

SUMMARY STATEMENT

City of Idaho Falls v. H-K Contractors, Inc., Docket No. 44886

In an appeal arising out of Bonneville County, the Supreme Court vacated the judgment of the district court dismissing the City of Idaho Falls' ("Idaho Falls") breach of contract and waste claims against H-K Contractors. The district court found Idaho Falls' claims were time barred under the five-year statute of limitations to file a contract action, pursuant to Idaho Code section 5-216. Section 5-216 does not apply to actions brought "in the name or for the benefit of the state." Idaho Falls appealed arguing that the district court erred by applying this statute of limitations to its claims because the term "state" included cities like Idaho Falls. Alternatively, Idaho Falls argued that its claims were "for the benefit of the state." The Court unanimously held that Idaho Falls was exempt from section 5-216's statute of limitations because it was included in the definition of the "state" and that its claims were for "the benefit of the state." Accordingly, the Court vacated the judgment of the district court and remanded the case for further proceedings.