

25¢ **Spilyay Tymoo**

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Round Butte rent subject of hearings

Arbitration hearings to adjust the annual fee paid to the Confederated Tribes by PGE for rent on Round Butte Dam were held at the Federal Court House in Portland December 2 through 8. Members of the Tribal Council were in Portland at the request of tribal attorneys to hear the testimony.

The arbitration will undoubtedly result in a considerable raise in the rental figure which is now \$1.1 million.

Three arbitrators were selected for the hearings. PGE selected Charles Davis, ex-public utility commissioner for the state of Oregon. The tribe selected Abe Weissbrodt, a claims attorney from Washington D.C. (Weissbrodt served the tribes in the 1977 Round Butte arbitrations.) E. Kendall Davis, a power expert from Sacramento, California, was a mutually agreed upon arbitrator.

An arbitrator is one who is chosen by and mutually agreed upon by both sides to settle a dispute when the two parties cannot come to an agreement themselves. The arbitrator will hear each side's argument and reach a decision final and

binding to both parties in the dispute.

The last Round Butte rent hike was July 14, 1977 and was set at \$1,090,000 by arbitration. That hike was 450% above the \$246,000 the Tribe's had received annually since Round Butte went into operation in 1964. Under terms of the contract, the two parties (PGE and the Tribes) may review and adjust the rent after the first 10 years of operation and every five years thereafter.

Expert witnesses for the tribe were Jerry Dibble, Tom Statson (a water and power expert from San Francisco and Charles Ross from Vermont who is an ex-commissioner of the Federal Power Commission and an attorney.

The Tribes are asking for an \$8 million figure for the five-year period, up \$7 million from the 1974 adjustment. It is anticipated that the new adjustment will be retroactive, plus interest, back to 1979.

At the conclusion of the hearings the arbitrators indicated they would receive position summaries from the Tribe and PGE no later than December 31 and that they would render a decision by January 31, 1982.



First Christmas

The first Christmas is reenacted here by Community Christmas Program actors. The setting is Warm Springs. Spilyay Tymoo photo by Shewczyk

Fill out form— Members exempt from new telephone tax

By filling out a special form, tribal members living on the Warm Springs Reservation can avoid paying a new excise tax to the phone company.

The three percent excise tax, effective Jan. 1, 1982, will be imposed by the State of Oregon to fund "911" emergency communication services in several Oregon counties.

To qualify for the exempt status, you must be an enrolled Indian living on the reservation of your tribe. Enrolled members who live off the reservation will still have to pay the 3% tax with their phone bills.

The Vital Statistics Department has the special forms on hand which must be completed and signed. Once

the form has been received by Pacific N.W. Bell, the account will be exempted.

The form is simple—it just asks for your name, phone number, address, tribal affiliation and enrollment number, and the name of your reservation.

This exemption applies to all reservations within the state, but again, it is only valid for enrolled Indians living on the reservation of their tribe.

Check with Vital Statistics for the forms. When completed and signed, the form should be taken to the nearest PNB business office or mailed to P.O. Box 3881, Portland, Oregon 97251. Forms must be sent in before your account will be exempted.

Water system delays, questioned

by Sandy Rangila

It is apparent that Warm Springs will not be receiving water from the new Deschutes Domestic system this month or next, as had been planned. It probably won't be until spring.

But the reasons given for the delay and date of actual start-up of the system are conflicting.

Ron Hall, project manager at the treatment plant (A.S.C. Constructors), said the delay is due to a shortage of valves for the primary lines. "The valves come from Argentina and delivery has been slow, probably because of a schedule screw-up," he speculated.

He said the treatment plant could be in operation by the end of January, "but we won't be able to deliver water anywhere until the valves are in place." According to Hall, apparently not enough delivery time was allowed when the valves were ordered.

Unusually bad weather and lots of rain has been another factor in the delays, said Hall.

But Ed Manion, Community Services Manager for the Tribe's, said it is not the valve shortage that is holding up the project. He said sleeves are being placed in the line where the valves are to go. By placing the sleeves in the lines, the system can be tested and on-line without undue delay, despite a shortage of valves.

Manion said he got this information straight from STRAAM Engineers, Inc., the firm which designed and oversees the project.

"They should be able to start pumping water to the Tewee Butte tank in mid-January and by late February or the first of March there should be water flow, said Manion.

He met on Monday with Hall at the treatment plant and demanded "a good and true schedule revision by next

week" so the Tribes will know the actual projected completion dates for all phases of the project.

Despite delays, Manion reports that the Tribes are still within the \$8 million figure budgeted for the new water system.

Construction of the tanks is nearly complete. Nothing more can be done on them until they are filled with water. Only then can the tanks and equipment be tested. Portland Tank is currently cleaning up and restoring the land around the tanks.

The Treatment Plant is slightly behind schedule. All major equipment and mechanical parts are on site with the exception of some heavy pumps. The pumps are due to arrive in early January.

The plant superintendent said that once the roof is on he will pick up the schedule.