

SUMMARY STATEMENT

Crystal Homestead Estates v. That Piece of Property

Docket No. 52561-2025

This case concerns a quiet title action regarding access rights over two parcels of land in Bannock County, Idaho. Crystal Homestead Estates, LLC (CHE) sought to establish an easement across property owned by Matthew and Laura Schiffman and another parcel owned by Michael and Leslie Schiffman (collectively, the Schiffmans). On CHE's motion, the district court granted summary judgment in favor of CHE on its claim of an implied easement by prior use. The court made three key evidentiary rulings: it relied on a declaration from Mr. Johnson, the previous landowner; it struck the affidavit of Ms. Cobbley, Johnson's daughter, which challenged Johnson's competence; and it struck the affidavits of Matthew and Michael Schiffman in their entirety. After these evidentiary decisions, the court treated the remaining record as undisputed and concluded that CHE had established an implied easement by prior use.

The Schiffmans appealed, contesting both the district court's evidentiary rulings and the grant of summary judgment. They asserted that the court erred in striking their affidavits in full, as certain portions contained admissible factual testimony. In addition, they argued that the court improperly relied on portions of Johnson's declaration that were not based on personal knowledge and included legal conclusions. The Schiffmans further contended that summary judgment was inappropriate because genuine issues of material fact remained, particularly regarding whether CHE had established the element of continuous and apparent use prior to severance. They maintained that CHE failed to demonstrate that this element was undisputed.

The Idaho Supreme Court vacated the district court's judgment quieting title to the easements across the Schiffman properties, reversed the grant of summary judgment for CHE, and remanded the case for further proceedings. Regarding the district court's evidentiary rulings, the Supreme Court held that striking Cobbley's affidavit for lack of foundation was correct. However, the Court determined that the district court erred by not addressing the Schiffmans' specific objections to Johnson's declaration and that reliance on certain statements in Johnson's declaration as undisputed evidence was improper due to lack of foundation. The Court also found error in striking the affidavits of Matthew and Michael Schiffman in their entirety, as the first seven paragraphs of each affidavit met the personal knowledge and admissibility requirements under Idaho Rule of Civil Procedure 56(c)(4).

The Supreme Court concluded that CHE did not establish the required element of apparent continuous use for a sufficient period before severance to support an implied easement by prior use. Genuine issues of material fact remained regarding the timing of severance and whether any use was sufficiently continuous.

******This summary constitutes no part of the Court's opinion. It has been prepared by court staff for the convenience of the public.******