

Spilyay Tymoo

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Spilyay Tymoo photo by Lane

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DECEMBER 2, 1983

Snow blankets Central Oregon

The Warm Springs area, in fact all of Central Oregon, awoke to five inches of snow Wednesday morning. By the end of the day, three more inches had fallen and the temperature was dropping.

Needless to say, driving conditions were hazardous. The highways were slickened with snow and ice causing numerous major and minor fender benders. Those people trying to make it to work on time from Madras were delayed by a jack-knifed truck and cars in the ditch on the grade. Drivers sat for over an

hour while the highway was cleared. Because the grade was closed, children in Warm Springs had no school.

Though the snow made getting around difficult, people seemed to enjoy the quiet, clean briskness of the weather. Kids fell into the snow to make angels, picked up the white stuff to make snow balls and just generally enjoyed the first snowfall of the winter season.

After last year's mild winter, many people were unprepared for the snow. The tire shops in Madras were over loaded with customers asking if they had chains, had time to put on studded tires or if they thought the roads were too hazardous to drive without traction devices. The tribal vehicle pool was busy the entire day getting tribal vehicles in road-safe condition.

According to the U.S. weather service, the upcoming weather in the next few days could bring more snow and temperatures will not exceed 35 or so. So, if you're not ready for the winter driving conditions, it's best to prepare now. Get out the boots, mittens and woolen scarves and bundle up. If you can't get around in the snow and ice in your car, your feet are going to have to do it for you.

Per capita, bonus payments exempt

Apparently some confusion has arisen concerning per capita and bonus payments counting as income when applying for state financial aid.

Some state agencies, such as the food stamp and ADC programs, have, in the past, counted per capita and bonus payments as income when determining program eligibility. These programs are

funded in part by the federal government. However, the President signed into effect in August, a law which exempts per capita and bonus payments from inclusion as income in determining eligibility for any federal or federally assisted programs. Only those state programs such as unemployment and student aid can count per capita and bonus

payments as income. The August legislation, PL 97-64, does not effect those programs that are completely funded and operated by the state of Oregon.

The law reads as follows: Section 1 provides that tribal trust funds which are paid per capita to tribal members may

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Klamaths water rights upheld

The Ninth Circuit Court of Appeals affirmed an Oregon district court decision that the Klamath Tribe of Oregon has federal water rights sufficient to maintain their treaty rights to hunt and fish on their terminated reservation. The Circuit Court's November 15 decision in U.S. v. Adair is particularly significant following recent U.S. Supreme Court decisions relegating the determination of Indian water rights to state courts.

In the U.S. vs. Adair decision, the Court held that the federal district court had not abused its discretion in exercising federal jurisdiction to determine the federal water rights issues and leaving quantification of those rights to the state system. "Far from improperly intruding on the role of the state court, we find that in exercising federal jurisdiction in this fashion the

district court coordinated its adjudication of water rights with adjudication by the state court so as to allow each forum to consider those issues most appropriate to its expertise."

The case is also significant because it is probably the first case to decide that a terminated

Indian tribe continued to possess federally reserved water rights for certain purposes after termination. It is also one of only a few cases which has upheld the existence of water rights for hunting and fishing purposes.

Weather

Nov.	Hi.	Low	Pre.
17	51	40	.05
18	50	31	.17
19	48	36	.55
20	47	34	.00
21	44	27	.00
22	34	28	.05
23	44	32	.03
24	52	40	.00
25	46	28	.00
26	43	26	.00
27	50	36	.00
28	46	28	.00
29	36	25	T
30	38	26	8 in. snow
Dec.			
1	33	27	.00

NOTICE

Meeting Requested

A special meeting, by request of the Tribal Council, will be held at the Community Center on Thursday, December 15, at 7 p.m. for the purpose of discussing the new State of Oregon law that deals with infant and child car seats.

As of January 1, 1984, all children under the age of 5 are required by law to be properly retained while being transported in a motor vehicle.

Representatives of law enforcement, I.H.S. and tribal health branch will present a program about the new law, infant and child restraint seat use and answer questions about the Warm Springs infant and child seat rental program.

Everyone is invited, especially parents of pre-school children.