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FILED
2013 MAY 23 AM 10:14
BARBARA STEELE
CLERK OF THE COURT
DEPUTY 

Attorneys for Plaintiffs Jay and Christine Brown

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT FOR THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

JAY BROWN and CHRISTINE HOPSON-
BROWN, husband and wife,

Plaintiffs,

v.

AUGUSTA SAYOKO MIMOTO
GREENHEART, an individual,

Defendant.

Case No. CV-2012-353

JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS A FINAL JUDGMENT
IN THIS MATTER:

1. That final judgment is hereby entered in favor of Plaintiffs and against Defendant
on all counts and claims for relief of the Complaint;

2. That effective January 29, 2002, the last paragraph of that certain Warranty Deed
from J. B. Brown and Christine M. Hopson-Brown, husband and wife, as grantors, to Augusta
Sayoko D. Mimoto Greenheart, as grantee, regarding certain real property located in Section 24
of Township 4 South, Range 5 East, Boise Meridian, as more particularly described in said

Warranty Deed, which was executed on January 29, 2007 and recorded as Instrument No. 384017 in the real property records of Elmore County, Idaho on January 30, 2007, at 1:56 p.m. is hereby reformed as follows. The last paragraph of said Warranty Deed is hereby reformed and revised as follows:

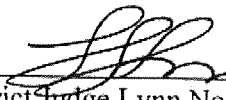
To have and to hold said premises, with their appurtenances (specifically excluding and reserving unto Grantor all of its right, title and interest in Water Right Nos. 61-2188 and 61-7151) unto the said Grantee and to Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except as described above and that the Grantor will warrant and defend the same from all lawful claims whatsoever;

3. That a certified copy of this Judgment may be recorded in the real property records of Elmore County, Idaho and once so recorded shall serve as prima facie evidence of the ruling of the Court described herein;

4. That a certified copy of this Judgment may be used by Plaintiffs to file a notice of change in water right ownership for Water Right Nos. 61-2188 and 61-7151 with the State of Idaho, Department of Water Resources, so as to recognize the Browns complete ownership of Water Right Nos. 61-2188 and 61-7151 and so that the Department may change its records accordingly; and

5. That the Plaintiffs may file a Memorandum of Costs and Attorneys' Fees within the appropriate time as allowed under the court rules, and if the Court grants the same any such amounts awarded may be included in an Amended Judgment.

DATED this 22nd day of May, 2013.



District Judge Lynn Norton

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of May, 2013, I caused to be served a true and correct copy of the foregoing document to the persons listed below the method indicated:

Thomas E. Dvorak
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701
Facsimile: 388-1301

☐ Hand Delivery
☐ Facsimile
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Victor Villegas
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141 E. Carlton Avenue
Meridian, ID 83642
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BARBARA STEELE
Clerk of Court

Cheryl
Deputy Clerk

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FILED

2013 AUG -7 AM 9: 32

BARBARA STEELE
CLERK OF THE COURT
DEPUTY *JS*

Instrument # 437374 # Pages: 3
ELMORE COUNTY, Idaho
Aug 09, 2013 4:40:40 pm Fee: \$ 16.00
For: CHRISTINE HOPSON-BROWN
BARBARA STEELE, Recorder
DELLIS, Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT FOR THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

JAY BROWN and CHRISTINE HOPSON-
BROWN, husband and wife,

Plaintiffs,

v.

AUGUSTA SAYOKO MIMOTO
GREENHEART, an individual,

Defendant.

Case No. CV-2012-353

FINAL JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, based upon the Judgment
filed May 23, 2013 and the Memorandum Decision and Order Granting In Part Plaintiff's Fees
and Costs filed on August 6, 2013, that final judgment is hereby entered in favor of Plaintiffs and
against Defendant on all counts and claims for relief of the Complaint; and fees and costs of
\$55,478.18 are awarded to the Plaintiffs.

IT IS SO ORDERED and DATED this 6th day of August, 2013.

Lynn Norton

Lynn Norton
District Judge

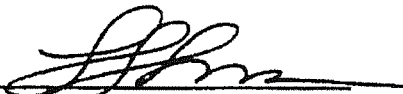
STATE OF IDAHO
COUNTY OF ELMORE
I hereby certify that the foregoing instrument is a
true and correct copy of the original on file in this
office. *August 9* 2013
By *Barbara Steele*, CLERK
Deputy

FINAL JUDGMENT

RULE 54(b) CERTIFICATE

With respect to the issues determined by this judgment or order it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment or order and that the court has and does hereby direct that the above order shall be a final judgment or order upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated this 6th day of August, 2013.


Lynn G. Norton
District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2013, I caused to be served a true and correct copy of the foregoing document to the persons listed below the method indicated:

Michael C. Creamer
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BARBARA STEELE
Clerk


Deputy Clerk