

# CLAIM TO WATER IN THE STATE OF UTAH

Received by: \_\_\_\_\_

Fee Received: \_\_\_\_\_

Receipt # \_\_\_\_\_

## DILIGENCE CLAIM

*This form is used to describe a claim to the right to use water not otherwise represented in the records of the State Engineer in accordance with Utah Code Annotated, Section 73-5-13. Claims to surface water first used after March 11, 1903 or groundwater first used after March 21, 1935 are generally precluded by Section 73-3-1 of the Utah Code Annotated.*

\*WATER RIGHT NO. \_\_\_\_\_ - \_\_\_\_\_  
\*FILING DATE \_\_\_\_\_

\*DILIGENCE CLAIM NO. \_\_\_\_\_  
\*MAP DRAWER \_\_\_\_\_

1. **CLAIMANT INFORMATION** (Attach pages for additional Claimants)  
Name: \_\_\_\_\_ County Tax ID: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Interest in Claim: \_\_\_\_\_
2. **PERSON WHO FIRST PUT WATER TO BENEFICIAL USE:** \_\_\_\_\_
3. **DATE WHEN WATER WAS FIRST BENEFICIALLY USED:** \_\_\_\_\_
4. **QUANTITY OF WATER:** \_\_\_\_\_ cfs and/or \_\_\_\_\_ acre-feet
5. **SOURCE:** \_\_\_\_\_
6. **POINTS OF DIVERSION WHERE WATER WAS FIRST DIVERTED FOR BENEFICIAL USE**  
Points by legal survey ties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Describe original diverting works: \_\_\_\_\_  
\_\_\_\_\_  
Common description: \_\_\_\_\_
7. **POINTS OF REDIVERSION**  
Source where water was originally rediverted: \_\_\_\_\_  
Points by legal survey ties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Describe original rediverting works: \_\_\_\_\_  
\_\_\_\_\_

\*To be completed by the Division of Water Rights.

8. **POINTS OF RETURN**

Point where water was originally returned to natural source by legal ties: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. **STORAGE**

Reservoir Name (where originally stored): \_\_\_\_\_  
Date when water was first stored: \_\_\_\_\_  
Times during the year when water was diverted to storage (as originally developed):  
From \_\_\_\_\_ to \_\_\_\_\_  
Volume: \_\_\_\_\_ acre-feet. Dam height: \_\_\_\_\_ ft. Surface area: \_\_\_\_\_ acres.  
Legal description by 40-acre tracts: \_\_\_\_\_  
\_\_\_\_\_

10. **SUPPLEMENTAL WATER RIGHTS FOR THE PURPOSES DESCRIBED HEREIN:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. **NATURE AND PERIOD OF USE**

Irrigation: from \_\_\_\_\_ to \_\_\_\_\_  
Stockwatering: from \_\_\_\_\_ to \_\_\_\_\_  
Domestic: from \_\_\_\_\_ to \_\_\_\_\_  
Municipal: from \_\_\_\_\_ to \_\_\_\_\_  
Mining: from \_\_\_\_\_ to \_\_\_\_\_  
Power: from \_\_\_\_\_ to \_\_\_\_\_  
Other: from \_\_\_\_\_ to \_\_\_\_\_

12. **PURPOSE AND EXTENT OF USE**

Irrigation: \_\_\_\_\_ acres. Sole Supply of \_\_\_\_\_ acres.  
Stockwatering (number and kind): \_\_\_\_\_  
Domestic: \_\_\_\_\_ Families.  
Municipal (name): \_\_\_\_\_  
Mining: \_\_\_\_\_ Mining District in the \_\_\_\_\_ Mine.  
Ores mined: \_\_\_\_\_  
Power Plant name: \_\_\_\_\_ Type: \_\_\_\_\_ Capacity: \_\_\_\_\_  
Other (describe): \_\_\_\_\_

13. **PLACE OF USE**

Legal description of the original place of use by 40-acre tract(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**CERTIFICATE OF CLAIMANT**

The claimant acknowledges the accuracy of the information contained herein and the attached documentation.

STATE OF UTAH )  
COUNTY OF \_\_\_\_\_) SS

I, being duly sworn, do hereby certify that I am the claimant, or agent of the claimant, to a right to the use of water as set forth in the foregoing statement of facts.

\_\_\_\_\_  
Signature of Claimant

\_\_\_\_\_  
Signature of Claimant

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF ENGINEER/SURVEYOR**

STATE OF UTAH )  
COUNTY OF \_\_\_\_\_) SS

I, \_\_\_\_\_, being duly sworn, certify that I was employed to prepare the maps and measure water associated with this diligence claim; that the maps were prepared from field notes of survey made by me between the days of \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_, \_\_\_\_\_; that these maps, labeled as Sheet Nos. \_\_\_\_\_ to \_\_\_\_\_ inclusive, when combined with the written claim fully describe the method and extent of beneficial use of the water when it was first put to use, and that each and all of the items contained herein are true to the best of my knowledge.

Engineer/Surveyor: \_\_\_\_\_  
(printed name)

License No. \_\_\_\_\_

\_\_\_\_\_  
(printed address)

(seal of engineer/surveyor)

\_\_\_\_\_  
Signature of Engineer/Surveyor

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

(seal)

\_\_\_\_\_  
Notary Public

## DILIGENCE CLAIM CHECKLIST

- ✓ A licensed engineer or surveyor must prepare and complete the Diligence Claim form.
- ✓ Maps and drawings prepared by the retained professional must be submitted showing the original uses of the Diligence Claim.
- ✓ Each map must have the professional's official seal and meet the legal mapping standards as described in the [UT Admin Code R655-5-4 for Mapping Standards](#) and [Utah Code Annotated 73-5-13 \(2\)\(b\)\(iii\)](#).
- ✓ Provide documentation to support the claim. This may include, but is not limited to:
  - a. Affidavits of individual having personal knowledge of the facts pertaining to the claim
  - b. Authenticated or historic photos, plat or survey maps, or surveyors' notes
  - c. Authenticated copies of original diaries, personal histories, or other historical documents which document the claimed use of the water
  - d. Relevant records on file with any county recorder's, surveyor's, or assessor's office
  - e. Related conveyance documents, which establish a chain of water right ownership from the person who first put the water to beneficial use to the claimant.
- ✓ If the current use of water differs from the historic use in any respect the claim must reflect historic use. In addition, a change application must be filed and approved by the State Engineer for the current use.
- ✓ A *Certificate of Engineer/Surveyor* and the *Claim Form*, with maps and water measurements, must be completed by the engineer/surveyor.
- ✓ A *Certificate of Claimant* must be completed and notarized by each claimant.
- ✓ In addition to the standard [Application Fee](#), a \$500 investigation fee must be submitted with the Diligence Claim form. Cash, check or money order only.
- ✓ Incomplete or unclear applications will be returned to the claimant through the professional, listed on the Diligence Claim form, by mail.

**NOTE:** *The State Engineer may require additional information as necessary to evaluate any claim. No fee shall be charged for submitting a corrected claim.*

### WHERE TO FILE

Salt Lake City Office (Main)  
(801) 538-7240  
1594 W North Temple, #220  
Salt Lake City, UT 84114

Logan Regional Office  
(435) 752-8755  
1780 N Research Parkway, #104  
Logan, UT 84341

Richfield Regional Office  
(435) 896-4429  
130 N Main St  
Richfield, UT 84701

Cedar City Regional Office  
(435) 586-4231  
585 N Main St  
Cedar City, UT 84721

Price Regional Office  
(435) 613-3750  
319 N Carbonville Rd  
Price, UT 84501

Vernal Regional Office  
(435) 781-5327  
152 E 100 N  
Vernal, UT 84078