

The Idaho Department of Fish and Game considers the following document to be an agency guidance document for purposes of Idaho Executive Order 2020-002. The guidance document is not new law; it is the Department's interpretation or implementation of existing law.

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NAVIGABILITY AND PUBLIC ACCESS

(Refer to Idaho Code 36-1601)

Navigable streams are defined as any stream which, in its natural high-water condition, will float logs or any other commercial or floatable commodity, or is capable of being navigated by oar or motor propelled small craft for pleasure or commercial purposes. Navigable streams are recognized as public transportation corridors, thus members of the public have the right to use the corridor, provided they enter and exit the corridor at a public right of way, and remain within the corridor. Many navigable streams flow through private property, thus it is important that anglers know their rights and responsibilities when fishing in navigable waters that flow through private property.

When fishing in navigable streams bordered by private property:

- You must stay within the normal high-water marks of the stream, unless you have landowner permission to get out on the bank, or have no other means of getting around an obstruction in the stream (such as a fence or diversion dam).
- When getting outside of the stream to go around an obstruction, take the shortest, most direct route around the obstruction to get back in the stream.
- Do not allow pets or children to trespass on adjacent private property, without landowner permission.
- You may enter and exit navigable streams at other public rights of way, such as county road bridges.
- **ASK FIRST!** Always get landowner written permission or other lawful permission before crossing private lands outside of a public right of way.

