

BEFORE THE INDIAN CLAIMS COMMISSION

PUEBLO de ZIA ET AL.,)
)
 Plaintiffs,)
)
 v.)
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

Docket No. 137

ORDER DETERMINING THE BASIS FOR THE APPRAISAL OF GRATUITOUS OFFSETS OF REAL PROPERTY

On April 21, 1969, the defendant filed a "Motion for a Pretrial Determination of the Basis for the Appraisal of Gratuitous Offsets of Real Property." Plaintiff responded thereto on May 5, 1969, and the defendant made further reply on May 12, 1969. Oral argument was held before the Commission on June 26, 1969. The Commission, now being fully advised in the premises, and for the reasons stated in the opinion accompanying this order,

IT IS HEREBY ORDERED that any allowable gratuitous offsets of real property shall be valued on the basis of "funds expended" for said real property by the United States.

Dated at Washington, D. C., this 23^d day of July, 1969.

Jerome K. Kuykendall
 Jerome K. Kuykendall, Chairman

John T. Vance
 John T. Vance, Commissioner

Richard W. Yarborough
 Richard W. Yarborough, Commissioner

Margaret H. Pierce
 Margaret H. Pierce, Commissioner

Brantley Blue
 Brantley Blue, Commissioner