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Idaho Statesman

This land is whose land? Boise says state put island ownership duel to rest

By Sally Krutzig January 23, 2026 4:00 AM

Christopher Burdge, 72, has dubbed a stretch of Boise property adjacent to Warm Springs Golf Course “the land that time forgot.” And despite its location along the popular Greenbelt, he seems to be correct. A 2.78-acre piece of land near Warm Springs Golf Course received a tax parcel number for the first time in 2025, with its ownership initially listed as “unknown,” Ada County Assessor Don Watts told the Idaho Statesman. The land is surrounded by water, with the Boise River on one side and a stream diverting from the river running along the other. Burdge said he was drawn to the idea of a beautiful slice of wilderness near downtown Boise — with no known owner. “This is the last pristine, undeveloped piece of land on the Boise River itself,” Burdge told the Statesman. If no one owned it, he figured, why not him? Burdge decided in 2017 to try to gain ownership by declaring adverse possession, or squatter’s rights, as it’s more commonly known. He has camped on the island for the past eight summers, as well as two winters. He’s cooked food over a camp stove, washed his laundry in the river and lived out of a tent. Each morning, to get to the “mainland,” he’d hop into an inner tube and float across the stream that separated the island from the Greenbelt. But Boise wasn’t going to let Burdge have the land without a fight. What ensued was a drama that has been quietly playing out between the city and Burdge for nearly nine years. Watts said the land is now officially listed as belonging to the city, but that hasn’t stopped Burdge. A screenshot of the Ada County Assessor’s Office property records shows the disputed land. Ada County Assessor’s Office Man declares adverse possession Burdge first stumbled upon the island in the summer of 2017 while exploring the Greenbelt and came across an odd arrangement of stone. Burdge said his research led him to believe the stone was once the base of an old sawmill and the stream was used to transport logs. Idaho Historical Society records and a Greenbelt sign erected by the city close to the island do indicate the area near the Old Idaho Penitentiary along the Boise River was home to early Boise sawmill activity. “The old concrete that was there was obviously 100 years old or so, because of the way it was made,” Burdge said. “There’s no wire in it. There’s no nothing. They didn’t have that in those days. So I started asking around. Using his research and an old deed, Burdge was able to prove to Watts that

the Ada County Assessor's Office erroneously included the island as part of Warm Springs Golf Course, which belongs to the city. The office updated the records to list the island's ownership as "unknown." "The evidence Mr. Burdge presented caused us to research the deed history of the golf course and the area around 'Sawmill Island' which resulted in the remapping of the City's parcel," Watts said. Burdge began calling it Sawmill Island and informed the city of his adverse possession intention. He put up dozens of signs on trees asserting ownership. Ongoing dispute over Boise River island Burdge, representing himself, is continuing to pursue a federal lawsuit he filed in July alleging that the city has been trying to "steal" the land from him through "attacks and harassment." "Once the city officials got wind that there was this land they never knew about, they came out and started attacking me," Burdge said. "I mean, confiscating everything. I refused to be run off because I have adverse possession." The city declined to answer questions about the lawsuit or its plans for the land. Spokesperson Maria Ortega said the city can't comment because of Burdge's ongoing litigation. He said the city caused him particular emotional distress by arresting him in June. Burdge said his camp stove caused a grass fire on the island, and police arrested him while he was attempting to put it out. Court records show that he was charged for allegedly causing a fire on timber or prairie lands while trespassing. Burdge maintains that he was not trespassing because no one owned the land. He is also suing the Boise Canal Company for allegedly damaging the island with a backhoe while clearing the canal that runs along part of the island. Burdge is undeniably litigious. He's filed a number of civil cases over the years, including against McDonald's, Walmart and Greyhound Lines. He made headlines in 2015 when he sued Boise State officials after they refused to give him a meningitis vaccine designed for younger adults. Nearly all of Burdge's cases were dismissed by judges before making it to trial. Tamara Boeck, a Boise-based Stoel Rives attorney specializing in property, development and construction law, said Burdge will face significant hurdles in pursuing adverse possession claims. Boeck pointed out that Idaho made such claims much more difficult when it changed its law two decades ago. Until then, Idaho's adverse possession law dated to 1881 and said anyone seeking adverse possession must occupy and claim the property for five years. "They wanted people to come and settle," Boeck said "They didn't want some guy to buy a huge portion of downtown Boise and just let it sit and never develop, because the goal of the state and the government was to develop and use the land. That's why it was shorter in the beginning." But in 2006, Idaho legislators drastically changed the law, requiring those seeking adverse possession to occupy a space for 20 years. "We're getting a lot more populated, and (legislators) go, 'Wait a minute. Our property is more valuable. We don't want someone to go, 'Hey, I want your land. I'm just going to go sit on it,'" Boeck said. By the letter of the law, this would mean that Burdge remains more than a decade from a legitimate adverse possession claim — if he has one at all. Other requirements of claiming adverse

possession include paying taxes on the land and improving it. Until 2025, Christopher Burdge would access the island by floating to it in a tube. 'Unknown' no more: State grants land to city of Boise On Oct. 30, Gov. Brad Little, as president of the State Board of Land Commissioners, signed a disclaimer of interest granting the disputed land to the city of Boise. The state had the power to make such a move after state surveyors determined it to be accreted land, according to Sharla Arledge, Idaho Department of Lands spokesperson. Arledge said the island, along with a good portion of Warm Spring Golf Course, was once submerged as part of the Boise River. That area was underwater when Boise's original 1868 land survey was conducted, according to Arledge. Over time, through a natural process known as accretion, the river slowly deposited the material that now forms Sawmill Island. "Until the addition of the Barber Dam, the Boise River meandered all over the place," Arledge told the Statesman. Idaho Code 58-119A, signed in 2008, leaves control of accreted land to the Department of Lands. The law allows the department's board to grant land along rivers that have moved through accretion to an adjacent landowner, as long as the owner agrees to keep it as a public right-of-way. "In circumstances where the river moves, it is presumed that the state holds title to the original (ordinary high-water mark) until it is determined to be accreted land," Arledge said. "At that point, if the upland owner wishes to obtain title, they go through the application process to obtain a state disclaimer." Arledge said the city filed an application asking the state to disclaim the remainder of the land adjacent to the Warm Springs Golf Course in May 2019 — the same process through which city the had previously obtained part of the course's land. The board unanimously approved moving the application forward in 2021. "IDL Deputy Attorney Generals drafted the documents and somewhere between the back-and-forth revisions, the project stalled and was not revived until last year," Arledge said. "We finalized the drafts, which included a disclaimer of interest and an acquired easement, and they were recorded in October 2025." Watts confirmed that the Ada County Assessor's Office has once again officially updated the parcel's ownership to reflect the state's decision. The city of Boise is now listed as the landowner. But, if this land was once submerged, what about the sawmill? The Department of Lands said it could not find evidence that one ever existed there. "We have extensively searched our records, historical maps and aerial photos, and the state archives, and have not been able to locate any documentation that a sawmill existed in that location, although it's not completely out of the question," Arledge said. "It is certain that at statehood, that portion of land was definitely underwater as the meander line shows." Christopher Burdge put up "no trespassing" signs near his campsite. Sarah A. Miller smiller@idahostatesman.com Burdge worries about Boise island's future As someone who grew up in Florida, Burdge said he has seen it too many times: Beautiful pieces of land are sold off and turned into condos. He's worried about the fate of Sawmill Island under the city. "The vultures are coming, and they're attacking, and they want that land, and they

don't want it for a park," Burdge said. "They want it for a very expensive, high-end rental, and it'll be sold off to the developer." He said he takes no comfort in Boise's track record of protecting the Greenbelt and open spaces. He said he wouldn't drop his fight even if they promised to keep Sawmill Island just the way it is. "I wouldn't believe anything the city said," Burdge said. "Because in a few years down the line, 10 years down, 50, they'll say, 'Well, you know, we decided we aren't going to do that.' And then they'll sell off quietly before you know it." Christopher Burdge occupies a plot of land along the Boise River. Sarah A. Miller smiller@idahostatesman.com Whether or not Burdge succeeds in getting the deed to Sawmill Island, his love for it is apparent. He speaks fondly of each historic rock and the wildlife he has come to know and love over the years. "I've even had bobcats. There were cubs that I would see and run into. We would stare at each other, close up, and then they would scoot away to a little bush where they had their den," Burdge said. "... I've had ferrets, deer, beaver. I had a beaver wake me up in the middle of the night, 50 feet from my tent, chewing down a little sapling." He said it reminds him of his childhood, growing up along Florida's Indian River on the Atlantic coast. He used to camp on islands in that river, too. "It's like being a kid again," Burdge said.

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