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# Idaho v. United States

Date of Decision: June 18, 2001

## Summary of case

*Idaho v. United States* is a landmark case in Native American law. In 1873, President Ulysses S. Grant set aside land, by executive order, for a reservation for the Coeur D'Alene Tribe. The tribe then negotiated with the federal government on the boundaries of the reservation, but the agreements were not ratified by Congress until 1891. Idaho became a state in 1890.

From 1880 to 1980, Lake Coeur d'Alene, parts of which were on the Coeur D'Alene Reservation, became polluted and contaminated with waste from mining. Unable to work with the state on the clean-up and management of the lake, the tribe attempted to sue the state for title to the land underneath the lake. However, the tribe was barred from suing the state of Idaho by the Eleventh Amendment. At that point, the Coeur d'Alene Tribe requested that the United States sue to settle the title of the disputed land under the lake. On June 18, 2001, in a five-to-four vote, the Court ruled that the lands in question were held by the federal government in trust for the Coeur d'Alene Tribe. This meant that the land beneath the lake did not belong to the state of Idaho.

## Summary of majority opinion

In the majority opinion delivered by Justice David H. Souter, the Court held that the U.S. government holds the title in trust for the Coeur d'Alene Tribe to lands submerged under Lake Coeur d'Alene and the St. Joe River. Justice Souter said there was a presumption that Idaho had ownership of the land under the lake, but in fact, the 1873 executive order included the submerged lands as part of the Coeur d'Alene reservation, and even though the 1887 and 1889 agreements confirming the ownership of this land were not ratified until 1891, it was reported to Congress in 1888 that the submerged lands were held in trust for the tribe. So, Congress was aware of this when Idaho became a state in 1890. Because of this, the ownership of the land beneath the lake belonged to the United States, not to the state of Idaho.

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## Idaho v. United States *(Continued)*

### Summary of dissent

In the dissenting opinion, Chief Justice William Rehnquist said that ownership of the submerged land was transferred to Idaho once it became a state in 1890. Rehnquist said that in 1890, the 1887 and 1889 agreements had not yet been ratified by Congress, and therefore should not be considered in this case.

Idaho v. United States. (n.d.). Oyez. Retrieved February 6, 2020, from <https://www.oyez.org/cases/2000/00-189>

Idaho v. United States (n.d.) Retrieved February 21, 2020 from <https://www.justice.gov/osg/brief/idaho-v-united-states-opposition>