

TITLE 58
PUBLIC LANDS

CHAPTER 2
INDEMNITY LIEU LAND SELECTIONS

58-201. ACCEPTANCE OF FEDERAL LIEU LAND SELECTION GRANT. The state of Idaho hereby accepts the provisions of sections 2275 and 2276 of the Revised Statutes of the United States as amended by an act of congress February 28, 1891 (26 St. L. 796), and the rights and privileges granted to states and territories by said act.

[58-201, added 1911, ch. 39, sec. 1, p. 85; am. C.L. 120:1; C.S., sec. 2896; I.C.A., sec. 56-201.]

58-202. LIEU SELECTIONS FOR SCHOOL LANDS SOLD PRIOR TO ADMISSION. The state board of land commissioners is authorized, empowered and directed to judiciously ascertain and locate the general grants of land made by congress to the state of Idaho and when said board shall find that sections 16 and 36, or any part or parts thereof, in every township of the state were sold or otherwise disposed of by or under the authority of any act of congress prior to July 3, 1890, on the admission of the state of Idaho into the union, then the said board shall by and with the approval of the secretary of the interior or the secretary of agriculture, when necessary, select from the surveyed, unreserved and unappropriated lands of the United States within the limits of the state of Idaho, other lands equivalent thereto in area and value, in legal subdivisions of not less than one-quarter (1/4) section.

[(58-202) 1911, ch. 6, sec. 1, p. 16; reen. C.L. 120:2; C.S., sec. 2897; I.C.A., sec. 56-202; am. 1974, ch. 235, sec. 1, p. 1598.]

58-203. LIEU SELECTIONS FOR SCHOOL LANDS HOMESTEADED. When the state board of land commissioners shall ascertain that sections 16 and 36 or any part thereof granted to the state have been actually settled upon prior to the survey thereof by the general government, and are occupied by bona fide settlers, claiming title thereto under the homestead laws of the United States, then the said board shall be and is hereby authorized and empowered, in its discretion, by and with the approval of the secretary of the interior, or the secretary of agriculture when necessary, to select from the surveyed, unreserved and unappropriated public lands of the United States within the state of Idaho, other lands equivalent in area and value, in legal subdivisions, and as contiguous as may be to the section in lieu of which the same is taken.

[(58-203) 1911, ch. 6, sec. 2, p. 16; reen. C.L. 120:3; C.S., sec. 2898; I.C.A., sec. 56-203.]

58-204. LIEU SELECTIONS FOR SCHOOL LANDS IN RESERVES. When the state board of land commissioners shall ascertain that sections 16 and 36 or any part or parts thereof, granted to the state are or have been lawfully included and embraced within any forest or other reservation established under or by authority of any act of congress, then the said board shall, by and with the approval of the secretary of the interior, or the secretary of agriculture when necessary, select from the surveyed, unreserved and unap-

propriated public lands of the United States, within the limits of the state of Idaho, other lands equivalent thereto in area and value in legal subdivisions and as contiguous as may be to the section in lieu of which the same is taken: provided, that if the board shall upon examination or otherwise determine that any lands owned by the state in such forest or other reservation borders on or in the vicinity of any lake, waterfall, spring or other naturally advantageous site, or any natural curiosity, or that for any other cause said lands are, or, in the future, may have particular value to the state, then the board shall not certify such lands to the secretary of the interior as a basis for indemnity selections in lieu thereof but the state of Idaho shall retain its title to said lands.

[(58-204) 1911, ch. 6, sec. 3, p. 17; reen. C.L. 120:4; C.S., sec. 2899; I.C.A., sec. 56-204.]

58-205. LIEU SELECTIONS FOR LOST SCHOOL LANDS. When the state board of land commissioners ascertain that what would be, if surveyed, sections 16 and 36, or any part or parts thereof, granted to the state, fall upon any lake or navigable river and that the quantity of land intended to be conveyed as sections 16 and 36 is lost to the state thereby, it shall be the duty of said board to apply to the secretary of the interior for permission to select indemnity lands in lieu of the loss in quantity so sustained by the state.

[(58-205) 1911, ch. 6, sec. 4, p. 17; reen. C.L. 120:5; C.S., sec. 2900; I.C.A., sec. 56-205.]

58-205A. ADDITIONAL SCHOOL LANDS. All lands, title to which is acquired by the state by escheat shall be held and treated as school lands, and may be sold and disposed of in the same manner. Said lands shall be under the charge and control of the state board of land commissioners.

[58-205A, added 1963, ch. 153, sec. 1, p. 454.]

58-206. PRIOR RELINQUISHMENTS VALIDATED. All relinquishments of state lands in place heretofore lawfully made by the state board of land commissioners as a basis for the selection of indemnity lands in lieu thereof, and all selections of indemnity lands in lieu of lands so relinquished by the state board of land commissioners are hereby ratified, approved, adopted and confirmed by the state of Idaho as of the date of such relinquishments and selections.

[(58-206) 1911, ch. 6, sec. 5, p. 17; am. 1911, ch. 39, sec. 2, p. 85; reen. C.L. 120:6; C.S., sec. 2901; I.C.A., sec. 56-206.]