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

CENTER FOR BIOLOGICAL DIVERSITY,  
et al.,

Plaintiffs,

v.

UNITED STATES BUREAU OF LAND  
MANAGEMENT, et al.,

Defendants,

and

P4 PRODUCTION, L.L.C.,

Intervenor-Defendant.

Case No. 4:21-cv-182-BLW

**PLAINTIFFS’ MOTION FOR  
SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, District of Idaho Local Rule 7.1, and the Amended Scheduling Order in this matter (ECF No. 48), Plaintiffs Center for Biological Diversity, Western Watersheds Project, and WildEarth Guardians move the Court for entry of summary judgment in their favor and vacatur of the Caldwell Canyon Record of Decision and Final Environmental Impact Statement, as well as all decisions made in reliance on those documents, including Phosphate Use Permit (IDI-38927), the East Caldwell Haul Road ROW (IDI-038996), water pipeline ROW (IDI-039279), fiber optic line ROW (IDI-039280), and powerline ROW (IDI-039281) (collectively “Caldwell Canyon Mine decisions”).

This motion is supported by the accompanying Memorandum in Support of Plaintiffs’ Motion for Summary Judgment, Statement of Material Facts, a demonstrative map filed under seal at ECF No. 56, a declaration from Kara Clauser providing foundation for that map, and standing declarations from John Schmidt, Ralph Maughan, Tyler Lobdell, Kelly Fuller, Lori Ann Burd, Erik Molvar, and Chris Krupp. The motion is also supported by the Administrative Record and supplements thereto filed by Federal Defendants and by all other materials on file with the Court or as may be presented to the Court before its decision.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion, enter summary judgment in their favor, and hold unlawful and vacate the Caldwell Canyon Mine decisions.

Dated: May 13, 2022

Respectfully submitted.

/s/ Sarah K. Stellberg  
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