

SUMMARY STATEMENT

McInturff v. Shippy

Docket No. 45418

The appeal arose from a disputed water right relating to the St. Joe River in Benewah County, Idaho, between a landowner and tenants who put the water to beneficial use. The license at issue described the water right as “appurtenant to the described place of use.” The Idaho Supreme Court held that the tenants owned the water right under the license. Further, the Court held that Shippy and Cedar Creek had failed to timely assert their rights and that the district court did not have jurisdiction to address their claim.