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**UNITED STATES DISTRICT COURT
DISTRICT OF IDAHO**

IDAHO CONSERVATION LEAGUE; and
GOLDEN EAGLE AUDUBON SOCIETY,

Plaintiffs,

vs.

U.S. FOREST SERVICE,

Federal Defendant,

and

IDAHO COPPER CORPORATION,

Intervenor-Defendant.

Case No: 1:25-cv-329-AKB

**PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Local Rule 7.1, the Litigation Plan (ECF No. 14) approved by this Court (ECF No. 16), and the Revised Litigation Schedule (ECF No. 25) approved by this Court (ECF No. 26), Plaintiffs Idaho Conservation League and Golden Eagle Audubon Society move for the Court to enter summary judgment in Plaintiffs' favor on the claims in their Complaint (ECF No. 1).

As set forth in Plaintiffs' accompanying brief, Defendant U.S. Forest Service's actions approving the 2023 CuMo Exploration Project, a six-year mine exploration on public lands in the Boise National Forest, violate the National Forest Management Act, 16 U.S.C. § 1600 *et seq.*, the National Environmental Policy Act 42 U.S.C. § 4321 *et seq.*, and the Forest Service Organic Administration Act, 16 U.S.C. §§ 475, 478, 551, and are otherwise arbitrary, capricious, and contrary to law under the Administrative Procedure Act, 5 U.S.C. § 706(2)(A). Summary judgment is appropriate because Plaintiffs' claims involve no genuine dispute of material facts and Plaintiffs are entitled to judgment as a matter of law on each claim.

This Motion is supported by the accompanying: Plaintiffs' Separate Statement of Undisputed Facts; Plaintiffs' Opening Brief in Support of Summary Judgment; Declaration of John Robison; Declaration of Richard Rusnack, Jr.; Declaration of Cynthia Wallesz; and Declaration of Karen Fullen. This motion is also supported by the pleadings and files before the Court, including the Administrative Record filed by Defendant (ECF No. 27), and by other materials as may be presented to the Court.

WHEREFORE, Plaintiffs respectfully request that the Court grant this Motion for Summary Judgment; enter judgment in Plaintiffs' favor; declare Defendant's challenged actions arbitrary, capricious, and contrary to law; vacate and remand the challenged actions; and enjoin implementation of the 2023 CuMo Exploration Project.

Dated February 20, 2026

Respectfully submitted,

/s/ Bryan Hurlbutt

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/s/ Andrew Hursh

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