

## BEFORE THE INDIAN CLAIMS COMMISSION

THE CONFEDERATED BANDS OF UTE INDIANS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Docket No. 327
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

INTERLOCUTORY ORDER

Upon the Findings of Fact and Opinion this day filed herein and which are hereby made a part of this order, the Commission concludes as a matter of law that:

1. The petitioner herein, as set forth and described in our Finding of Fact No. 4, is an identifiable group of American Indians authorized to present claims before this Commission.

2. By the Agreement of September 18, 1873, ratified on April 29, 1874 (18 Stat. 36) the petitioner ceded to the United States a portion of the reservation which had been set apart by the United States under the provisions of Article 2 of the Treaty of March 2, 1868 (15 Stat. 619) which ceded area (designated Royce Area 566) is described in Finding of Fact No. 3 and does not include that area of land of about 10,240 acres known as Uncompahgre Park.

3. The lands described in Finding of Fact No. 3 had a fair market value as of April 29, 1874, of \$8,500,000.00.

4. The sum of \$507,662.84 constituted the consideration for the cession of Royce Area 566, and this sum will be credited to the United States as payment on the claim.

5. The consideration of \$507,662.84 paid to the petitioner for a cession of its lands having a fair market value of \$8,500,000.00 was so grossly inadequate as to make the consideration unconscionable.

IT IS THEREFORE ORDERED AND ADJUDGED that the petitioner shall have and recover of and from the defendant the sum of \$8,500,000.00 less the

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sum of \$507,662.84, constituting the United States' payment on the claim, or a net amount of \$7,992,337.16, less such allowable offsets to be determined in a later proceeding.

Dated at Washington, D. C., this 14th day of September, 1962.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner