

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

WOLF CARBON SOLUTIONS US LLC	)	
	)	
Petitioner,	)	No. EQCE088409
	)	
vs.	)	
	)	MOTION TO INTERVENE
IOWA UTILITIES BOARD,	)	
	)	
Respondent.	)	

Comes now Sierra Club Iowa Chapter and in support of this Motion to Intervene states to the Court as follows:

1. Wolf Carbon Solutions US LLC (Wolf) has filed herein a Petition for Temporary and Permanent Injunction to prevent disclosure of its list of landowners who may be impacted by Wolf’s carbon dioxide pipeline project.

2. Sierra Club has been working with landowners since Wolf’s project was first announced to help landowners understand their rights and to support any landowners who resist Wolf’s efforts to obtain easements from those landowners.

3. It is important in furthering Sierra Club’s work with the landowners to know the identity of all affected landowners so Sierra Club can make contact with them. Sierra Club has no way to make that contact other than by word of mouth, without having access to Wolf’s landowner list.

4. Wolf filed a Motion for Confidential Treatment regarding the landowner list in the Iowa Utilities Board (IUB) docket on November 21, 2022.. Sierra Club filed a Resistance to that motion on November 22, 2022, and also submitted an open records request pursuant to Iowa Code § 22.2.

5. Sierra Club is entitled to intervention of right, pursuant to Iowa Rule of Civil Procedure 1.407(1), because Sierra Club, as shown above, has both a statutory unconditional right to intervene pursuant to Iowa Code §22.2, and has an interest in the subject of this action as the requester of the information. The disposition of this action may impair or impede Sierra Club's ability to protect that interest if Wolf's request for an injunction is granted and the information would not be released. Furthermore, no other party will adequately protect Sierra Club's interest. The Iowa Utilities Board has clearly shown in its Answer that it will merely follow whatever ruling the Court makes.

6. Sierra Club is entitled to permissive intervention, pursuant to Iowa Rule of Civil Procedure 1.407(2), because Sierra Club's claim with respect to the landowner list has questions of law and fact in common with Wolf's claims in this action.

7. Sierra Club's Motion to Intervene will not unduly delay or prejudice the adjudication of rights in this case. Wolf has already obtained a temporary injunction protecting its interests and the Court has issued a stay of proceedings pending an appeal to the Iowa Supreme Court in a similar case.

8. In addition to the foregoing, Sierra Club, as the requester pursuant to Iowa Code § 22.2, is an indispensable party which must be joined in the action. See, *Sear v. Clayton County*, 590 N.W.2d 512 (Iowa 1999).

WHEREFORE, Sierra Club Iowa Chapter requests that it be allowed to intervene in this action.

/s/ *Wallace L. Taylor*

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