grant this Motion to Intervene and allow it to intervene herein as a party Defendant-Respondent for all purposes.

DATED this 6th day of March, 2012.

HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC

By 
C. Timothy Hopkins
Attorneys for Intervenor
Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE BY MAIL, HAND DELIVERY
OR FACSIMILE TRANSMISSION

I hereby certify that a true and correct copy of the foregoing document was on this date served upon the person(s) named below, at the address(es) set out below their name, either by mailing, overnight delivering, hand delivering or by telecopying to them a true and correct copy of said document in a properly addressed envelope in the United States mail, postage prepaid; by overnight delivery, postage prepaid; by hand delivery to them; or by facsimile transmission.

DATED this 6th day of March, 2012.

By Sean J. Coletti
Sean J. Coletti

Chad Marlowe, Esq.
Marlowe Law Firm, P.C.
P.O. Box 4842
Jackson, WY 83001

- ☒ U.S. Mail
- ☐ Overnight Delivery
- ☐ Hand Delivery
- ☐ Facsimile

Jarin O. Hammer, Esq.
Beard St. Clair Gaffney, P.A.
2105 Coronado St.
Idaho Falls, ID 83404-7495

- ☒ U.S. Mail
- ☐ Overnight Delivery
- ☐ Hand Delivery
- ☐ Facsimile

Ray W. Rigby, Esq.
Rigby Andrus & Rigby, Chtd.
25 N. 2nd East
Rexburg, ID 83440-0250

- ☒ U.S. Mail
- ☐ Overnight Delivery
- ☐ Hand Delivery
- ☐ Facsimile

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

- ☒ U.S. Mail
- ☐ Overnight Delivery
- ☐ Hand Delivery
- ☐ Facsimile