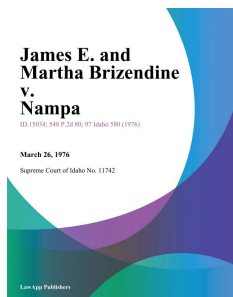


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## JAMES E AND MARTHA BRIZENDINE V NAMPA EBOOKS 2019



Author: Supreme Court Of Idaho

Realese Date: Expected @@expectedReleaseDate@@

plaintiffs) instituted this action against the Nampa-Meridian Irrigation District (hereinafter irrigation district), seeking damages for injury to property when the districts irrigation canal bank broke flooding properties of the plaintiffs. After a court trial, the district court held the irrigation district liable in tort for its negligence. Subsequent to the trial, the irrigation district moved to dismiss the plaintiffs claims for general damages and attorneys fees on the grounds that the claims failed to state a claim upon which relief could be granted. The district court denied the motion except as to the claim of James E. Baldwin; it found that Baldwin had not complied with the notice provision of the Idaho Tort Claims Act (I.C. Å§ 6-905) and dismissed Baldwins claim. The irrigation district appealed and the plaintiffs cross appealed. We affirm as to the finding of liability of the irrigation district and reverse as to the dismissal of Baldwins claim.

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