

TITLE 58
PUBLIC LANDS

CHAPTER 7
CESSIONS TO THE FEDERAL GOVERNMENT

58-701. MILITARY LANDS -- YELLOWSTONE NATIONAL PARK LANDS -- CESSION -- JURISDICTION FOR EXECUTION OF PROCESS RESERVED. Pursuant to article 1, section 8, paragraph 17, of the Constitution of the United States, consent to purchase is hereby given, and exclusive jurisdiction ceded, to the United States over and with respect to all lands embraced within the military posts and reservations of Fort Sherman and Boise Barracks, together with such other lands in the state as may be now or hereafter acquired and held by the United States for military purposes, either as additions to the said posts or as new military posts or reservations which may be established for the common defense; and, also, all such lands within the state as may be included in the territory of the Yellowstone National Park, reserving, however, to the state a concurrent jurisdiction for the execution, upon said lands, or in the buildings erected thereon, of all process, civil or criminal, lawfully issued by the courts of the state, and not incompatible with this cession.

[(58-701) 1890-1891, p. 40, sec. 1; reen. 1899, p. 22, sec. 1; reen. R.C. & C.L., sec. 27; C.S., sec. 70; I.C.A., sec. 56-601.]

58-702. CONSENT TO PURCHASES BY UNITED STATES -- JURISDICTION FOR EXECUTION OF PROCESS RESERVED -- COORDINATION WITH COUNTY COMMISSIONERS. (1) Consent is given to any purchase already made or that may hereafter be made, by the government of the United States, of any lots, or tracts of land, within this state, for the use of such government, and to erect thereon and use such buildings, or other improvements, as may be deemed necessary by said government; and over such lands and the buildings, or improvements, that are, or may be, erected thereon, the said government shall have entire control and jurisdiction, except that the state shall have jurisdiction to execute thereon all process, civil or criminal, lawfully issued by the courts of this state, and not incompatible with this cession.

(2) The United States shall coordinate its real property acquisitions with the board of county commissioners of the county in which the land is located.

[(58-702) 1895, p. 21, sec. 1; reen. 1899, p. 235, sec. 1; reen. R.C. & C.L., sec. 28; C.S., sec. 71; I.C.A., sec. 56-602; am. 2001, ch. 372, sec. 1, p. 1308.]

58-703. LAVA HOT SPRINGS -- CESSION TO UNITED STATES AUTHORIZED. The state board of land commissioners, acting for and on behalf of the state of Idaho, is hereby authorized, empowered and directed to cede, grant, relinquish and convey to the government of the United States, such part or parcels of lands hereinafter described as may be convenient and necessary, and required as and for a site for a national veterans' sanatorium or hospital, and such portion of the hot mineral and cold water and water rights appurtenant to the said lands as may be necessary and convenient for the operation and maintenance of such institution, and such mineral baths as may be maintained and operated in connection therewith, and for the irrigation, operation and maintenance of the grounds and lands upon which such institution and baths

are located and maintained. Upon acceptance by the United States government and the proper department or bureau thereof, authorized by any act of congress, to erect such veterans' sanatorium or hospital, the state board of land commissioners shall execute a conveyance in fee simple to said United States government or its department or bureau, which deed shall be signed by the governor and countersigned by the secretary of state and by the director of the department of lands, and attested with the great seal of the state and seal of the state board of land commissioners, which said deed shall operate to convey a good and sufficient title in fee simple.

[(58-703) 1931, ch. 196, sec. 1, p. 340; I.C.A., sec. 56-603; am. 1974, ch. 17, sec. 74, p. 308.]

58-704. LAVA HOT SPRINGS -- DESCRIPTION OF LANDS. The lands or such portion thereof as may be necessary and convenient for the location of, and for a site for such national veterans' sanatorium or hospital, and which this act declares may be conveyed as provided in section [58-703](#), are particularly described as follows:

The northwest quarter (NW1/4) of the southwest quarter (SW1/4) and the lots nine (9) and ten (10) in section twenty-two (22), and the lots seven (7) and eight (8) in section twenty-one (21) in township nine (9) south of range thirty-eight (38) east of the Boise meridian in Idaho, and the waters and water rights appurtenant thereto.

[(58-704) 1931, ch. 196, sec. 2, p. 340; I.C.A., sec. 56-604.]

58-705. CONSENT TO LAND PURCHASE FOR MIGRATORY LABOR HOMES PROJECTS -- JURISDICTION. Consent is given to any purchase already made, or that may hereafter be made, by the government of the United States of any lots, or tracts of land within this state, for migratory labor homes projects; and over such lands and the buildings or improvements that are, or may hereafter be, erected thereon the United States shall have entire control and jurisdiction, except that the state shall have jurisdiction to execute thereon any process, civil or criminal, lawfully issued by the courts of this state, and not incompatible with this cession.

[58-705, added 1943, ch. 152, sec. 1, p. 308.]

58-706. CONSENT TO LAND PURCHASE FOR STREAM FLOW PROTECTION AND OTHER PURPOSES. Consent of the state of Idaho is hereby given for the acquisition by the United States by purchase, of such lands in the state of Idaho, as in the opinion of the secretary of agriculture may be needed for stream flow protection, production of timber, erosion control, and/or other purposes, subject to the right of the state to cause its civil and criminal processes to be executed on such lands and to punish offenses against the laws of the state committed on lands so acquired.

[58-706, added 1935, ch. 37, sec. 1, p. 66.]

58-707. CESSION OVER REAL PROPERTY OF VETERANS ADMINISTRATION HOSPITAL. The state of Idaho hereby accepts the cession of concurrent jurisdiction with the United States over the real property comprising the veterans administration hospital, Boise, Idaho, as permitted by Public Law 93-82 (38 U.S.C. 5007).

[58-707, added 1974, ch. 137, sec. 1, p. 1342; am. 1975, ch. 62, sec. 1, p. 128.]