

Oregon Water Resources Department  
Water Rights Division

Water Rights Certificate  
Number 70688

## ***Reservoir Mitigation Order***

### *Application History*

A reservoir was constructed prior to January 1, 1993. As evidence of the right to store water, pursuant to ORS 537.407(1), an application was submitted.

Pursuant to ORS 537.407(3)(b) the Department has received information demonstrating that the reservoir results in injury to an existing water right.

ORS 537.407(6) specifies that "...the director shall require the owner of the reservoir to take appropriate action to mitigate injury to existing water rights or impact to the existing fishery resource."

Therefore, the Department has determined that with the following additional mitigation condition(s), the injury to existing water rights and/or detrimental impact to existing fishery resources, described above, will be mitigated.

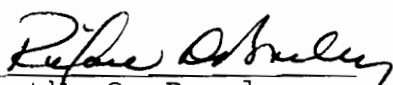
### **Order**

If required by the Watermaster, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The pond may be filled one time only per year. No diversion of water to storage can occur during times all water rights are not met on the John Day river System.

Therefore, pursuant to ORS 537.407, the use evidenced by certificate 70688 shall be allowed to continue if the injury/negative impact of the reservoir is mitigated as described above.

DATED January 16, 1998

  
Martha O. Pagel  
Director