**062C** *Last Updated: 07/01/2012*

*Category:*

Fish and Wildlife

*Title:*

Bypass, Device, Passive

*When Used:*

For all water rights that include term 60 (local bypass flow), unless conditions exist that preclude the use of a passive bypass device.

Background/Justification:

Wat. Code § 1058; Policy for Maintaining Instream Flows in Northern California Coastal Streams section 5.0, Appendix E

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No water shall be diverted under this water right unless right holder is bypassing the flow(s) required by this water right by use of a passive bypass device(s).

Right holder shall provide the Division of Water Rights with evidence that the device(s) has/have been installed with the first annual report submitted after device installation. Right holder shall provide the Division of Water Rights with evidence that substantiates that the device(s) is/are functioning properly every year after device installation as an enclosure to the current annual report or whenever requested by the Division of Water Rights. Evidence required by this condition shall include current photographs of the system in place and a statement, signed by the right holder, certifying that the system is still operating as designed.

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