

**BOISE, WEDNESDAY, MAY 6, 2026, AT 11:15 A.M.**

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

**CRAIG COLTON,** )  
 )  
 **Plaintiff-Counterdefendant-** )  
 **Appellant,** )  
 )  
 v. )  
 )  
 **THE OVERLOOK AT FOX CREEK** )  
 **SUBDIVISION OWNERS' ASSOCIATION,** )  
 **INC., an Idaho nonprofit corporation; GNJ** )  
 **PROPERTIES, LLC, an Arizona limited** )  
 **liability company; JEFFREY FLOWERS,** )  
 **RHONDA G. FLOWERS, DAVID HEWES,** )  
 **LEE NAYLON, and CHARLES** )  
 **WOODWARD,** )  
 )  
 **Defendants-Counterclaimants-** )  
 **Respondents,** )  
 )  
 and )  
 )  
 **WILLIAM KYLE REICHART, SARAH** )  
 **FLYNN, CAROLINE KNOBELSPIES, and** )  
 **LINDA SUZANNE SWAN,** )  
 )  
 **Defendants-Respondents.** )

**Docket No. 52603**

Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Teton County. Steven W. Boyce, District Judge.

Craig Colton, Victor, Pro Se Appellant.

Beard St. Clair Gaffney PA, Idaho Falls, for Respondents.

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This appeal arises from a dispute between Craig Colton, the Overlook at Fox Creek Subdivision Owners' Association ("Overlook HOA"), the developer of that subdivision, and neighboring parcel owners (collectively "Respondents") regarding who is responsible for the maintenance and snow-plowing costs of a common access road segment. Colton filed a complaint seeking a declaratory judgment that either: (1) Overlook HOA is responsible for all road maintenance costs, or (2) those costs must be shared among all parcel owners who use the road.

The district court granted the Respondents' Motion to Dismiss and Motion for Summary Judgment, dismissing Colton's claims.

On appeal, Colton argues that the district court erred in several respects. First, he contends it failed to address his alternative argument that all neighboring property owners who use the road share responsibility for its maintenance costs, instead dismissing his claims solely based on his standing with the Overlook HOA. Second, the court erred in concluding that the Overlook HOA has no obligation to contribute to the road's maintenance costs based on its finding that the road is not a subdivision road. Third, the court erred in awarding attorney fees and costs to Respondents.