



On July 25, 2025, the Court entered a Notice Setting Hearing setting hearings in the above-captioned subcases for, *inter alia*, November 5, 2025 and January 7, 2026. The United States hereby respectfully provides this status report and requests that the Court vacate the November 5 status conference. As good cause for this request, the United States notes the following:

1. 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.
2. 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.
3. Prior to the lapse in appropriations, the parties continued to make progress towards a negotiated resolution. In lieu of a status conference, the United States provides the following status report of progress since the September 3 status conference:
  - a. The United States’ outside consultant made substantial progress in developing claim packages, including associated tables and maps.
  - b. As part of that process, after engaging in QA/QC of previous GIS work, the United States anticipates filing 170 total claims.
  - c. We have conferred with IDWR and confirmed that the block of claim numbers previously issued (87-12367 through 87-12390) will be sufficient.Claim numbers will be assigned by HUC and type (e.g., 87-12367 for Deep

Creek Fire and 87-12368 for Deep Creek Administrative). Within those claim numbers, different suffixes will identify different priority dates (e.g., 87-12367A for 03/02/1907 and 87-12367B for 09/05/1928).

- d. We have additionally conferred with IDWR regarding data inquiries and resolved several pending questions such that when appropriations are restored, the United States anticipates finalizing claim packages for objector review.
4. Because the Court has already scheduled a status conference for January 7, 2026, the United States respectfully requests that the Court vacate the November 5 conference.
5. Undersigned counsel has conferred with counsel for objectors Potlatch TRS Idaho LLC, *et al.* (collectively, "Potlatch") and the State of Idaho and this motion is unopposed. Counsel for IDWR additionally indicated that the Department does not oppose.

DATED this 27th day of October, 2025.

Respectfully submitted,

ADAM R.F. GUSTAFSON  
ACTING ASSISTANT ATTORNEY GENERAL

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**CERTIFICATE OF SERVICE**

I certify that on this 27<sup>th</sup> day of October, 2025, I served a true and correct copy of the foregoing STATUS REPORT AND UNOPPOSED MOTION TO VACATE STATUS CONFERENCE as indicated below:

**via FAX:**

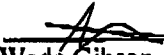
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**via USPS:**

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Wade Gibson