

## **SUMMARY STATEMENT**

*CNW LLC v. New Sweden Irrigation District*, Docket No. 43005

In an appeal from Bonneville County, the Supreme Court vacated the district court's judgment dismissing the action and remanded the case for further proceedings. CNW appealed the district court's entry of summary judgment dismissing its negligence case after the district court found that CNW had failed to comply with the presentment requirement of the Idaho Tort Claims Act found in Idaho Code section 6-906. The Supreme Court held that CNW had complied with Idaho Code section 6-906 when it sent a notice of tort claim to New Sweden Irrigation District in care of New Sweden's attorney Jerry Rigby who then forwarded the notice to NSID's secretary.