

BEFORE THE INDIAN CLAIMS COMMISSION

SHOSHONE TRIBE OF INDIANS OF THE)	
WIND RIVER RESERVATION, WYOMING,)	
et al.,)	
)	
Petitioners,)	
)	
v.)	Docket No. 326
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

SHOSHONE NATION OR TRIBE OF INDIANS,)	
on the relation of and represented)	
by EDWARD QUEEP BOYER, et al.,)	
)	
Petitioner,)	
)	
v.)	Docket No. 367
)	
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 finds and concludes as a matter of law and fact:

1. That within the claimed area there were in aboriginal times tribes or identifiable groups of Shoshone Indians, each of which held Indian title to a separate and distinct area of land. These tribes and identifiable groups were The Shoshone Tribe (Finding of Fact No. 16), the Lemhi Tribe (Finding of Fact No. 17), the Goshute Tribe or identifiable group (Finding of Fact No. 18), and the Western Shoshone identifiable group (Finding of Fact No. 19);

2. That the respective petitioners have the right to maintain this action for and on behalf of the members and descendants of members of the aboriginal tribes and identifiable groups found herein to have been land-using entities, that is (a) the petitioner, Shoshone Tribe of Indians of the Wind River Reservation and the Shoshone-Bannock Tribes, Fort Hall Reservation, Idaho, have the right to maintain this action for the aboriginal Shoshone Tribe; (b) the petitioner, the Confederated

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Tribes of the Goshute Reservation for the aboriginal Goshute Tribe or identifiable group; (c) the petitioner, the Shoshone-Bannock Tribes, Fort Hall Reservation, Idaho, for the aboriginal Lemhi Tribe; and (d) petitioner, the Temoak Bands of Western Shoshone Indians, Nevada, for the aboriginal Western Shoshone identifiable group;

3. That the Shoshone Tribe, for a long time prior to the United States' acquisition of the area ceded by the Treaty of July 3, 1868, 15 Stat. 673, II Kapp. 1020, held Indian title to an area of land described in Finding of Fact No. 20;

4. That the Lemhi Tribe exclusively used and occupied the lands described in Finding of Fact No. 21 until February 12, 1875, the date that the Lemhi Reservation was established by Executive Order of the President;

5. That the Goshute Tribe or identifiable group had Indian title to the lands described in Finding of Fact No. 22 from time immemorial until by gradual encroachment by whites, settlers and others, and the acquisition or taking of their lands by the United States for its own use and benefit, or the use and benefit of its citizens, the Indians were deprived of their lands;

6. That the Western Shoshone identifiable group exclusively used and occupied the lands described in Finding of Fact No. 23; that the Indian title to such of the lands of the Western Shoshone group as are located in the present State of California was extinguished on March 3, 1853; and that as to the remainder of the lands of the Western Shoshone, Indian title was extinguished by the gradual encroachment by whites, settlers and others, and the acquisition, disposition or taking of said lands by the United States for its own use and benefit, or the use and benefit of its citizens.

IT IS THEREFORE ORDERED that the case proceed for the purpose of determining the acreage in each of the four areas involved; the consideration paid, if any; the dates of acquisition where necessary; and the market values thereof on the dates of acquisition.

Dated at Washington, D. C., this 16th day of October, 1962.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner