

An aerial photograph of a winding river flowing through a dense forest of evergreen trees. The river has several sharp turns and a small island in the middle. In the background, there is a small, irregularly shaped pond. The surrounding landscape is a mix of green grass and forest. The text is overlaid on the bottom right of the image.

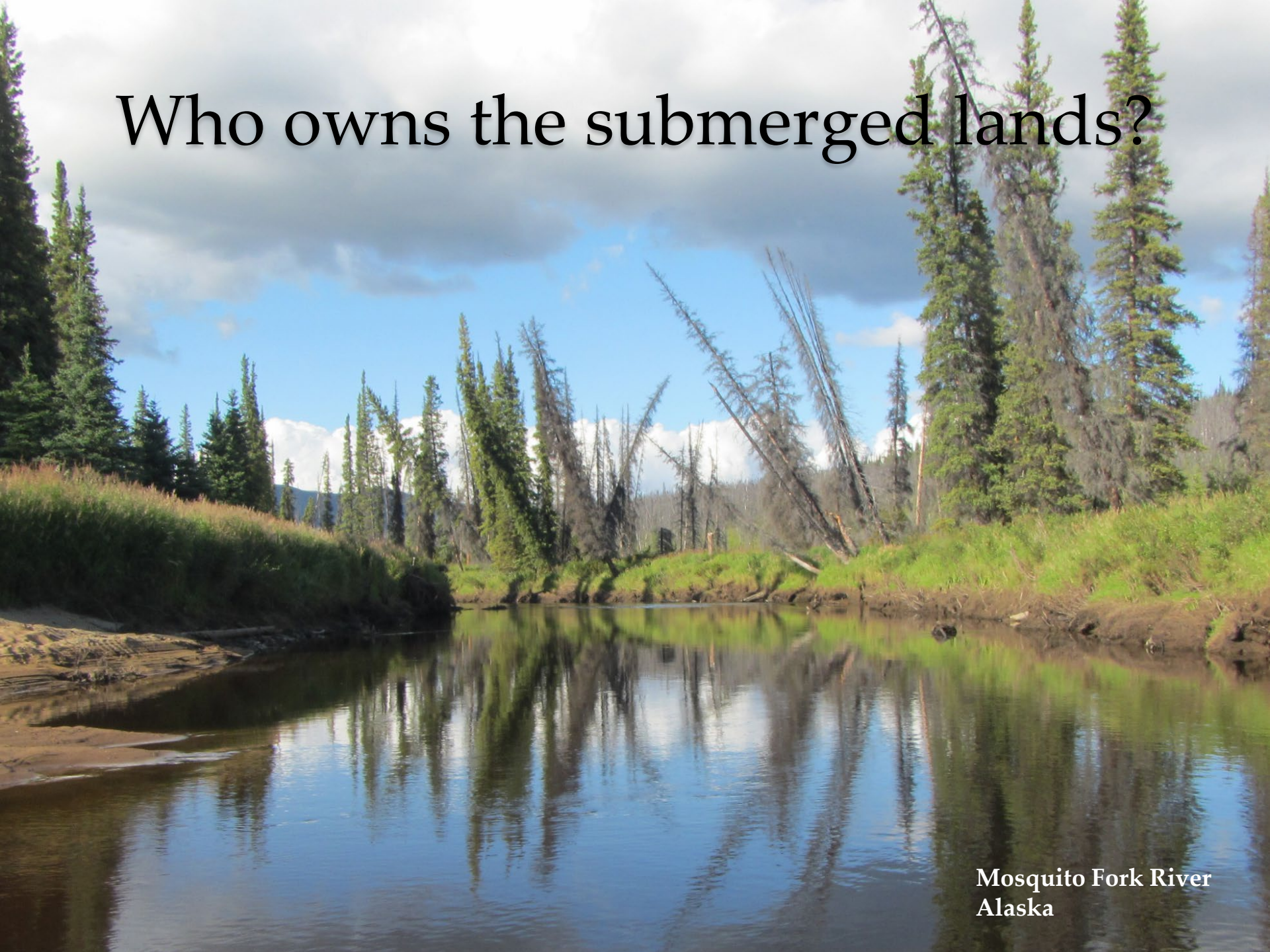
Navigability-In-Fact: Questions of Ownership and Access

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July 12, 2017

Alaska Department of Law

Who owns the submerged lands?



Mosquito Fork River
Alaska

Why is this important?



Knik River
Alaska



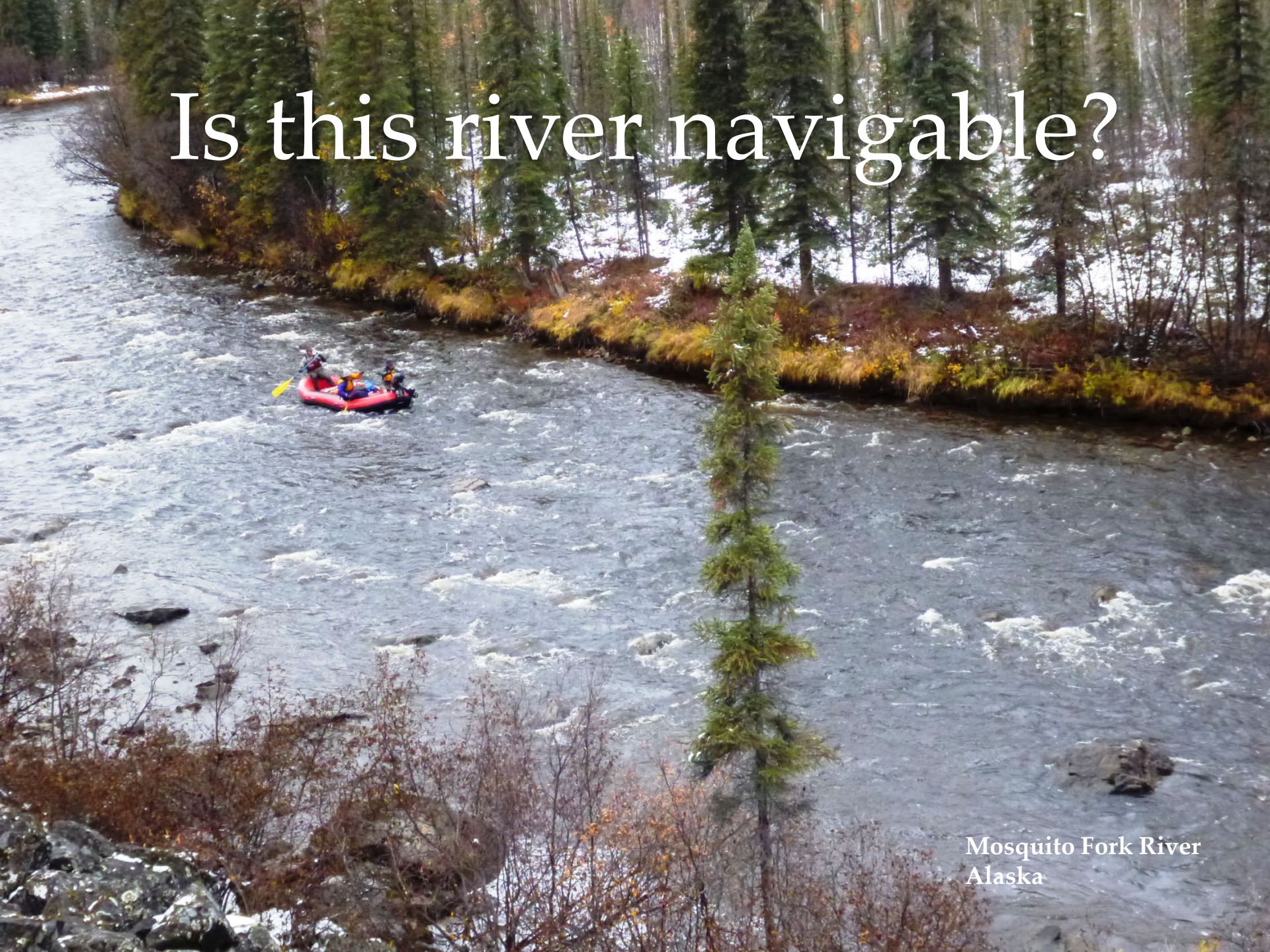
Mosquito Fork River
Alaska



Little Missouri
North Dakota



Dredge No. 4 at Chicken Creek, July 1975

A wide-angle photograph of a river with rapids. In the middle of the river, a red inflatable raft with three people is navigating through the white water. The river is surrounded by a dense forest of evergreen trees. The banks are covered with snow and some autumn-colored shrubs. The overall scene suggests a challenging river environment.

Is this river navigable?

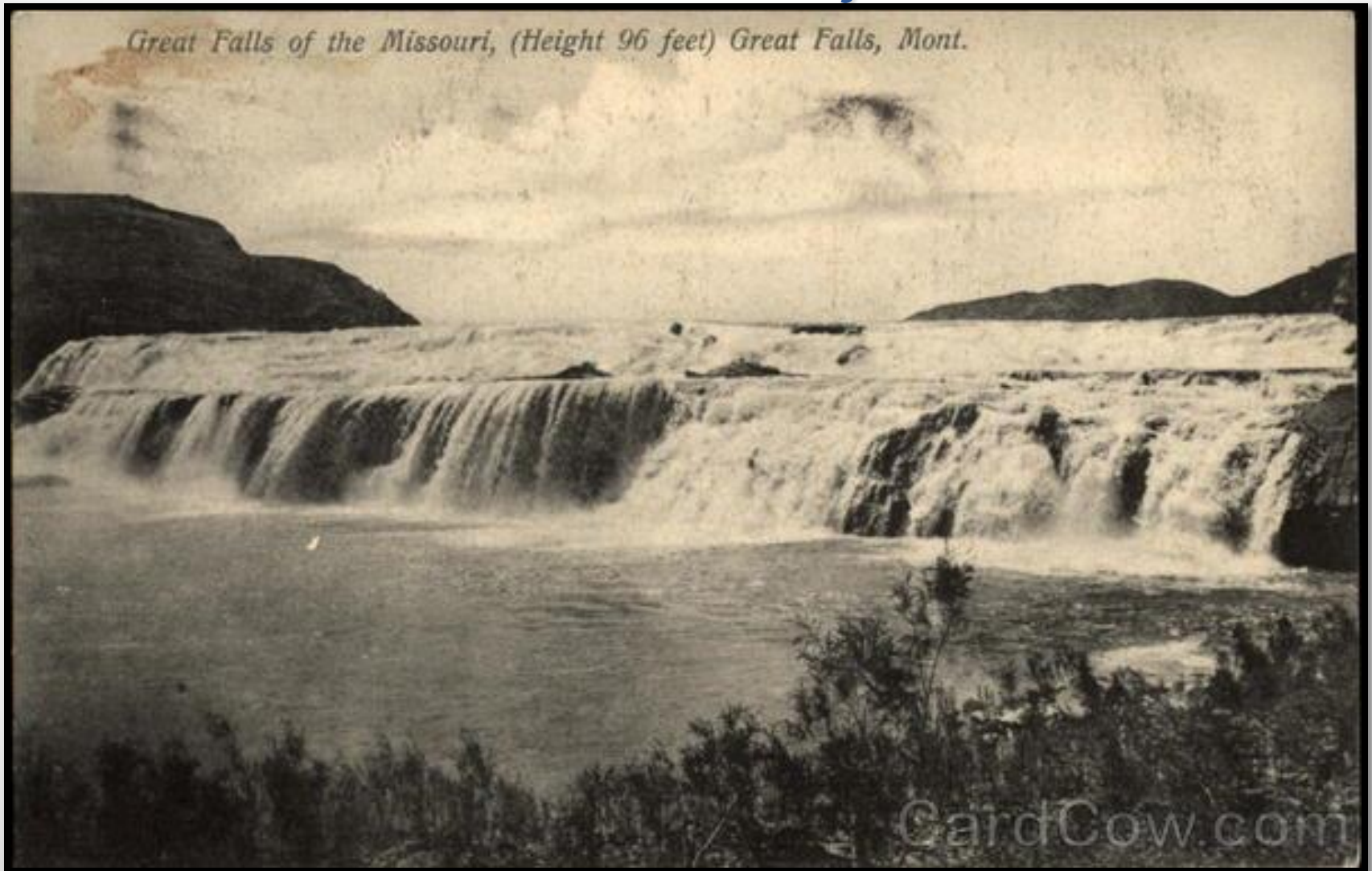
Mosquito Fork River
Alaska

A navigable-in-fact river is a river that was . . .

- Used, or was susceptible of being used
- In its natural and ordinary condition
- As a highway of commerce, over which trade and travel could be conducted; in
- The customary modes of trade and travel on water

Question to Answer:

Natural and Ordinary Condition



Question to Answer:

Natural and Ordinary Condition



Question to Answer: Highway of Commerce



Yukon River
Alaska

Question to Answer: Highway of Commerce



Mosquito Fork River
Alaska

Question to Answer:
Used, or was Susceptible of Being Used



Mosquito Fork River
Alaska

Question to Answer:

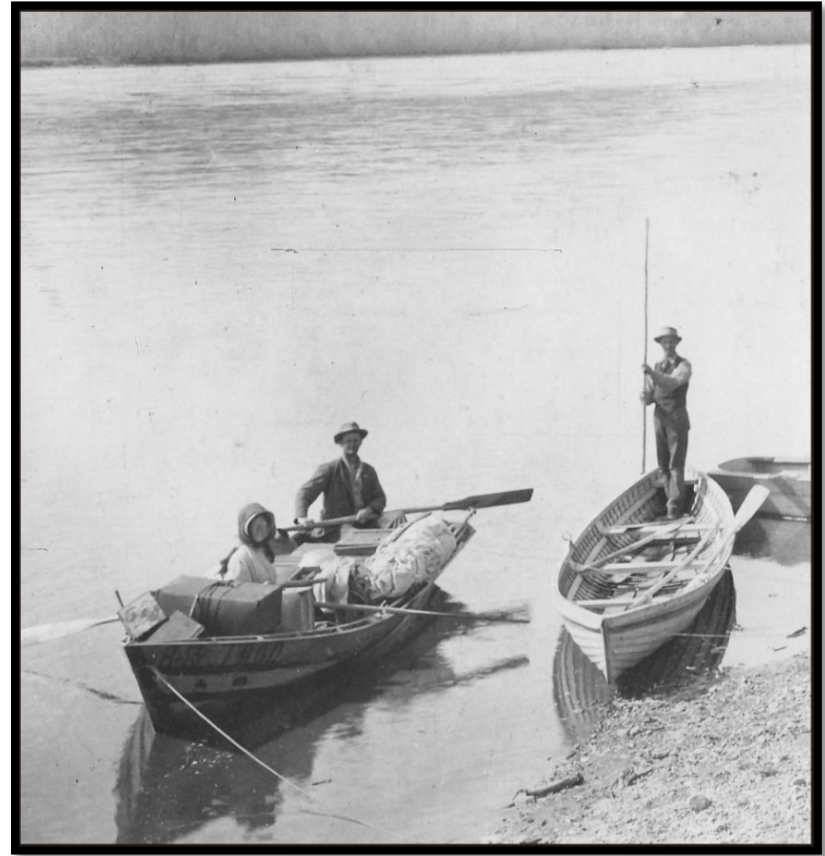
Used, or was Susceptible of Being Used



Mosquito Fork River
Alaska

Question to Answer:

Customary Modes of Trade and Travel

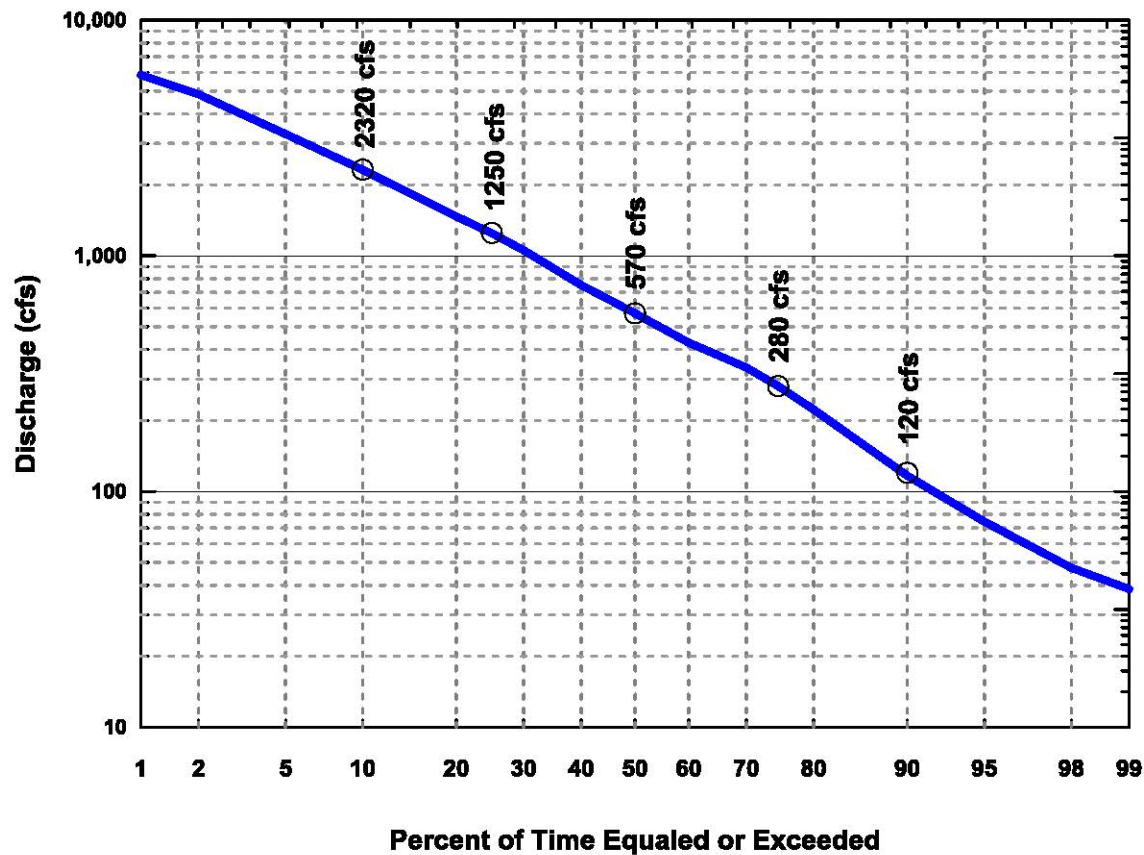


Question to Answer:

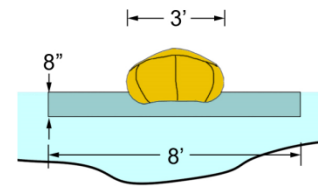
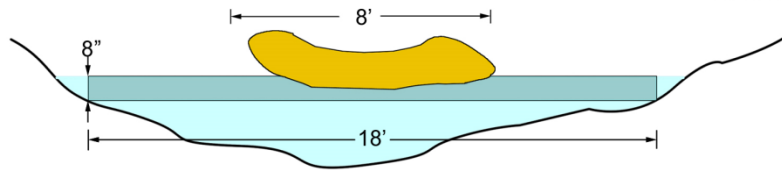
Are the watercraft materially similar?



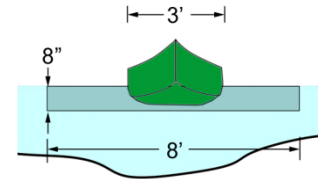
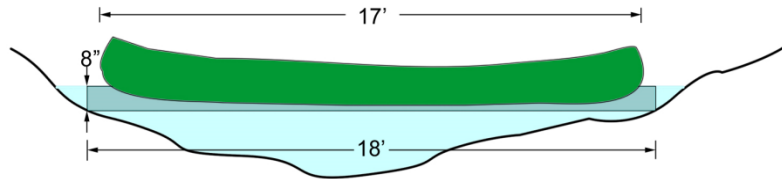
Putting it all Together



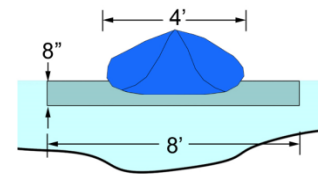
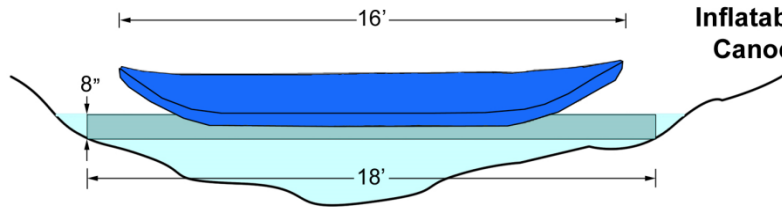
Pack Raft



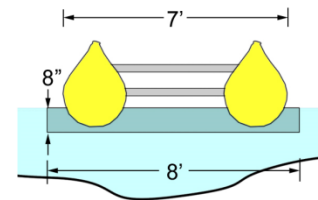
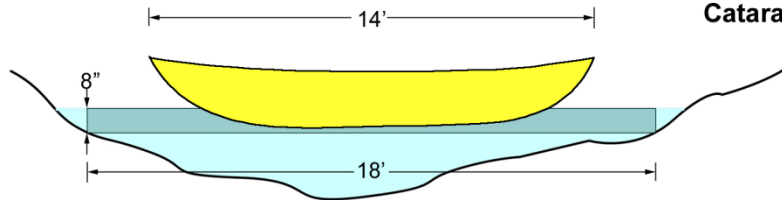
Canoe



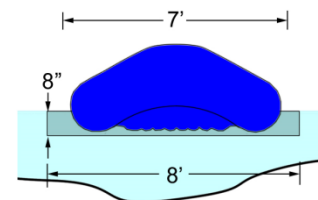
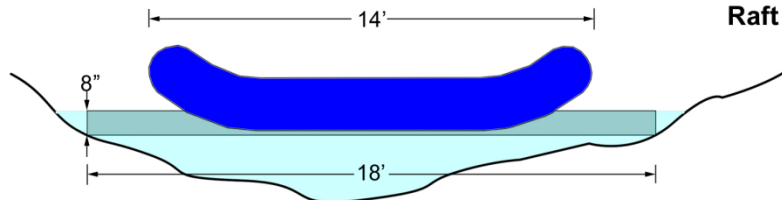
Inflatable Canoe



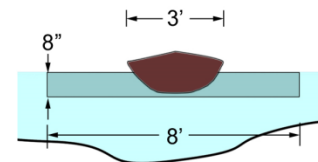
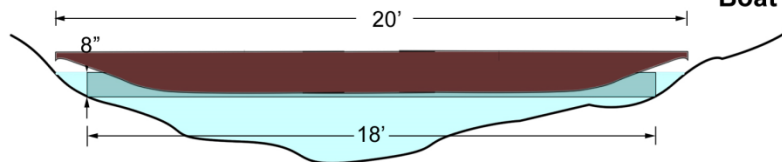
Cataraft

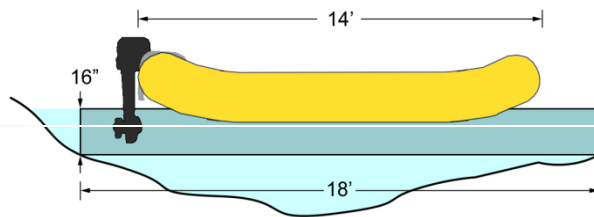


Raft

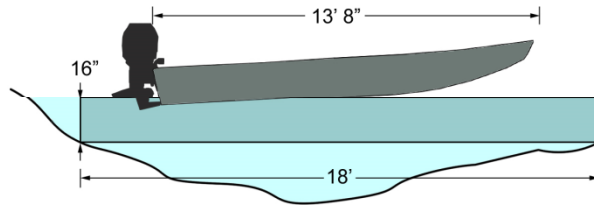
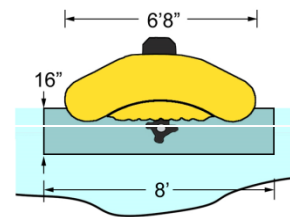


Poling Boat

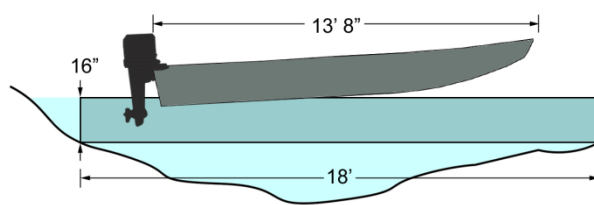
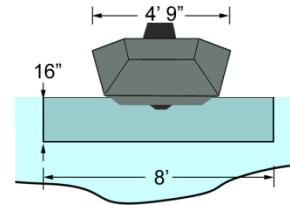




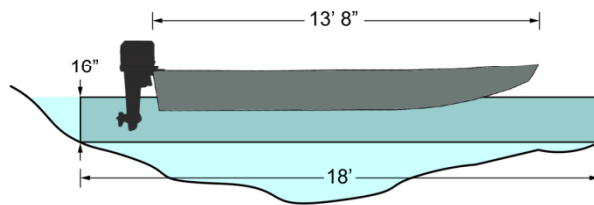
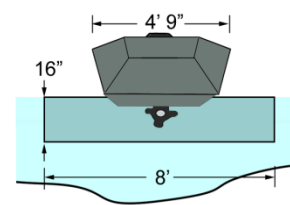
**Motorized
Raft 5 hp**



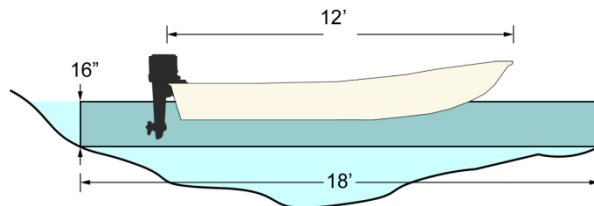
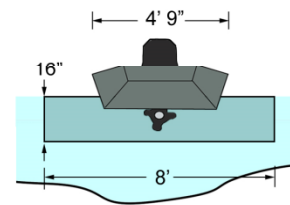
**Jon Boat
On Step
40 hp Jet**



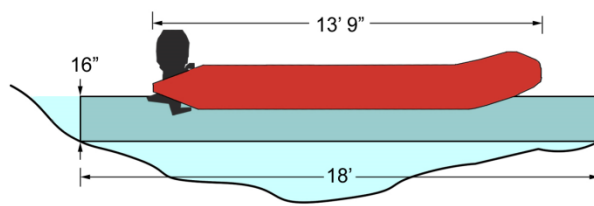
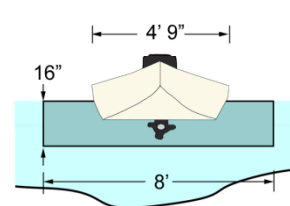
**Jon Boat
On Step
25 hp prop**



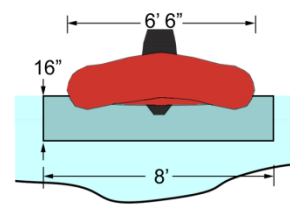
**Jon Boat
25 hp**



**Utility Boat
10 hp**



**Sport Boat
25hp Jet**



Questions?



Knik River
Alaska