

SUMMARY STATEMENT

Fagen v. Rogerson Flats Wind Park, etal, Docket No. 42684-2014

The Idaho Supreme Court affirmed the amended judgment of the district court. This is an appeal out of Twin Falls County from an amended judgment awarding damages for breach of contract, court costs, and attorney fees in connection with a contract to construct five wind farms. Because the parties had stipulated to that portion of the judgment regarding the damages for breach of contract, those issues are not subject to appellate review. Because the only challenge to the award of attorney fees was raised for the first time on appeal, we do not consider it. We affirm the amended judgment and the award of costs and attorney fees on appeal.