

SUMMARY STATEMENT

Jay Brown and Christine Hopson-Brown. v. Augusta Sayoko Mimoto Greenheart – Docket No. 41189

In a case arising out of Elmore County, the Idaho Supreme Court affirms the judgment of the district court. Plaintiffs Jay and Christine Brown (Plaintiffs) sold a parcel of land to Defendant Augusta Greenheart (Defendant), intending to convey no water rights with the property. More than five (5) years later, Defendant attempted to exercise certain water rights, prompting Plaintiffs to commence a quiet title action against Defendant in district court. The district court, acting as finder of fact, ordered the warranty deed be reformed to grant Plaintiffs full water rights to the property. Defendant appealed to this Court, challenging the district court's decision to reform the deed on numerous procedural and substantive grounds. This Court affirms the district court's judgment.