

***Superseded 5/10/2016***

**73-4-5 Requirements for statement of claim in general adjudication of water rights.**

Each person claiming a right to use water of a river system or water source shall, within 90 days after the day on which notice of completion of survey described in Section 73-4-3 is served, file with the state engineer or the clerk of the district court a written statement of claim, signed, and verified under oath, by the claimant, that includes:

- (1) the name and address of the claimant;
- (2) the nature of use on which the claim of appropriation is based;
- (3) the flow of water used in cubic feet per second, or the quantity of water stored in acre-feet, and the time during which the flow or stored water has been used each year;
- (4) the name of the stream or other source from which the water is diverted, the point on the stream or source where the water is diverted, and a description of the nature of the diverting works;
- (5) the date when the first work for diverting the water began, and a description of the nature of the work;
- (6) the date when the water was first used, the flow in cubic feet per second, or the quantity of water stored in acre-feet, and the time the water was used during the first year;
- (7) the place and manner of current use; and
- (8) other facts that clearly define the extent and nature of the appropriation claimed, or that are required by the written form provided by the state engineer with the notice of completion of survey.