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Counsel for the United States of America

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

NOV 3 2025

By _____

Clerk

Deputy Clerk

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

<i>In Re: SRBA</i>	) Subcase Nos. 67-15208 – 67-15212
	)
Case No. 39576	) UNITED STATES' MOTION TO STAY
	)

1. The United States of America hereby moves to vacate the November 4 status conference(s)¹ and stay proceedings in subcase Nos. 67-15208 through 67-15212 during the pendency of the current lapse in federal appropriations.

2. 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.

¹ The Court separated 67-15208 and 67-15209-67-15212 onto separate scheduling tracks; because the cases have not yet diverged, the United States provides a consolidated motion.

3. 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.

4. Undersigned counsel for the Department of Justice therefore requests a stay of proceedings in these subcases until Congress has restored appropriations to the Department.

5. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the Department. The United States requests that, at that point, all current deadlines for the parties be extended commensurate with the duration of the lapse in appropriations – i.e., each deadline would be extended by the total number of days of the lapse in appropriations.

6. Undersigned counsel has conferred with the parties who have appeared with counsel. Counsel for the Idaho State Lands Department and Idaho Department of Water Resources indicated that they do not oppose this stay. Because Claimant Gary Gallant can only be contacted by U.S. Mail, the United States was unable to confer with Mr. Gallant.

7. Therefore, although we greatly regret any disruption caused to the Court and the other litigants, the United States hereby moves for a stay of proceedings until Department of Justice attorneys are permitted to resume their usual civil litigation functions.

Respectfully submitted this 3rd day of November 2025.

Adam R.F. Gustafson
Acting Assistant Attorney General

/s/ Mark J. Widerschein
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CERTIFICATE OF SERVICE

I certify that on the 3rd day of November, 2025, I served true and correct copies of the foregoing MOTION TO STAY as follows:

Original via Fax:

Clerk of the Fifth District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303-2707

Copies via First Class U.S. Mail, pre-paid:

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