

**BOISE, WEDNESDAY, MAY 15, 2024 AT 10:00 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>CATHERINE SULLIVAN, Trustee of the</b>	)	
<b>Catherine Sullivan Family Trust of 2000,</b>	)	<b>Docket No. 50507</b>
	)	
<b>Petitioner-Appellant,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>BLAINE COUNTY, a political subdivision of</b>	)	
<b>the State of Idaho,</b>	)	
	)	
<b>Respondent,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>MEGAN GRUVER, an individual,</b>	)	
	)	
<b>Intervenor-Respondent.</b>	)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Blaine County.  
Ned C. Williamson, District Judge.

Hawley Troxel Ennis & Hawley, LLP, Boise, for Appellant.

Blaine County Prosecutor’s Office, Hailey, for Respondent Blaine County.

Lawson Laski Clark PLLC, Ketchum, for Intervenor-Respondent Megan Gruver.

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Catherine Sullivan appeals the district court’s decision affirming the issuance of a 2021 conditional use permit to Megan Gruver, owner of the Silver Bell Equestrian Center. Gruver sought to modify a 2019 CUP, which allowed her to operate an equestrian facility, to hold 3 events per year, board 28 horses, and hire up to 3 employees. Sullivan, the owner of a neighboring property, opposed the 2021 CUP. After public hearings, the Hearing Examiner issued the 2021 CUP with modifications. Sullivan exhausted her administrative remedies and appealed to the district court. The district court affirmed the issuance of the modified 2021 CUP and found Sullivan had not established that the Board of County Commissioners erred when it granted the 2021 CUP and that Sullivan had not shown prejudice to her substantial rights.

Sullivan timely appealed. On appeal, she argues that the district court’s decision should be reversed because (1) the Blaine County Code does not have standards for “events” and the Board did not issue a “reasoned statement” as required by statute; (2) the district court incorrectly

deferred to the Board's interpretation of the Blaine County Code; (3) the district court incorrectly interpreted and applied the Blaine County Code; (4) the district court erred in finding that Sullivan failed to show the 2019 CUP did not allow events; and (5) the district court erred in finding that Sullivan failed to show prejudice to her substantial rights. Blaine County and Gruver argue on appeal that the district court's decision should be upheld; that Sullivan failed to show that the Board incorrectly interpreted or applied the Blaine County Code to issue the 2021 CUP; and that Sullivan did not show that the 2021 CUP would decrease the value of her property or affect her ability to use and enjoy her property. All parties seek costs and attorney fees on appeal under Idaho Code section 12-117.