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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

IDAHO CONSERVATION LEAGUE,	)	No. 1:16-cv-25-EJL
IDAHO RIVERS UNITED, and	)	
GOLDEN EAGLE AUDUBON SOCIETY	)	
	)	<b>PLAINTIFFS’ MOTION FOR</b>
<i>Plaintiffs,</i>	)	<b>SUMMARY JUDGMENT</b>
	)	
vs.	)	
	)	
U.S. FOREST SERVICE	)	
	)	
<i>Defendant.</i>	)	

Pursuant to the schedule set forth in the April 20, 2016 Order (Dkt. #18), Federal Rule of Civil Procedure 56, and Local Rule 7.1, Plaintiffs hereby move for the Court to enter summary judgment in their favor on the Claims for Relief in the their Complaint (Dtk. #1).

Summary judgment is appropriate as the claims involve no genuine dispute of material fact, and Plaintiffs are entitled to judgment as a matter of law.

This Motion is supported by the accompanying: Plaintiffs' Opening Brief in Support of Motion for Summary Judgment; Plaintiffs' Separate Statement of Undisputed Facts; Declaration of John Robison; Declaration of Kevin Lewis; Declaration of Sean Finn; and Declaration of Roger Rosentreter. This Motion is also supported by the Administrative Record filed by Defendant U.S. Forest Service, the pleadings and files before the Court, and such other matters as may be brought before the Court prior to the decision.

WHEREFORE, Plaintiffs request that the Court grant this Motion for Summary Judgment; and vacate, reverse, and remand the September 30, 2015 *Supplemental Decision Notice and Finding of No Significant Impact*, and the accompanying *Supplemental Environmental Assessment*, for the CuMo Exploration Project.

Dated this 26<sup>th</sup> day of April, 2016.

Respectfully submitted,

/s/ Bryan Hurlbutt  
Bryan Hurlbutt

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 26<sup>th</sup> day of April, 2016, I filed the foregoing PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT, along with the accompanying PLAINTIFFS' OPENING BRIEF IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT, PLAINTIFFS' SEPARATE STATEMENT OF UNDISPUTED FACTS, DECLARATION OF ROGER ROSENTERER, DECLARATION OF JOHN ROBISON, DECLARATION OF KEVIN LEWIS, and DECLARATION OF SEAN FINN electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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