

CERTIFICATE AND ORDER
FOR FILING
PERMANENT
ADMINISTRATIVE RULES WITH THE SECRETARY OF STATE

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I HEREBY CERTIFY that the attached copy is a true, full and correct copy of PERMANENT rule(s) adopted on December 9, 1988
(Date)

by the Water Resources Commission
(Department) Division)

to become effective upon filing
(Date)

The within matter having come before the Water Resources Commission
(Department) (Division) after

all procedures having been in the required form and conducted in accordance with applicable statutes and rules and being fully advised in the premises:

Notice of Intended Action published in Secretary of State's Bulletin: NO YES Date Published: August 15, 1988

NOW THEREFORE, IT IS HEREBY ORDERED THAT the following action be taken: (List Rule Number(s) or Rule Title(s) on Appropriate Lines Below)

Adopted: 690-29-005 to 015
(New Total Rules)

Amended: _____
(Existing Rules)

Repealed: _____
(Total Rules Only)

as Administrative Rules of the Water Resources Department Field Operations Division
(Department) (Division)

DATED this 9th day of December, 19 88.

By: William H. Young
(Authorized Signer)
Title: Director

Statutory Authority: ORS 539 or

Chapter(s) _____, Oregon Laws 19 87 or

House Bill(s) _____, 19 _____ Legislature; or Senate Bill(s) 137, 19 87 Legislature

Subject Matter:
Provides for public notice and public involvement in the negotiations with the Confederated Tribes of the Warm Springs Reservation to quantify their reserved water rights.

For Further Information Contact: Larry W. Jebousek Phone: 378-3066
(Rule Coordinator)

OREGON ADMINISTRATIVE RULES
WATER RESOURCES DEPARTMENT
CHAPTER 690, DIVISION 29
NEGOTIATIONS WITH THE CONFEDERATED TRIBES OF THE WARM SPRINGS
RESERVATION OF OREGON

690-29-005 Warm Springs Water Rights Negotiations

Purpose

This rule establishes the methods by which the Water Resources Department (Department) provides opportunity for public notice and comment regarding negotiations between the Director of the Water Resources Department (Director) and the representatives for the Warm Springs Tribes and federal government, as trustee for the tribes, held to establish the scope and attributes of the water right claimed by the tribes, pursuant to ORS 539.300, et. seq.

690-29-010 Notice

Persons interested in these negotiations shall request, in writing, to have their names placed on a mailing list the Department shall prepare for the purpose of carrying out this rule.

The Director shall mail notice by first class mail to all parties on the mailing list 20 days prior to any negotiating session. The notice shall specify the time, place and subject matter of the negotiating session, a summary of prior negotiating sessions, if any, and explain the manner, described in OAR 690-28-070, by which the Director may receive public input on the negotiations. At the conclusion of the negotiations, persons on the mailing list shall receive a summary of the agreement reached, and an explanation of how the agreement is to be submitted to a court, pursuant to ORS 539.320.

690-29-015 Public Comment

Persons who wish the Director to consider concerns they may have with regard to the negotiations may submit an explanation, factual background evidence and a proposed position or solution and other relevant material to the Director. Such comments shall be in writing and submitted to the Director at least 10 days prior to the negotiating session to be fully considered.

Members of the public are entitled to attend the negotiating sessions, but are not entitled to present testimony at those sessions.