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Farm Ownership & Corporate Farming Laws: *Idaho*



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Farm Ownership & Corporate Farming Laws: Idaho

Fast Find:

- 1) Prohibition: Idaho Code Ann. § 58-313
- 2) Permission: Idaho Code Ann. § 55-103
- 3) Prohibition: None
- 4) Corporate Farming: None

[Idaho Code Ann. § 55-103](#)

[Idaho Code Ann. § 58-313](#)

Current through laws passed by the 2021 Regular Session of the 66th Idaho State Legislature.

§ 55-103. Who may own property

Any person, whether citizen or alien, may take, hold and dispose of property, real or personal.

§ 58-313. Sale of state land

The state board of land commissioners may at any time direct the sale of any state lands, in such parcels as they shall deem for the best interests of the state. All sales of state lands shall be advertised in four (4) consecutive issues of some weekly newspaper in the county in which the land is situated, if there be such paper, if not, then in some newspaper published in an adjoining county, and in such other paper or papers as the board may direct. The advertisement shall state the time, place and terms of sale, a description of the land and value of the improvements, if any, thereon, and the minimum price per acre of each parcel as fixed by the board, below which no bid shall be received: provided, that sales of state lands shall only be made to citizens of the United States and to those who shall have declared their intentions to become such. If the required sum be not paid forthwith by the highest bidder any lands upon which such payment shall not be made may be immediately reoffered at public sale as before. If any land be sold on which surface improvements have been made by a lessee, or by a former purchaser whose certificate of purchase has for any reason been canceled, said improvements shall be appraised under the direction of the state board of land commissioners. When lands on which improvements have been made, as above, are sold, the purchaser, if other than the owner or former owner of said improvements, shall pay the appraised value of said improvements to the owner thereof, or to the former purchaser who placed the same thereon, taking a receipt therefor, and shall deposit such receipt



with the state board of land commissioners before he shall be entitled to a certificate of purchase or patent of said land: provided, the lessee or former owner is not indebted to the state for delinquent rentals or instalment payments on said land. If he is indebted to the state, the value of the improvements shall be credited on his indebtedness and the surplus, if any, be paid to him. All such receipts shall be filed and preserved in the office of said board: provided, that no school lands shall be sold for less than their appraised value nor for less than ten dollars (\$10.00) per acre; provided, further, that in the case of the sale of land leased as grazing land and which is too rough, rocky or steep to be reclassified as farming land, the lessee, if he is not the successful bidder, shall be entitled to continue in possession under the lease for a period of two (2) years from the first day of December next occurring after the date of sale at public auction of said land or until expiration of the lease, whichever period shall be shorter. During such period, all rental earned shall belong to the purchaser subject to the following provisions:

- (1) If the land is sold upon instalment contract to the purchaser, the lessee shall continue to make rental payments to the director of the department of lands and the amount of rental earned after the date of sale shall, when received, be applied against and reduce the principal or interest, or both, payable by the purchaser;
- (2) If the purchaser pays the purchase price in full, all rentals earned after the date of sale shall be paid directly to the purchaser. However, no lessee of state lands shall have any right to remain in possession under his lease upon the sale of such state lands for home or cabin site purposes, as provided by the regulations of the state board of land commissioners.

