



**5. Are there any existing instream water rights at the same point or within the same requested reach(es) or lake, or on a portion thereof:**

- No  Yes (identify other instream water rights): \_\_\_\_\_

*New instream water rights generally (but not always) are additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.*

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?

- Yes  No. If no, please explain your intent below.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. *Supporting documentation should include information from the Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).*

**6. Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?**

- No; *or*  
 Yes (*Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.*); *or*

- Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:

- The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the aforementioned instream water right application;  
***and***  
 For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed (*A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page*); ***or***  
 The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. (*The scientific information provided by DEQ should be included with the transfer application.*)

**7. For a time-limited instream transfer, please answer the following:**

- The time-limited instream transfer is for a specific number of years:  
Begin Year \_\_\_\_\_ to End Year \_\_\_\_\_
- The time-limited instream transfer is to terminate based upon other conditions:  
Conditions: \_\_\_\_\_