

BOISE, WEDNESDAY, AUGUST 19, 2026 AT 11:15 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

K & L CRYSTAL BEACH, LLC, and)
ROBERT E. BOHMAN,)

Plaintiffs-Appellants,)

v.)

Docket No. 52887

THE CRYSTAL BEACH CONDOMINIUM)
ASSOCIATION, INC., an Idaho non-profit)
corporation; MARVIN ASKEY, ROBERT)
SCHWENKFELDER, EDWARD BARRETT,)
CHRISTOPHER BRAZIL, RONALD)
GROVE, MICHAEL VIRDEN, MARY)
MARTIN, PATTI ZATICA, TYLER)
BUTTERFIELD, DARRELL CARNEY,)
JOHN DOES 1-60 AND JANE DOES 1-60,)
Encroachers,)

Defendants-Respondents.)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Valley County. Jason D. Scott, District Judge.

Wright Brothers Law Office, Twin Falls, for Appellants.

Eberle, Berlin, Kading, Turnbow & McKlveen Chartered, Boise, for Respondents.

This case involves a dispute between individual condominium unit owners, K&L Crystal Beach, LLC and Robert E. Bohman (collectively, “Plaintiffs”), and the Crystal Beach Condominium Association, Inc. (the “Association”), a nonprofit corporation that manages the Crystal Beach Condominiums (the “Condominiums”) in McCall, Idaho. In 2022, Plaintiffs sued the Association, along with current and former members of its board of directors—to challenge some of its actions, including its adoption and enforcement of rules and restrictions that Plaintiffs argue were never properly approved or recorded as amendments to the Association’s original Declaration. Plaintiffs alleged six causes of action, including a count for declaratory relief, which were premised on Plaintiffs’ contention that the Association’s actions unlawfully changed their ownership and usage rights without following the procedures required under Idaho law and the governing Declaration. The district court granted summary judgment in the Association’s favor on all of Plaintiffs’ claims.

On appeal, Plaintiffs argue the district court erred in numerous respects, including by (1) relying on Idaho Code section 30-30-411(11) to find Plaintiffs lacked derivative standing to pursue counts one through five of their complaint because they do not hold at least five percent voting power; (2) holding that section 55-1516 of the Condominium Property Act does not give individual condominium owners a direct right to enforce their association's declaration, without being restricted by the derivative standing requirements of Idaho's Nonprofit Corporation Act; (3) by finding the causes of action alleged in counts one through five were derivative in nature; and (4) by failing to interpret and apply a provision of the original declaration as providing an express contractual enforcement right to individual owners. Plaintiffs also argue the district court erred by granting summary judgment in the Association's favor on their direct claim for specific performance.