

**OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690, DIVISION 522
DESCHUTES BASIN WATER MANAGEMENT**

690-522-0030

Ground Water Appropriations within the Deschutes Ground Water Study Area

The cumulative rate specified under 690-505-0500(1) shall not include:

- (1) Rates associated with offsets pursuant to 690-505-0610(8);
- (2) Rates associated with applications withdrawn after final order issuance pursuant to 690-505-0620;
- (3) Portion of rates approved by a final order issued under 690-505-0620 but not included in a water right permit issued following satisfaction of the mitigation requirement;
- (4) Rates associated with expired final orders pursuant to 690-505-0620(2);
- (5) Portions of rates associated with permits issued pursuant to 690-505-0620 and subsequently cancelled;
- (6) Rates associated with certificates issued pursuant to 690-505-0620 and subsequently canceled; and
- (7) Rates associated with the portion of use originally authorized under a permit issued pursuant to 690-505-0620 and not included in a subsequent certificate.

Stat. Auth.: ORS 536.025, 536.027 & 537.746

Stats. Implemented: Chapter 669, OL 2005; Chapter 694, OL 2011

Hist.: WRD 1-2010, f. & cert. ef. 6-9-10

690-522-0050

Reassignment of Permanent Mitigation Credits

- (1) Notwithstanding OAR 690-521-0400(2), part or all of permanent mitigation credits that were used to satisfy a mitigation obligation may be reassigned if:
 - (a) The ground water permit application to which the credits were assigned is denied or withdrawn;
 - (b) The ground water permit application to which the credits were assigned is amended and the mitigation obligation is reduced;
 - (c) The final order issued approving the ground water permit application to which the credits were assigned expires pursuant to OAR 690-505-0620;
 - (d) The ground water permit to which the credits were assigned is subsequently cancelled;
 - (e) The subsequent ground water certificate is issued for less ground water use than originally allowed under the permit and there is a corresponding reduction in mitigation obligation;
 - (f) The subsequent ground water certificate to which the credits were assigned is cancelled, or partially cancelled resulting in a reduced mitigation obligation; or

Note: These rules were filed with the Office of the Secretary of State and took effect on June 26, 2015. The rules are subject to non-substantive modifications such as renumbering and correction of typographical errors pursuant to ORS 183.360 (2)(a) when published by the Secretary of State.

(g) The permit holder holds more than one municipal or quasi-municipal ground water permit issued under OAR 690-505-0620 and requests to re-assign credits from one such existing permit to another existing permit, provided the reassignment is consistent with the requirements of OAR 690-505-0610(4).
(2) Mitigation credits available pursuant to this rule may be assigned by applicant or permit or certificate holder to any person or mitigation bank or assigned to satisfy a mitigation obligation.

Stat. Auth.: ORS 536.025, 536.027 & 537.746

Stats. Implemented: Chapter 669, OL 2005; Chapter 694, OL 2011

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