

## **SUMMARY STATEMENT**

*Manwaring Investments, L.C. v. City of Blackfoot*  
Docket No. 44393

The Idaho Supreme Court affirmed the Bingham County district court's decision affirming summary judgment in favor of the City of Blackfoot (City). Manwaring Investments, L.C. (Manwaring), sued the City in October 2014, alleging the City's charge for wastewater utilities violated the Idaho Revenue Bond Act (IRBA), constituted an unlawful tax, and violated Manwaring's right to due process. The magistrate granted the City's motion for summary judgment and, thereafter, denied Manwaring's motion for reconsideration. On Manwaring's appeal to the district court, the district court affirmed the decision of the magistrate.

When Manwaring appealed to the Idaho Supreme Court, the Court affirmed. The Court held that the City's wastewater utility rate did not violate IRBA because Manwaring failed to show that the rate was not reasonably related to the benefit conveyed. The Court further held that the City's wastewater utility rate was not an unlawful tax, concluding the City did not impermissibly use money collected from wastewater utilities for revenue raising purposes. Finally, the Court held that the City did not violate Manwaring's right to due process by increasing wastewater utility rates without first providing notice because Manwaring did not demonstrate it had a protected interest giving rise to due process protections. As such, the Court affirmed that summary judgment was properly granted to the City.