

**Statement of
Bob Anderson
Acting Assistant Director for Minerals, Realty and Resource Protection
Bureau of Land Management
House Resources Committee
Subcommittee on National Parks, Recreation and Public Lands**

**Hearing on
H.R. 272, Eureka County, Nevada Land Conveyance**

April 8, 2003

Thank you for the opportunity to appear here today. H.R. 272 provides for the conveyance of two cemeteries in Nevada to Lander and Eureka counties. I will confine my comments to section two of the bill and defer to the Forest Service on section one. The BLM supports section two of H.R. 272 which provides for the conveyance of the "Maiden's Grave Cemetery" near Beowawe, Nevada (*Bay-o-wah'-wee*) to Eureka County, Nevada. Approximately 10 acres would be conveyed to the county which would maintain the area as a cemetery. In addition, the Bureau of Land Management (BLM) would be required to grant access to the cemetery across adjacent public land.

"The Maiden's Grave" is the final resting place of Lucinda Duncan who on August 15, 1863, died on her way to the gold and silver fields of Nevada. Mrs. Duncan at 71 was "the mother of the wagon train" which consisted largely of her seven surviving children, their spouses and a multitude of grandchildren. Following her death, the wagon train held a ceremony and their leaving was memorialized by a member of the party:

" . . . we paid our last debt & respect to the remains of the departed mother. There upon that wild & lonely spot, we left her, until Gabriel shall sound his trumpet in the last day. The scene was truly a sad one to leave a beloved mother on the wild and desolate plains. A board with the name of the deceased was put up at the head & boulder was laid over the grave to keep wolves from scratching in it. After this the train moved on."

Today, the site continues to receive occasional burials. Therefore, it is considered a "modern cemetery" and does not qualify for the National Register of Historic Places. The BLM, through its planning process, has identified the cemetery as suitable for disposal and the county has indicated a strong interest in taking responsibility for this parcel.

While we would typically expect to receive market value for such a transfer, we understand the unique circumstances in this case, and the unique needs of Eureka County. Under other circumstances, we might have considered a Recreation and Public Purposes (R&PP) Act conveyance to lower the cost to the county, but the need for permanency in this transfer prevents this from being a viable option, thus the need for legislative intervention.

We appreciate this opportunity to work cooperatively with local interests to the betterment of the community. We would like the opportunity to work with Congressman Gibbons and the Subcommittee to address technical issues including: modifications to the reversionary clause, clarification of timing on the transfer of the lands, specificity on the access route, and to assure that the mineral estate is conveyed along with the land.