

ADAM R.F. GUSTAFSON
Principal Deputy Assistant Attorney General
EMMI BLADES
HILLARY HOFFMAN
Trial Attorneys
U.S. Department of Justice
Environment & Natural Resources Division
Tribal Resources Section
P.O. Box 7611
Ben Franklin Station
Washington, D.C. 2004-7611
Phone: (202) 598-0661 (Blades)
Phone: (202) 598-3147 (Hoffman)
Fax: (202) 353-1156
Emmi.blades@usdoj.gov
Hillary.hoffman@usdoj.gov

Attorneys for the United States

DISTRICT COURT - PRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
DEC - 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**

IN RE: PRBA

CASE NO: 59576

)
) Subcase Nos. *see* Attachment A
)
) **STIPULATION REGARDING**
) **LITIGATION SCHEDULE**
)
)

On October 21, 2025, the Court issued an *Order on Stipulation to Stay* addressing the October 16, 2025 *Stipulation to Stay Litigation Schedule in Light of Lapse of Appropriations* filed by the Claimants and parties to these subcases represented by counsel. The Court vacated several deadlines set in the September 18, 2025 litigation schedule¹, noting the deadlines would be rescheduled as soon as possible. The Court maintained previously scheduled status

¹ The September 18, 2025 litigation schedule is attached hereto as Attachment B.

conferences, including the February 2027 status conference set in the September 18, 2025 litigation schedule. The Court also left in place the September 18, 2025 litigation schedule's dates for a pretrial conference in March 2027, exhibits and witness lists due by all parties in March 2027, and trial in April 2027.

The Claimants and parties to these subcases submit this stipulation to reschedule deadlines vacated by the Court on October 21, 2025, and request that the Court also reschedule the dates for a status conference, pretrial conference, exhibit and witness lists due by all parties, and trial, as follows:

Stipulated Proposed Schedule

The following schedule is for all three categories of subcases including DCMI, Springs, and Instream Flow claims:

CLAIMANTS' SUPPLEMENTAL REPORTS RE SPRINGS	DEC. 19, 2025
OBJECTORS' EXPERT WITNESS REPORTS	FEB. 5, 2026
CLAIMANTS' REBUTTAL EXPERT REPORTS	MARCH 31, 2026
DISCOVERY CLOSES	JUNE 2, 2026
SUMMARY JUDGMENT MOTIONS DUE	JULY 13, 2026
RESPONSE BRIEFS ON SUMM. JUDGMENT	SEP. 9, 2026
REPLY BRIEFS ON SUMM. JUDGMENT	OCT. 23, 2026
MOTION ON SUMMARY JUDG. HEARING	NOV. 23, 2026
STATUS CONFERENCE	APRIL 2027

The following Pretrial Conference, Exhibit and Witness Lists and Trial deadlines are only
for the DCMI subcases and the Springs subcases.

PRETRIAL CONFERENCE

MAY 2027

EXHIBIT & WITNESS LISTS DUE ALL PARTIES

MAY 2027

TRIAL

**JUNE 2027
BOISE, IDAHO**

(No Trial date is currently set for the Instream Flow subcases.)

DATED this 3rd day of December 2025.

Respectfully submitted,
Adam R.F. Gustafson
Principal Deputy Assistant Attorney General



Emmi Blades
Hillary Hoffman
Trial Attorneys, Tribal Resources Section
Environment & Natural Resources Division
United States Department of Justice

CERTIFICATE OF SERVICE

I certify that an original copy of the *Stipulation Regarding Litigation Schedule* was sent via Fax Filing this 3rd day of December 2025 to:

Clerk of the District Court, Twin Falls County
Palouse River Basin Adjudication
253 Third Avenue North
Twin Falls, ID 83303

I certify that true and correct copies of the document listed above were sent via electronic mail and/or U.S. Post to the parties below on this 3rd day of December 2025.

STATE OF IDAHO

Represented by:
Chief Natural Resources Division Office of the
Attorney General PO BOX 83720
Boise, ID 83720-0010
Scott.Campbell@ag.idaho.gov
joy.vega@ag.idaho.gov
David.Perkins@ag.idaho.gov
Rowdy.keller@ag.idaho.gov

**NEZ PERCE TRIBE OF THE UNITED
STATES OF AMERICA**

Represented by:
Michael A. Lopez
Nez Perce Tribe Legal Counsel
100 Agency Rd.
Lapwai, ID 83540 mlopez@nezperce.org

**NEZ PERCE TRIBE OF THE UNITED
STATES OF AMERICA**

Represented by:
Thomas Murphy Steven C. Moore
Native American Rights Fund
250 Arapahoe Ave
Boulder, CO 80302
murphy@narf.org

Travis L. Thompson
Abigail R. Bitzenburg
Parsons Behle and Latimer
P.O. Box 63
Twin Falls, ID 83303-0063
tthompson@parsonsbehle.com
abitzenburg@parsonsbehle.com

James Browitt Browitt
Law Office 1317
Prospect Ave
Lewiston, ID 83501
jbrowitt@browittlaw.com

Director of IDWR
P.O. Box 83720
Boise, ID 83720
Lacey.rammell-obrien@idwr.idaho.gov

Norman M. Semanko
Parsons Behle & Latimer
800 W. Main Street, Ste 1300
Boise, ID 83702
NSemanko@parsonsbehle.com

Candice M. McHugh
Chris Bromley
P.O. Box 107
Boise, ID 83701
cmchugh@mchughbromley.com
cbromley@mchughbromley.com

Michael P. Lawrence
Charlie S. Baser
601 W. Bannock St.
Boise, ID 83701
mpl@givenspursley.com
charliebaser@givenspursley.com

Emmi Blades

Emmi Blades

ATTACHMENT A
ALLOTMENT SUBCASES

87-12157
87-12158

INSTREAM FLOW SUBCASES

Group F2

87-11982	87-11988	87-11994	87-12000
87-11983	87-11989	87-11995	87-12001
87-11984	87-11990	87-11996	87-12002
87-11985	87-11991	87-11997	87-12003
87-11986	87-11992	87-11998	87-12004
87-11987	87-11993	87-11999	

SPRINGS AND FOUNTAINS SUBCASES

87-12338

Group F3

87-12006	87-12028	87-12054	87-12080
87-12007	87-12029	87-12055	87-12081
87-12008	87-12030	87-12056	87-12082
87-12009	87-12031	87-12057	87-12083
87-12010	87-12032	87-12059	87-12084
87-12011	87-12033	87-12060	87-12085
87-12012	87-12036	87-12062	87-12086
87-12013	87-12037	87-12063	87-12088
87-12014	87-12038	87-12064	87-12089
87-12015	87-12039	87-12066	87-12090
87-12016	87-12040	87-12067	87-12092
87-12017	87-12041	87-12068	87-12106
87-12018	87-12042	87-12069	87-12107
87-12019	87-12043	87-12071	87-12108
87-12020	87-12044	87-12072	87-12111
87-12021	87-12045	87-12073	87-12342
87-12022	87-12046	87-12074	87-12366
87-12023	87-12047	87-12075	
87-12024	87-12048	87-12076	
87-12025	87-12049	87-12077	
87-12026	87-12051	87-12078	
87-12027	87-12052	87-12079	

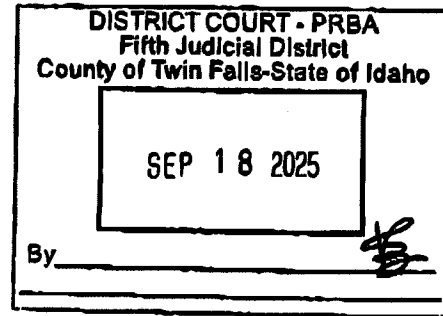
STIPULATION REGARDING LITIGATION SCHEDULE

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Group F4

87-12050	87-12118	87-12140	87-12164*
87-12091	87-12119	87-12141	87-12165*
87-12093	87-12120	87-12142	87-12166*
87-12095	87-12121	87-12143	87-12167*
87-12096	87-12122	87-12144	87-12168*
87-12097	87-12123	87-12145	87-12169*
87-12098	87-12124	87-12146	87-12170*
87-12099	87-12125	87-12147	87-12171*
87-12100	87-12126	87-12148	87-12172*
87-12101	87-12127	87-12149	87-12173*
87-12102	87-12128	87-12150	87-12174*
87-12103	87-12129	87-12151	87-12175*
87-12104	87-12130	87-12152	87-12176*
87-12105	87-12131	87-12153	87-12337
87-12109	87-12132	87-12154	87-12339
87-12110	87-12133	87-12155	87-12340
87-12112	87-12134	87-12156	87-12343
87-12113	87-12135	87-12159*	87-12344
87-12114	87-12136	87-12160*	87-12346
87-12115	87-12137	87-12161*	87-12364
87-12116	87-12138	87-12162*	87-12365
87-12117	87-12139	87-12163*	

ATTACHMENT B



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

In Re PRBA

Case No. 59576

**ORDER AMENDING LITIGATION
SCHEDULE FOR FEDERAL CLAIMS**

SUBCASE NO(S): SEE EXHIBIT A

I. PROCEDURAL BACKGROUND

On September 16, 2025 the United States as Trustee filed a *Stipulation to Amend Litigation Schedule/Request for Expedited Consideration*. According to the *Stipulation*, the Nez Perce Tribe and the State of Idaho as well as many of the other parties concurred with the *Stipulation*.

The proposed litigation schedule has dates and deadlines for three categories of subcases: the Allotment or DCMi claims; the Springs Claims; and the Instream Flow claims. The dates and deadlines which have changed impact the U.S. and the Nez Perce Tribe as well as the State of Idaho.

II. DISCUSSION

The movants and the other parties continue to work effectively on settlement. Regular settlement conferences and additional meetings assist in moving the litigation and settlement discussions forward.

III. CONCLUSIONS

Based on representations that settlement discussions are ongoing, and that the changes to these deadlines does not delay Summary Judgment or Trial Schedules, the Court **grants the Motion to Amend the Litigation Schedule**.

The following schedule is ordered for all three categories of subcases including DCMI, Springs, and Instream Flow claims:


CLAIMANTS' SUPPLEMENTAL REPORTS RE: SPRINGS	OCT. 24, 2025
OBJECTORS' EXPERT WITNESS REPORTS	DEC. 1, 2025
CLAIMANTS' REBUTTAL EXPERT REPORTS	JAN. 23, 2026
DISCOVERY CLOSES	MARCH 27, 2026
SUMMARY JUDGMENT MOTIONS DUE	MAY 6, 2026
RESPONSE BRIEFS ON SUMM. JUDGMENT	JULY 1, 2026
REPLY BRIEFS ON SUMM. JUDGMENT	AUG. 17, 2026
MOTION ON SUMMARY JUDG. HEARING	SEPT. 16, 2026
STATUS CONFERENCE	FEB. 2027

The following Pretrial Conference, Exhibit and Witness Lists and Trial deadlines are ordered only for the DCMI subcases and the Springs subcases:

PRETRIAL CONFERENCE	MARCH 2027
EXHIBIT & WITNESS LISTS DUE ALL PARTIES	MARCH 2027
TRIAL	APRIL 2027 BOISE, IDAHO

(No Trial date is currently set for the Instream Flow subcases.)

Dated: September 18, 2025.



Brigitte Bilyeu
Special Master
Palouse River Basin Adjudication