

BEFORE THE INDIAN CLAIMS COMMISSION

THE SIOUX TRIBE, ET AL.,)	
)	
Plaintiffs,)	
)	
v.)	Docket No. 74
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

INTERLOCUTORY ORDER

Upon the opinion this day filed herein and which is hereby made a part of this order, the Commission concludes as a matter of law that:

- (a) Article 16 of the Treaty of 1868 granted exclusive hunting rights to the Sioux over the area which is bounded as follows:

Beginning where the eastern boundary of Big Horn County, Wyoming intersects the northern border of Wyoming, southerly along the eastern boundaries of Big Horn and Washaki counties to the northern boundary of Natrona County, then southwesterly to the westernmost point of Cedar Ridge, then in a line southeasterly through the town of Hiland, Wyoming, to the Sioux Fort Laramie Line, then southerly and easterly along the Sioux Fort Laramie Line to the point on the North Platte River where the Line intersects the 104th meridian; then north along the 104th meridian to the point at which the 104th meridian intersects the Sioux Fort Laramie Line, then along this Line to the Little Powder River, then down the Little Powder River and the Powder River to the Yellowstone River; then up the Yellowstone River to the 107th Meridian; then south along the 107th meridian to the northern border of Wyoming, then west along the Wyoming border to the point of beginning.


The "Sioux Fort Laramie Line" referred to in the above description is the boundary set out in the Commission's order of September 10, 1969, 21 Ind. Cl. Comm. 371, 381, at 382.

- (b) The valuation of Sioux lands west of the Missouri shall be at their highest and best use without deduction for hunting rights retained by the Sioux. The value of any hunting rights granted by Article 16 of the Treaty of 1868 (15 Stat. 635) shall not be deducted as consideration under the 1868 Treaty.

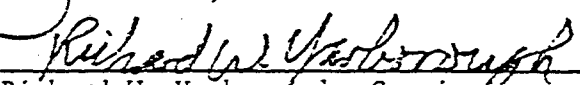
The parties shall obtain a date for a hearing as to title to any lands, east or west of the Missouri River, ceded under any part of the 1868 Treaty, which are claimed by plaintiff to have been owned aboriginally and as to which no hearing has been held. Plaintiff shall within sixty days notify the Clerk of the Commission whether it desires a hearing to be set on the question of whether hunting rights granted or retained under Article 16 were worth more than their 1868 value when taken from the Sioux and whether they were taken under circumstances which produced liability on the part of the defendant.

Dated at Washington, D. C., this 8th day of July 1970.

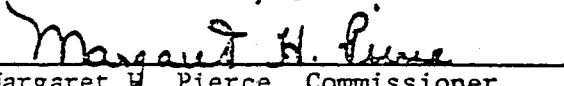
Jerome K. Kuykendall, Chairman



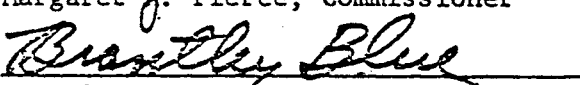
John T. Vance, Commissioner



Richard W. Yarborough, Commissioner



Margaret H. Pierce, Commissioner



Brantley Blue, Commissioner