

Agenda

Presented by Gary Kent

Riparian Rights – Definitions – IC 14-26 and 312 IAC 1-1

Lake	Public freshwater lake
Navigable	Public waters
The Public Trust Doctrine	NRC Information Bulletin #41
Public rights	Line of demarcation – navigable waters
Ordinary high water mark	Shore
Shoreline/waterline	Average normal water level
Riparian owner	Riparian zone

Navigable Waters – IC 14-29 and 312 IAC 6

Roster of declared navigable (and non-navigable) waters in Indiana
NRC Information Bulletin #3

Public Freshwater Lakes – IC 14-26-2 and 312 IAC 11

Determination of public use of a lake
Public Freshwater Lake Listing – NRC Information Bulletin #61

Riparian owners’ rights – IC 14-26 and 312 IAC 6; 312-IAC-11

Riparian zones
Riparian zone boundaries – NRC Information Bulletin 56
Erosion, accretion, reliction, avulsion
Accretion rights
Rufenbarger v. Lowe, et al. – NRC ALJ (2004)
Bath v. Courts 459 N.E.2d 72 (1984), Indiana
Nosek v. Stryker 103 Wis.2d 633 (1981), 309 N.W.2d 868
Gunderson v. State of Indiana 90 N.e.3d 1171 (2018)
Berger Farms v. Estes 662 NE 2d 654

Piers, wharves and docks; seawalls – IC 14-29 and 312-IAC-6

Locations of piers and docks
Location of seawalls
Common usage

Easements – NRC Information Bulletin #28

Utility crossings
Utility crossings under navigable waters

Water Boundaries and Riparian Rights in Indiana

Live, Interactive Webinar - Wed., December 16, 2020



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Learning Objectives

You’ll be able to:

Understand riparian rights to lakes, navigable waters and public waters in Indiana.

Study Indiana statutes and administrative rules impacting riparian rights, and consider the impact of the public trust doctrine.

Locate riparian zones and boundaries, and discuss the impact of erosion and accretion.

Explore rights to place piers and docks in waterbodies in Indiana.

Discuss the rights of utilities to cross over and under navigable waters.

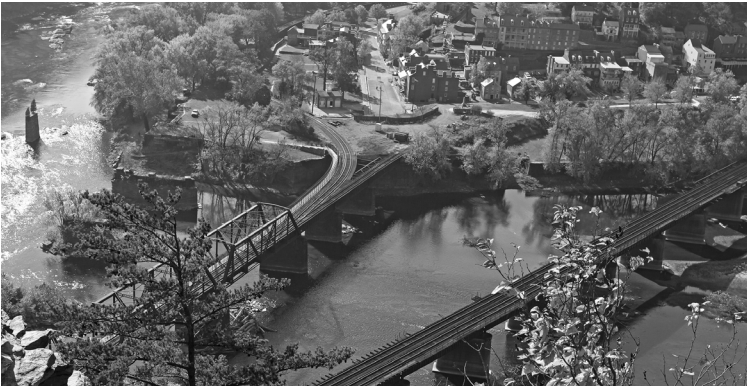


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Water Boundaries and Riparian Rights in Indiana

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Define critical terms which determine access to water rights in Indiana

Explore riparian rights under statutory law and the public trust doctrine

Identify riparian zones and boundaries

Discuss rights to locate piers and docks

Understand utility rights to cross navigable waters

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Attorneys

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Faculty



Gary Kent is in his 38th year with Schneider Geomatics in Indianapolis - having transitioned to part-time status this year – and, also provides training, consulting and expert witness services as manager of Meridian Land Consulting, LLC. He has served on the Indiana State Board of Registration for Professional Surveyors since 2004 and is a past-president of both ACSM and the Indiana Society of Professional Land Surveyors. Mr. Kent has presented programs on boundary law, easements and rights of way, surveying standards and practice and leadership in all 50 states.

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 - Wed., December 2, 2020 | 11:00 am - 2:30 pm CST
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