

BEFORE THE INDIAN CLAIMS COMMISSION

THE MOHAVE TRIBE OF INDIANS OF ARIZONA,)	
CALIFORNIA, AND NEVADA,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 295-A
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

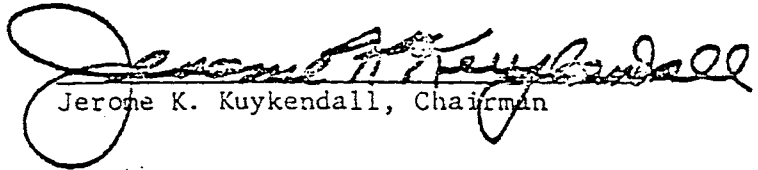
INTERLOCUTORY ORDER

Based upon the findings of fact and the opinion this day entered herein, which findings of fact and opinion are hereby made a part of this order, the Commission concludes that:

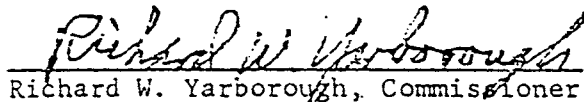
1. The Mohave Tribe of Indians of Arizona, California and Nevada has the right to bring and maintain this suit under the Indian Claims Commission Act;
2. Pursuant to the Act of July 8, 1940, 54 Stat. 744, the United States acquired 3,736.34 acres of the Mohave Indian Reservation lands in Arizona lying below the 455th contour line for the Parker Dam project on the Colorado River, for which lands the United States paid the Mohave Tribe \$111,547.44;
3. The construction, maintenance and operation of the Parker Dam caused additional lands in the Mohave Indian Reservation between the 455th and 471st contour lines to be flooded and lost to the Mohave Tribe between December 1940 and January 1953;
4. The United States, having never compensated the Mohave Tribe for the temporary loss of the lands above the 455th contour line, is liable in the premises to the extent of the fair rental value of said lands for the period of December 1940 to January 1953.

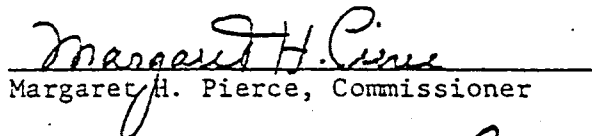
IT IS THEREFORE ORDERED, that this case shall now proceed to a determination of the fair market value of the 3,736,34 acres of Mohave land below the 455th contour line as of the effective date of the transfer of said lands under the Act of July 8, 1940, supra, a determination of the acreage of the Mohave lands that were flooded above the 455th contour line, and the fair rental value thereof for the period of December 1940 to January 1953; and a determination of all other matters bearing upon the defendant's liability to the Mohave Tribe.

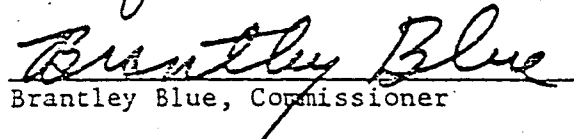
Dated at Washington, D. C., this 30th day of June 1970.


Jerone K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner