

BEFORE THE INDIAN CLAIMS COMMISSION

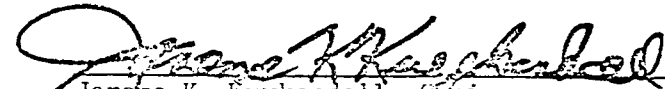
GILA RIVER INDIAN COMMUNITY,     )  
                                           )  
                                           Plaintiff,     )  
                                           )  
                                           v.                     Docket No. 236-A  
                                           )  
 THE UNITED STATES OF AMERICA,     )  
                                           )  
                                           Defendant.     )

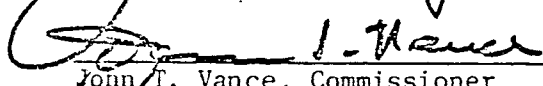
FIRST INTERLOCUTORY ORDER

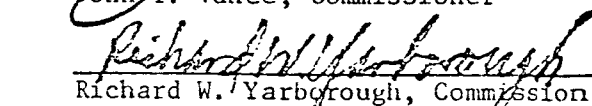
Upon the Findings of Fact numbered 1 through 15 this date entered in the matter of Docket Nos. 236-A and 236-B (which cases were consolidated by this Commission on its own motion for determination of mutual factual issues), and for the reasons more fully set forth in the Opinion this date delivered in these consolidated cases, this Commission concludes as a matter of law that:

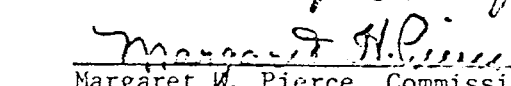
1. The failure of the defendant to subjugate that portion of the plaintiff's reservation known as Parcel B and the failure of the defendant to pay the plaintiff adequate compensation in lieu of subjugation was a violation of the concept of fair and honorable dealings under Clause 5 of Section 2 of the Indian Claims Commission Act of 1946 (60 Stat. 1049, 1050); and
2. The plaintiff shall recover of and from the defendant the difference between the fair market value of Parcel B as it would have been if subjugated and the fair market value of Parcel B without subjugation, as of March 17, 1944.

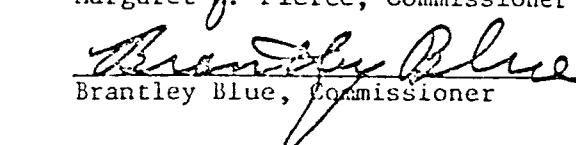
Dated at Washington, D. C. this 28<sup>th</sup> day of April, 1971.

  
 Jerome K. Kuykendall, Chairman

  
 John T. Vance, Commissioner

  
 Richard W. Yarborough, Commissioner

  
 Margaret J. Pierce, Commissioner

  
 Brantley Blue, Commissioner