

UNIVERSITY OF IDAHO COLLEGE OF LAW – BOISE, WEDNESDAY, FEBRUARY 12, 2025, AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

**BEAR CREST LIMITED LLC, an)
Idaho limited liability company;)
YELLOWSTONE BEAR WORLD INC.,)
an Idaho corporation; and)
MICHAEL D. FERGUSON, an Idaho)
resident,)**

Plaintiffs-Appellants,)

Docket No. 50840

v.)

**STATE OF IDAHO acting by and)
through the IDAHO)
TRANSPORTATION DEPARTMENT,)**

Defendant-Respondent.)

Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Madison County. Joel E. Tingey, Senior District Judge.

Holden Kidwell Hahn & Crapo, PLLC, Idaho Falls; Fabian VanCott, Salt Lake City, attorneys for Appellants.

Gary D. Luke, Idaho Transportation Department, attorney for Respondent.

This appeal concerns the Idaho Transportation Department’s (ITD) decision to close an intersection on Highway 20. Appellants, Yellowstone Bear World Inc., Bear Crest Limited LLC, and Michael Ferguson (collectively “Appellants”) are connected with Yellowstone Bear World, a roadside attraction in Madison County at the intersection of County Road 4300 and Highway 20. As part of a plan to turn Highway 20 into a controlled access highway, ITD closed the intersection of County Road 4300 and Highway 20 in 2016. Now, Yellowstone Bear World must be accessed from the Thornton Interchange located about one and a half miles north of the closed intersection. The closure of the intersection means visitors must drive about five additional miles to access Yellowstone Bear World. Appellants brought claims against ITD for breach of contract and inverse condemnation. The district court granted ITD’s motion for summary judgment and dismissed Appellants’ complaint. This appeal followed.