

**Effective 5/10/2016**

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

- (1) Except as provided in Subsection (2), 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 the time to file statements of claim as described in Section 73-4-3 is served, file with the state engineer or the district court a written or electronic statement of claim, signed, and verified under oath, by the claimant, or by unsworn declaration as described in Section 78B-5-705, that includes:
  - (a) the name and address of the claimant;
  - (b) the nature and measure of beneficial use on which the claim is based;
  - (c) the maximum flow of water used in cubic feet per second, the maximum volume of water used in acre-feet, or the quantity of water stored in acre-feet, as applicable;
  - (d) the period of time during which the water is used each year;
  - (e) the period of time during which the water is stored each year, if applicable;
  - (f) 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;
  - (g) the water right number associated with the claimed right or, if not of record in the state engineer's office, evidence sufficient to enable the state engineer to evaluate the basis of the claimed right, including the information listed in Subsections 73-5-13(2)(a) and (c);
  - (h) the claimed priority date;
  - (i) the place and manner of current use; and
  - (j) other facts that clearly define the extent, limits, and nature of the claim, or that are required by the written or electronic form provided by the state engineer with the notice of the time to file statements of claim.
- (2) A person claiming a right to the use of water, as described in Subsection (1):
  - (a) may request an extension of time as described in Section 73-4-10; and
  - (b) shall file the statement described in Subsection (1) on or before the granted extension date, if an extension is granted pursuant to Section 73-4-10.

Amended by Chapter 72, 2016 General Session