

**Calendar No. 283**

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1196**

**[Report No. 104-189]**

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**A BILL**

To transfer certain National Forest System lands adjacent to the townsite of Cuprum, Idaho.

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DECEMBER 19, 1995

Reported without amendment

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1ST SESSION**S. 1196****[Report No. 104-189]**

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of Cuprum, Idaho.

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IN THE SENATE OF THE UNITED STATES

AUGUST 11 (legislative day, JULY 10), 1995

Mr. CRAIG introduced the following bill; which was read twice and referred  
to the Committee on Energy and Natural Resources

DECEMBER 19, 1995

Reported by Mr. MURKOWSKI, without amendment

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**A BILL**

To transfer certain National Forest System lands adjacent  
to the townsite of Cuprum, Idaho.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cuprum Townsite Re-  
5 lief Act of 1995”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds and declares  
3 that:

4 (1) In 1899, the citizens of Cuprum, Idaho,  
5 commissioned E.S. Hesse to conduct a survey de-  
6 scribing those lands occupied by their community.  
7 The purpose of this survey was to provide a basis for  
8 their application for a townsite patent.

9 (2) In 1909, the Cuprum Townsite patent  
10 (Number 52817) was granted, based on an aliquot  
11 parts description which was intended to circumscribe  
12 the Hesse survey.

13 (3) Since the date of patent, the Hesse survey  
14 has been used continuously by the community of  
15 Cuprum and by Adams County, Idaho, as the official  
16 townsite plat and basis for conveyance of title within  
17 the townsite.

18 (4) Recent boundary surveys conducted by the  
19 United States Department of Agriculture, Forest  
20 Service, and United States Department of the Inte-  
21 rior, Bureau of Land Management, discovered incon-  
22 sistencies between the official aliquot parts descrip-  
23 tion of the patented Cuprum Townsite and the  
24 Hesse survey. Many lots along the south and east  
25 boundaries of the townsite are now known to extend

1 onto National Forest System lands outside the town-  
2 site.

3 (5) It is the determination of Congress that the  
4 original intent of the Cuprum Townsite application  
5 was to include all the lands described by the Hesse  
6 survey.

7 (b) PURPOSE.—It is the purpose of this Act to amend  
8 the 1909 Cuprum Townsite patent to include those addi-  
9 tional lands described by the Hesse survey in addition to  
10 other lands necessary to provide an administratively ac-  
11 ceptable boundary to the National Forest System.

12 **SEC. 3. AMENDMENT OF PATENT.**

13 (a) The 1909 Cuprum Townsite patent is hereby  
14 amended to include parcels 1 and 2, identified on the plat,  
15 marked as “Township 20 North, Range 3 West, Boise Me-  
16 ridian, Idaho, Section 10: Proposed Patent Adjustment,  
17 Cuprum Townsite, Idaho” prepared by Payette N.F.—  
18 Land Survey Unit, drawn and approved by Tom Betzold,  
19 Forest Land Surveyor, on April 25, 1995. Such additional  
20 lands are hereby conveyed to the original patentee, Pitts  
21 Ellis, trustee, and Probate Judge of Washington County,  
22 Idaho, or any successors or assigns in interest in accord-  
23 ance with State law. The Secretary of Agriculture may  
24 correct clerical and typographical errors in such plat.

1 (b) The Federal Government shall survey the Federal  
2 property lines and mark and post the boundaries nec-  
3 essary to implement this section.

4 **SEC. 4. RELEASE.**

5 Notwithstanding section 120 of the Comprehensive  
6 Environmental Response, Compensation and Liability Act  
7 of 1980, as amended (42 U.S.C. 9620), the United States  
8 shall not be liable and shall be held harmless from any  
9 and all claims resulting from substances or petroleum  
10 products or any other hazardous materials on the con-  
11 veyed land.