

See Signature Page for List of Parties Represented

**UNITED STATES DISTRICT COURT  
DISTRICT OF IDAHO**

SAVE THE SOUTH FORK SALMON;  
IDAHO CONSERVATION LEAGUE;  
IDAHO RIVERS UNITED;  
EARTHWORKS; CENTER FOR  
BIOLOGICAL DIVERSITY; and  
AMERICAN RIVERS,

Plaintiffs,

vs.

U.S. FOREST SERVICE; U.S. FISH AND  
WILDLIFE SERVICE; NATIONAL  
MARINE FISHERIES SERVICE;  
U.S. DEPARTMENT OF AGRICULTURE;  
U.S. DEPARTMENT OF THE INTERIOR;  
U.S. DEPARTMENT OF COMMERCE;  
BROOKE ROLLINS, in her official capacity  
as U.S. Secretary of Agriculture;  
DOUG BURGUM, in his official capacity as  
U.S. Secretary of the Interior;  
HOWARD LUTNICK,<sup>1</sup> in his official  
capacity as U.S. Secretary of Commerce,

Defendants,

and

PERPETUA RESOURCES IDAHO, INC.

Intervenor-Defendant.

Case No: 1:25-cv-00086-AKB

**PLAINTIFFS' MOTION FOR  
SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Local Rule 7.1, and this Court's  
Scheduling Order (ECF No. 25), Plaintiffs Save the South Fork Salmon, Idaho Conservation

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<sup>1</sup> Individual defendants automatically substituted pursuant to Fed. R. Civ. P. 25(d).

League, Idaho Rivers United, Earthworks, Center for Biological Diversity, and American Rivers move for the Court to enter summary judgment in Plaintiffs' favor on the claims in their First Amended Complaint (ECF No. 26).<sup>2</sup> 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.

This motion is supported by the accompanying Plaintiffs' Separate Statement of Undisputed Facts; Plaintiffs' Opening Brief in Support of Summary Judgment; and the Declarations of Kristine Akland, John Armstrong, Bonnie Gestring, Scott Keithly, Nickolas Kunath, Erica Laidlaw, Lisa Ronald, John Schmidt, Zak Sears, and Will Tiedemann. This motion is also supported by the pleadings and files before the Court, including the Administrative Record materials filed by Defendants (ECF No. 29), and such other matters as may be presented to the Court prior to its decision.

Please note that Defendants Forest Service, Fish and Wildlife Service, and National Marine Fisheries Service each filed Administrative Record (AR) materials at ECF No. 29, each of which was separately Bates stamped. In the accompanying Separate Statement of Undisputed Facts and Opening Brief, Plaintiffs cite to each AR as follows: Forest Service AR, "FS-[AR Bates #]"; Fish and Wildlife Service AR, "FWS-[AR Bates #]"; and National Marine Fisheries Service AR, "NMFS-[AR Bates #]".

WHEREFORE, Plaintiffs respectfully request that the Court grant this Motion for Summary Judgment; enter judgment in Plaintiffs' favor; declare that Defendants' challenged

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<sup>2</sup> Due to the number of claims and their complexity, and the briefing page limits, Plaintiffs are not pursuing their Ninth Claim for Relief (NMFS Violations of the ESA and APA). ECF No. 26 at 66.

actions are arbitrary, capricious, and contrary to law; vacate the challenged actions; and enjoin any further implementation of the challenged Stibnite Gold Project.

Dated August 15, 2025.

Respectfully submitted,

/s/ Bryan Hurlbutt

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