

# Landowner Stream Rights

## *Navigable (O.C.G.A. 44-8-5)*

- The rights of the owner of land that is adjacent to a navigable stream extend only to the low-water mark in the bed of the stream.
- The Georgia legislature described historical navigable streams by many declarations of navigability:
  - Toll Rates
  - Illegal to block passage
  - Commissioners named to oversee improvements

## *Non-Navigable (O.C.G.A. 44-8-2)*

- The owner of land that is adjacent to a non-navigable stream owns to the center of the stream, with exclusive fishing rights to the center of the stream.
- If the owner owns both sides of the stream, then he or she owns the entire stream bed.