

Evidence of Priority-BRBA Claims 11-4045, 11-7813,11-8097, & 11-8098

Source Cited: Bear County tax parcel data (parcel data for claims 11-7813, 11-8097, & 11-8098)

Parcels	
WOOLSTENHULME RUTH T ETVIR	
Location: 111°28'45.234"W 42°21'24.652"N	
Field	Value
ACRES	61
ADDRESS1	725 SAWMILL RD
ADDRESS2	
CITY	OVID
COUNTY	Bear Lake
ID	18634213
LEGAL1	F.LOT 1 30-12-43 60.82 AC.
LEGAL2	<null>
LEGAL3	<null>
LEGAL4	<null>
LEGAL5	<null>
LEGAL6	<null>
OWNER	WOOLSTENHULME RUTH T ETVIR
P_ADDRESS	725 SAWMILL RD
P_ZIPCODE	83254
PIN	12S43E303000
SOURCE	<null>
STATE	ID
SUB_NAME	
UPDATED	10/14/2025
YEAR_BUILT	2000
ZIPCODE	83254

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Source Cited: Bear County tax parcel data (parcel data for Claim 11-4045)

Parcels	
JENSEN BRUCE W TRUSTEE	
Location: 111°28'45.464"W 42°21'14.83"N	
Field	Value
ACRES	0.6
ADDRESS1	333 S 100 E
ADDRESS2	
CITY	PROVIDENCE
COUNTY	Bear Lake
ID	18634229
LEGAL1	T-5671 F.LOT 1 30-12-43 .43 AC.
LEGAL2	<null>
LEGAL3	<null>
LEGAL4	<null>
LEGAL5	<null>
LEGAL6	<null>
OWNER	JENSEN BRUCE W TRUSTEE
P_ADDRESS	571 SAWMILL RD
P_ZIPCODE	83254
PIN	12S43E303550
SOURCE	<null>
STATE	UT
SUB_NAME	
UPDATED	10/14/2025
YEAR_BUILT	1934
ZIPCODE	84332

Source Cited: IDWR backfile WR 11-4045

COUNTY RECORDER.

5. Mis. 186

No. 29991.

WATER USERS' AGREEMENT.

THIS AGREEMENT MADE AND ENTERED INTO, By and between Edwin A. Austin, as Trustee for the estate of Alnora N. Austin, deceased, party of the first part, and Lee Prescott, party of the second part.

WITNESSETH, That whereas both parties hereto have certain interests in and to the use of water of a small stream called "Snyder Creek", situated and naturally flowing through Lot 1, and NE¹/₄ NW¹/₄, Section 30, Township 12, South, Range 43 East B. M., in Bear Lake County, Idaho; and whereas, the parties hereto desire to enter into this written agreement for the purpose of defining the respective rights, and the manner of the use of said waters, between said parties hereto:

Now therefore, said parties hereby agree to the following water rights in said stream, and its immediate springs and tributaries, and to the manner of its use on the lands, hereinafter described and belonging to the parties hereto, respectively:

(1) That the said party of the first part and his predecessor in interest has been the owner of, in the possession of and entitled to the possession of the following described tracts of land: NW-NE-4.

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Township 12 (twelve) South, Range 43 East, B. M., in Bear Lake County, State of Idaho; that for more than 20 years said parties in interest have used continuously a considerable portion of waters of said stream and its spring "feeders" on said tracts of land, or some portion thereof, for beneficial purposes and irrigation.

(2) That for a period of 20 years the said second party, and his predecessors in interest have been owners, in possession of, and entitled to the possession of the following described lands:

Lot 4, Sec. 19; Lot 1, Sec. 30, Township 12 South, Range 43 East, B.M., said Bear Lake County; and that for several years last past such parties in interest have used a certain portion of the waters of said stream for purposes of irrigation and for beneficial use on said lands, or some areas thereof.

(3) It is now mutually agreed between the parties hereto, and the same, and all other provisions herein set forth shall be binding upon the heirs, successors and assigns of the parties hereto, that the entire interest in and to the use of the waters of said Snider Creek and its springs "feeders" shall be divided and used fifty-fifty by the parties hereto; and that for the purpose of obtaining the maximum benefits from the use of said waters, the same and all of it shall be used by one of the parties hereto at a time on the respective premises, by turn and turn about, or by rotation; that such individual use shall be for a minimum period of five days, but that the parties hereto may agree hereafter on "turn" of longer period.

(4) It is specially agreed and understood that said second party may have the privilege in the future of piping one of the small springs, involved in this water right, from its source down to the farm dwelling house of second party on his said premises, for domestic, house, garden and lawn use; however, it is here specified that the lower-main part of said pipe line shall be of pipe not exceeding one-half inch in diameter. And that in connection with this special pipe-line privilege, it is agreed on part of second party that any loss which first party shall sustain in the use of said waters by reason of such special use by second part, shall be compensated for by a longer period of use of the main volume of said stream and its spring "feeders" on the premises of first party.

Finally, it is mutually agreed and understood that each party hereto shall faithfully abide by the foregoing stipulations, and carry out the letter and the spirit of the foregoing agreement, and hereby state as between the parties hereto the uses of said waters herein provided for shall become appurtenant to the tracts herein described respectively.

IN WITNESS WHEREOF, We have hereunto set our hands this 28th day of May, 1927.

Edwin A. Austin, Trustee.
Lee Prescott.

STATE OF IDAHO,)
) : ss
County of Bear Lake)

On this 28th day of May, 1927, before me Edwin L. McClave, a Notary Public in and for said County and State, personally appeared before me Edwin A. Austin, Trustee of the estate of Alnora N. Austin, now deceased, and Lee Prescott, personally known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

(SEAL) Edwin L. McClave, Notary Public,
Residing at _____ Idaho,
My Commission expires March 8th 1928.
Residence, Montpelier, Idaho.

Filed for record at request of Lee Prescott, May 31st 1927, at 2:45 p. m..

Fee \$1.60.

AMY MUNK, County Recorder.

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Date of Photo: 07/06/1953

Source Cited: <https://earthexplorer.usgs.gov/>



Figure 1- Black circle is the domestic use location for claims 11-7813 and 11-8097. The white circled area is the approximate location of the domestic POU for claim 11-4045. This aerial photo from 1953 is the earliest available of the POU. In this image and the aerial photos prior to 2004 the only home is seen south of the barns and livestock area.

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Date of Photo: 06/24/1966

Source Cited: <https://earthexplorer.usgs.gov/>



Figure 2- Black circle is the domestic use location for claims 11-7813 and 11-8097. The white circled area is the approximate location of the domestic POU for claim 11-4045. As in the preceding aerial photo, the home is seen south of the barns and livestock area.

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Source Cited: 1997-1999 NAIP Aerial Imagery



Figure 3- Black circle is the domestic use location for claims 11-7813 and 11-8097. The white circled area is the approximate location of the domestic POU for claim 11-4045. As in all the preceding aerial photos, the only home is seen south of the barns and livestock area.

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Source Cited: 2004 NAIP Aerial Imagery



Figure 4- Black circle is the domestic use location for claims 11-7813 and 11-8097. The white circled area is the approximate location of the domestic POU for claim 11-4045. The home in the POU of claims 11-7813 & 11-8097 is first visible in this aerial photo.

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Source Cited: 09/04/2012 Google Earth Pro

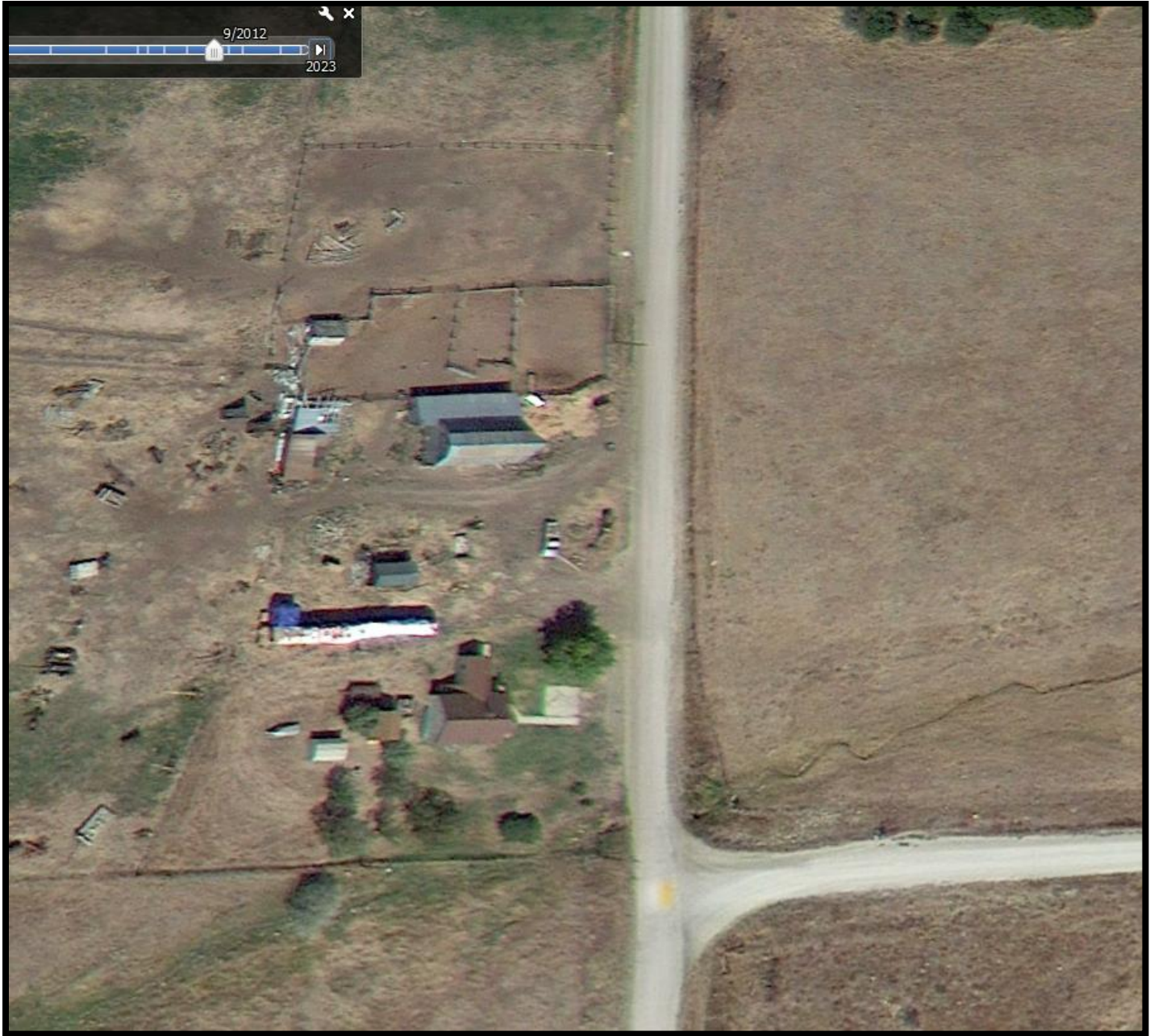


Figure 5- 2012 Google Earth Pro image of the claim 11-4045 POU only the home, outbuildings, and corral areas are visible. This configuration of structures closely matches the aerial photos from 1953 and 1966.