

BEFORE THE INDIAN CLAIMS COMMISSION

LEMHI TRIBE, REPRESENTED BY THE)	
SHOSHONE-BANNOCK TRIBES, FORT HALL,)	
)	
Plaintiff,)	
)	Docket No. 326-I
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: March 8, 1971

Appearances:

Robert W. Barker,
Attorney for Plaintiff

John D. Sullivan, with whom
was Shiro Kashiwa, Assistant
Attorney General of the United
States, Attorneys for Defendant.

OPINION OF THE COMMISSION

PER CURIAM.

This matter has been presented to the Commission on joint motion of the parties dated February 25, 1971, for consideration and approval of a compromise settlement of the claims of the plaintiff in the above titled docket. The terms of the proposed settlement are set forth in the "Stipulation for Entry of Final Judgment" contained in Finding of Fact No. 2 of the Commission filed this date.

The Commission heretofore determined in Shoshone Tribe v. United States, 11 Ind. Cl. Comm. 387, decided on October 16, 1962, that the claim for aboriginal use of land on behalf of the Shoshone Tribe

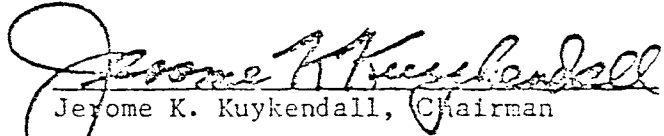
constituted four separate claims. That decision affirmed the existence of a distinct land-holding entity, the Lemhi Tribe, which the Commission determined had aboriginal title to certain lands west of the Bitterroot Mountains in Southern Idaho described in Finding of Fact No. 21.


Consequently the Commission ordered the cause of action severed from Docket Nos. 326 and 367, such that the claim of the Lemhi Tribe for the area set forth in Shoshone in Finding 21 was given Docket No. 326-I. This claim was maintained by the Shoshone-Bannock Tribes of the Fort Hall Reservation in Idaho.

The Commission has this date entered findings of fact in which we have detailed the proceedings leading up to the proposed settlement, its terms and conditions, and its consideration and approval by all concerned. We are satisfied that the parties have substantially complied with the Commission's requirements governing the handling of compromise settlements. Omaha Tribe of Nebraska v. United States, 8 Ind. Cl. Comm. 392 (1960).

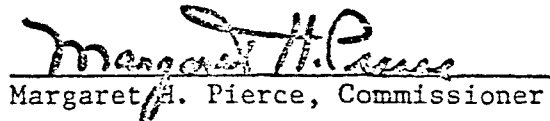
The Commission, being fully advised in the premises and based upon hearings and the evidence of record and all the surrounding circumstances, and having found that the proposed compromise settlement of the plaintiff's claims in Docket No. 326-I is fair and just to the Lemhi Tribe and to the United States, has this date approved the settlement and entered final

judgment in accordance with the terms and provisions set forth in the
"Stipulation for Entry of Final Judgment."


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner

Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner