

BEFORE THE INDIAN CLAIMS COMMISSION

THE YAKIMA TRIBE OF INDIANS,)	Docket No. 47
)	
THE YAKIMA TRIBE OF INDIANS,)	Docket No. 147
)	
THE YAKIMA TRIBE OF INDIANS,)	Docket No. 160
)	
THE YAKIMA TRIBE OF INDIANS,)	Docket No. 164
)	
Petitioner;)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

FINAL JUDGMENT

Upon consideration of the joint motion of the parties in the above entitled cases for the approval of a stipulation of settlement of said cases, filed herein on October 10, 1968, which stipulation is hereby incorporated by reference and made a part of this judgment, and the evidence, both oral and written, presented at a hearing before the Commission on October 16, 1968 on said joint motion; and additional findings of fact having this day been made and entered herein on said settlement which are hereby made a part of this judgment; and it appearing that said stipulation of settlement is fair and just to all of the parties, and has been duly approved by the Yakima Tribe, and the authorized representatives of the Secretary of the Interior, the Commission concludes as a matter of law that the Yakima Tribe, petitioner, is entitled to recover from the United States, defendant, a final net judgment in the amount of \$2,100,000.00 in consolidated cases Docket Nos. 47 and 164, the parties waiving their respective rights of review and appeal,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commission:

1. That the joint motion of the parties be, and the same is hereby, granted;

2. That the claim for the estimated 21,008.66 acres of the total of 121,465.69 acres of Tract D, Docket No. 47, be and is hereby, authorized to be severed from the other claims in Docket No. 47 and set up as a separate claim to be designated Docket No. 47-B before the Commission, to be prosecuted independently and wholly separate and apart from the other claims in Docket No. 47 settled by stipulation of the parties;

3. That the remaining claims in Docket No. 47 and the claims set forth in Docket No. 164 be, and they are hereby, consolidated for the purpose of this Final Judgment;

4. That a total of 2,548.06 acres within the area of Tract D, Docket No. 47, be, and is hereby, determined to constitute all of the vacant and unpatented lands therein which were not "taken" by the United States, and are still a part of the Yakima Reservation reserved to the Yakima Tribe, and for that reason were eliminated from the claim in Docket No. 47 by Order of the Commission dated June 19, 1967 (18 Ind. Cls. Comm. 426), as per list of said vacant and unpatented lands attached to said stipulation of settlement, and made a part hereof;

5. That the claims in Docket Nos. 147 and 160 be, and are hereby, dismissed with prejudice;

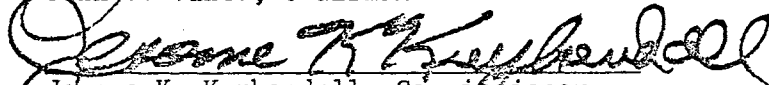
6. That this Final Judgment is dispositive of the outstanding motion in Docket No. 164; and

7. That judgment be, and is hereby, entered in favor of the Yakima Tribe, petitioner, and against the United States, defendant, in said consolidated Docket Nos. 47 and 164 in the sum of \$2,160,000.00, less a credit of \$60,000.00 due the United States under paragraph 8 of a stipulation of the parties filed March 11, 1965 in Yakima Tribe v. United States, Docket No. 161, and approved by the Commission on April 5, 1965 (15 Ind. Cls. Comm. 196, 200-201), making a net final judgment to be entered herein in the amount of \$2,100,000.00.

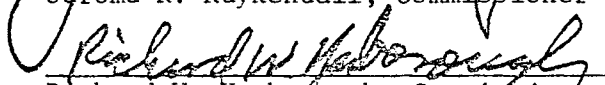
Dated at Washington, D. C., this 17th day of November, 1968.



John T. Vance, Chairman



Jerome K. Kuykendall, Commissioner



Richard W. Yarborough, Commissioner



Margaret H. Pierce, Commissioner