

BEFORE THE INDIAN CLAIMS COMMISSION

BARON LONG, et al.,)	
)	
Plaintiffs)	
)	
v.)	Docket No. 80-A
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ON ADMISSIBILITY OF PLAINTIFFS' ADDITIONAL
EXHIBITS ON LIABILITY

The defendant has expressed general and specific objections to the subject exhibits. Pursuant to our opinion this day filed herein, and which is hereby made a part of this order,

IT IS ORDERED THAT:

(1) The defendant's general and specific objections be, and the same hereby are, denied, except as stated in paragraphs (2) through (5), infra.

(2) That portion of the defendant's fourth general objection, and related specific objections, which pertain to portions of exhibits concerning loss of animals in the Escondido Mutual Canal, and hazards posed by the Escondido Mutual Canal to residents of the plaintiffs' reservations, be, and the same hereby are, sustained.

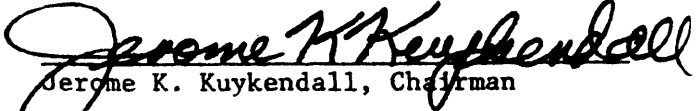
(3) The portions of exhibits concerning loss of animals in the Escondido Mutual Canal, and hazards posed by the Escondido Mutual Canal to residents of plaintiffs' reservations, be, and the same hereby are, declared to be inadmissible on the grounds that they relate to non-water rights claims which were subsumed in Thompson ex rel. Indians of California v. United States, Dockets 31, and 37, 13 Ind. Cl. Comm. 369, 386 (1964).

(4) The plaintiffs' "right-of-way" exhibits and Bands Ex. 2135, be, and the same hereby are, admitted for the limited purpose of showing truncation of plaintiffs' reservations resulting in fewer practically irrigable acres, said irrigable acres being one criterion for measuring plaintiffs' water rights.

(5) Bands Ex. 1313 and SP Ex. 68 be, and the same hereby are declared to be inadmissible on grounds of illegibility.


(6) The balance of plaintiffs' additional exhibits on liability except those which were withdrawn, and those which have not yet been submitted to the Commission, be, and the same hereby are admitted, without restrictions.

Dated at Washington, D. C., this 8th day of June 1976


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret A. Pierce, Commissioner


Brantley Blue, Commissioner