

HOUSE BILL NO. 799

Introduced: 02/15/83

Referred to Committee on Fish & Game: 02/15/83

Hearing: 2/17/83

Died in Committee

1 House BILL NO. 799  
2 INTRODUCED BY N. Hansen  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING TITLE TO  
5 THE BED OF NAVIGABLE STREAMS, BETWEEN THE LOW-WATER MARKS,  
6 TO THE ADJOINING LANDOWNERS; AMENDING SECTIONS 70-1-202 AND  
7 70-16-201, MCA."  
8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10 Section 1. Section 70-1-202, MCA, is amended to read:  
11 "70-1-202. Property of the state -- what included. The  
12 state is the owner of:  
13 (1) all land below the water of a navigable lake or  
14 stream;  
15 (2) all property lawfully appropriated by it to its  
16 own use;  
17 (3) all property dedicated or granted to the state;  
18 and  
19 (4) all property of which there is no other owner."  
20 Section 2. Section 70-16-201, MCA, is amended to read:  
21 "70-16-201. Owner of land bounded by water. Except  
22 where the grant under which the land is held indicates a  
23 different intent, the owner of the land, when it borders  
24 upon a navigable lake or stream, takes to the edge of the  
25 lake or stream at low-water mark; when it borders upon a

1 ~~navigable stream or~~ any other water, the owner takes to the  
2 middle of the lake or stream."

-End-