

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

OCT 27 2025

By

Deputy Clerk

Adam R.F. Gustafson
Acting Assistant Attorney General
Environment and Natural Resources Division

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**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

Subcase No.: 29-14388 *et. al.* and 61-12467 *et. al.*
See Exhibit A

**STATUS REPORT AND UNOPPOSED MOTION
TO VACATE STATUS CONFERENCE**

On April 10, 2025, the Court entered an Order Granting Joint Motion to Stay Proceedings and Notice Setting Status Conference. On August 4, 2025, at the joint request of the parties, the status conference was reset for November 4, 2025. The United States hereby respectfully provides this status report and requests that the Court vacate the November 4 status conference while retaining the stay of active litigation. As good cause for this request, the United States notes the following:

1. At the end of the day on September 30, 2025, the appropriations act that had been funding the Department of Justice and other federal agencies expired, and those appropriations to the Department lapsed. The same is true for the majority of other Executive agencies. The Department does not know when such funding will be restored by Congress.
2. Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances, including “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.
3. Undersigned counsel for the Department of Justice therefore requests that the status conference be rescheduled after Congress has restored appropriations to the Department. If this motion is granted, undersigned counsel will notify the Court when Congress has appropriated funds for the Department and confer with Williams regarding available dates for rescheduling.
4. Prior to the lapse in appropriations, the parties continued to make progress towards a negotiated resolution along the framework reached in mediation before Special Master Bilyeu. The United States was unable to provide a full proposal for resolving

the objections before the lapse in appropriations, however, as the parties previously reported, the United States has engaged expert historians who are conducting research on the archival record related to Williams' claims.

5. Undersigned counsel has conferred with counsel for Williams, and this motion is unopposed.
6. Therefore, although we greatly regret any disruption caused to the Court and other parties, the United States hereby moves to vacate the status conference until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

DATED this 27th day of October, 2025.

Respectfully submitted,

ADAM R.F. GUSTAFSON
ACTING ASSISTANT ATTORNEY GENERAL

/s/ Mark J. Widerschein

Mark J. Widerschein
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Trial Attorneys
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Attorneys for the United States of America

CERTIFICATE OF SERVICE

I certify that on this 27th day of October, 2025, I served a true and correct copy of the foregoing STATUS REPORT AND UNOPPOSED MOTION TO VACATE STATUS CONFERENCE, together with Exhibit A as indicated below:

via FAX:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

via EMAIL

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Wade Gibson

EXHIBIT A

Subcase Nos:

Basin 29:

29-14388

29-14389

29-14390

29-14391

29-14392

29-14393

29-14394

29-14395

29-14396

29-14397

Basin 61:

61-12467

61-12468

61-12469

61-12470

EXHIBIT A