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## ROGUE RIVER NAVIGABILITY STUDY

Answers to questions that the Department of State Lands has been asked concerning title navigability and the effects of navigability determinations

*This document is intended to explain navigability issues in general terms. It is not intended as legal analysis or advice. If after reading this information you have questions or concerns about your legal rights and responsibilities, contact a lawyer.*

### INTRODUCTION

This document, prepared by the Oregon Department of State Lands (DSL), attempts to give clear answers to some of the complex questions about waterway ownership and the issue of title navigability as it relates to the segment of the Rogue River from Grave Creek at River Mile (RM) 68.5 to Lost Creek Dam at RM 157.5 for which a navigability study request has been received. Many of the questions addressed in this document were asked either at the public hearing held by DSL in Grants Pass on October 24, 2007, or in telephone calls, letters, and e-mails received by this agency during the public comment period. If you have additional questions or want more information about state ownership of Oregon's waterways, contact DSL at 503.986.5280 or go to this agency's Web site at: [www.oregonstatelands.us](http://www.oregonstatelands.us)

### QUESTIONS AND ANSWERS

#### GENERAL BACKGROUND INFORMATION ABOUT TITLE NAVIGABILITY

##### Q. Which waterways do the people of Oregon own?

- A. According to the courts, (for example, U.S. vs. Oregon (1954)) and with few exceptions, the people of Oregon own and have the right to use the bed and banks of all navigable streams, rivers, and lakes up to the ordinary high water line. This land is commonly referred to as "submerged and submersible land." In addition, the people of Oregon also own all land subject to tidal influence (with the exception of those parcels the state may have sold or granted since statehood). This land is commonly referred to as "tidelands."

Oregon law (ORS 274.025) states: *"The title to the submersible and submerged lands to all navigable streams and lakes in this state now existing or which may have been in existence in 1859 when the state was admitted to the Union, or at any time since admission, and which has not become vested in any person, is vested in the State of Oregon. The State of Oregon is the owner of the submersible and submerged lands of such streams and lakes, and may use and dispose of the same as provided by law."*

**Q. How did the people of Oregon gain ownership of these lands?**

- A. There are two separate legal doctrines under which Oregon gained ownership of waterway lands: one is called "navigability," the other is called "tidality." Under the Equal Footing Doctrine, federal courts have held that states entering the Union have the same rights as did the original 13 states. When the original 13 states took sovereignty of their land from the British after the American Revolution, those states became owners of the land underlying what are termed "navigable" waters, as well as the land underlying tidal waters. Therefore, when Oregon was admitted to the Union in 1859, it became the owner of all land underlying both the navigable waterways and tidal waters within its borders as a part of its sovereignty.

**Q. Is there a way a private individual could have ownership of the bed and banks of a navigable river?**

- A. Possibly, such as a land grant from the federal government to a private individual prior to Oregon's statehood. However, the federal government may not have been able to legally convey ownership to land it was supposed to hold in trust for the State of Oregon.

Another way in which a person may acquire ownership could occur when a river suddenly changes course, due to a flood or other natural event, so as to flow through private property.

Obviously, these situations are unique and must be studied to establish whether the private ownership of the submerged and submersible land is valid.

**Q. What does the term "navigable" mean?**

- A. Federal courts have developed the following test (termed the "*federal test for navigability*") to determine whether a waterway is "navigable" for "title," that is, public ownership purposes:
- The waterway must be capable of, or susceptible to, use as a highway for the transportation of people or goods;
  - Transportation must be conducted in customary modes of trade and travel on water;
  - Waters must be navigable in their natural and ordinary condition; and
  - Navigability is determined as of the date of Oregon's statehood (February 14, 1859).

The courts have determined that the use or potential for use by almost any type of watercraft (for example, canoe, ferry, or ship) is sufficient to determine title navigability. Further, they have found that the use did not have to occur in 1859; it is enough that it could have occurred, bringing rise to the concept of "susceptibility." Uses of a waterway that have been historically documented but no longer exist can also help to prove a waterway is navigable (for

example, log drives or steamboats). The McKenzie River case, decided by the U.S. Court of Appeals in 1982, confirmed that log drives and commercial tourism (that is, drift boat fishing guides) were sufficient evidence to prove navigability and, therefore, public ownership to the river's bed and banks.

The State of Oregon uses all of these criteria to support the public's claim of waterway ownership. Additionally, numerous court cases, most notably *Shively vs. Bowlby*, (152 U.S. 1 (1894)), and *Phillips Petroleum vs. Mississippi*, (484 U.S. 469 (1988)) have affirmed the state's ownership of tidal waters under the separate "tidality" test.

**Q. How does the Land Board determine which waterways are "navigable" and, therefore, publicly-owned under the navigability doctrine?**

- A. State law says other than the courts, only the State Land Board (consisting of the Governor, Secretary of State and State Treasurer) can assert an ownership claim based on navigability. The Land Board determines which waterways are navigable for state ownership or "title" purposes. The administrative process of determining whether a waterway is navigable consists of many steps. The first step occurs when DSL receives a request for such a study to be conducted for a particular river segment.

Under the administrative process, only the Land Board can authorize DSL to undertake a navigability study. If the Land Board decides that a navigability study is needed, DSL looks for information concerning the types and extent of past use of the waterway as well as its historical condition (that is, amount of flow, course of the river, etc.). This information is obtained from historical documents, public records, federal and state land surveys, and testimony given by the public at hearings. This evidence is then analyzed by DSL and presented as a study to the Land Board for its consideration. If the Land Board determines from the evidence that the waterway is likely to have been "navigable," as defined earlier in this document, it may decide to make a navigability claim and assert state ownership of the bed and banks of the waterway.

**Q. Do the Land Board and DSL have to follow a particular administrative process in conducting a navigability study?**

- A. Yes. Oregon state law (ORS 274.400 to 274.412 and OAR 141-121-0000 through 141-121-0040) provides the administrative process the Land Board and DSL must follow in undertaking navigability studies. This process ensures that the public is provided with numerous notices of Land Board and DSL actions concerning navigability studies, and opportunities to provide input.

**Q. Do other government agencies use the term "navigable?"**

- A. Yes. The U.S. Army Corps of Engineers uses the term "navigable waters," which stems from the federal Rivers and Harbors Act of 1899. Similar regulations direct the U.S. Coast Guard and Federal Energy Regulatory Commission. "Navigable waters" is also defined in the federal Clean Water

Act as areas subject to the Corps' regulatory authority over filling in waterways.

**Q. How do the Land Board and DSL manage state-owned land?**

- A. The Land Board and DSL hold these lands in trust for the public (under the "Public Trust Doctrine"). DSL works to clarify title and manage uses of these lands for the Land Board. These lands are managed in the public's best interests to assure that any permitted and authorized uses (for example, marinas, docks, sand and gravel mining, and log rafts) pay their fair share as compensation to the public for the use of public land. All income from the use of these lands is deposited into the Common School Fund for waterway management activities.

**Q. What is the Public Trust Doctrine?**

- A. This doctrine of common law provides that the State of Oregon holds submerged and submersible land in trust for the benefit of all the people. The general public has a right to fully enjoy these resources for a wide variety of public uses including navigation, commerce, recreation, and fishing.

**Q. How is the ordinary high water mark determined?**

- A. The ordinary high water mark has been defined by the courts and by law. Summarized in general terms, these definitions say that the ordinary high water mark is a line on the bank or shore to which the high water ordinarily rises each year and is the waterward limit of upland vegetation and soil. It is generally recognizable by a visible change in the soil and vegetation. In a 1912 Oregon Supreme Court case (*Sun Dial Ranch vs. May Land Company*) involving the Columbia and Sandy Rivers, the court said "*...high water mark is the point below which the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil a character distinct from that of the banks with respect to vegetation as well as with respect to the soil itself.*" Others define the ordinary high water mark as a "water mark" defining the waterward limit of the bed and banks "*...which the water occupies sufficiently long and continuously to wrest it from vegetation and destroy its value for agricultural purposes.*"

**Q. What is the benefit of a navigability determination by the Land Board?**

- A. The major benefit is providing greater certainty and clarity than now exists regarding the ownership of the bed and banks of the river and the limits of the public to use the river, and the rights of riverfront property owners to control the public's use of private land subject to public trust rights.

## SPECIFICS ABOUT THE ROGUE RIVER NAVIGABILITY STUDY

### Q. When did the Rogue River study begin?

- A. The request to do a study of the 89-mile segment of the Rogue River from Grave Creek (at River Mile 68.5) to Lost Creek Dam (at River Mile 157.5) was submitted in 1997 by Timothy R. Thompson, who was then Josephine County District Attorney. However, the Land Board did not authorize DSL to conduct a navigability study of the 89-mile segment of the waterway until October 2004 in order to:
- Allow DSL time to complete a navigability study of the John Day River,
  - Give the Oregon State Legislature time to resolve the issue of navigability, and
  - Confirm with the then incumbent Josephine County District Attorney, Clay Johnson, and the public that the study continued to be needed seven years after the request was first received.

### Q. Why can the Josephine County District Attorney ask for a navigability study of a segment of the Rogue River in Jackson County?

- A. Any person may submit a request to DSL requesting that a navigability study be conducted of any waterway in Oregon. Neither state law nor the administrative rules governing navigability determinations limit who can submit a navigability study request. The process of submitting the request and of obtaining the approval of the Land Board to conduct the study is provided in the Oregon state laws and administrative rules governing navigability determinations (ORS 274.400 to 274.412, and OAR 141-121-0000 through 141-121-0040).

### Q. What were the reasons he asked for this study to be conducted?

- A. In his written request to DSL, Josephine County District Attorney Timothy R. Thompson stated that he believed the study was needed because:

*"Actual and potential conflicts between users and landowners are increasing in frequency and volatility. For example, property owners bordering the Rogue River are frequently faced with conflicts and disputes with members of the fishing or rafting public over access to land-based sites. As the pressure from development and commercial/recreational use of the river increases, these conflicts will increase. A primary source for the conflict is, in my judgment, related to the absence of a definitive interpretation of "navigability" on the middle and upper portions of the river. So long as the navigability of the river remains uncertain, the rights and responsibilities of the public and landowners remains uncertain."*

District Attorney Thompson further stated that:

- *"Local courts in Josephine and Jackson Counties have had to address the issue [of the navigability of the Rogue River from Grave Creek to Lost Creek Dam] on an irregular basis."*
- *"Law enforcement officers are continuously asked to enforce laws relating to claims and asserted rights which are unclear at best, throughout the entire middle and upper Rogue River."*
- *"To the best of my knowledge, no definitive or binding decision has been rendered by either the appellate courts or any state agency charged with making such a determination. In the absence of such a study, the interests of landowners and a variety of other users remain in limbo and subject to inconsistent interpretations."*
- *"The Rogue River between Lost Creek Dam and Grave Creek is subject to extensive commercial and non-commercial use."*

In a later discussion with Clay Johnson (who followed Timothy Thompson as Josephine County District Attorney), he confirmed the need for the navigability study stating:

*"I am in complete agreement with his request for the study. The rights of the public, vis-à-vis the property owners along the Rogue River, is a significant issue in Southern Oregon and needs to be officially determined."*

**Q. What is the status of the Rogue River study?**

- A. The first draft of the navigability study report was completed by DSL in early September 2007. Notice of the availability of this study was mailed to over 3,000 persons including landowners of record along the study segment and others indicating an interest in this activity. DSL then held a public hearing in Grants Pass on October 24, 2007, which was attended by nearly 200 persons. The input received by DSL at that hearing and during the public comment period that followed was used to develop the second navigability report.

On March 19, 2008, the Land Board will hold a hearing in Medford, Oregon to hear public comment on the following two questions:

- Does the factual evidence in the February 2008 report meet the federal test for title navigability?
- Should the Land Board, based on the factual evidence contained in the February 2008 report, make a declaration of public ownership of the Rogue River from the confluence of Grave Creek at RM 68.5 to Lost Creek Dam at RM 157.5?

Following the Land Board hearing and the end of the public comment period, the study will again be revised for presentation to the Land Board at a meeting tentatively set for June 2008 in Salem.

**Q. What was the purpose of the public hearing held in Grants Pass on October 24, 2007 and associated public comment period?**

- A. The purpose of this hearing and the public comment period (which began on September 7, 2007 and extended through 5 P.M. Friday, November 9, 2007)

was to give the public an opportunity to comment on the accuracy of the information contained in the Rogue River Draft Navigability Study Report.

Through this hearing and public comment period, DSL hoped to receive additional information from the public about the historical use and condition of the waterway that could be used to support or refute the facts presented in the draft study report.

**Q. What was the nature of the public comment received by DSL?**

- A. During the public comment period, DSL received 183 e-mails and 8 letters addressing various aspects of the study. Additionally, nearly 200 persons attended DSL's Grants Pass public hearing, 30 of whom presented testimony.

The input received by DSL can be broadly categorized as follows:

- Persons who are against the conduct of the navigability study and/or do not agree with DSL's preliminary findings and conclusions as presented in the draft study report.
- Persons who support the conduct of the study and/or agree with DSL's preliminary findings and conclusions as presented in the draft study report.
- Persons who had questions concerning the reason(s) for the study; the impacts on them of an assertion of navigability; or of a general nature concerning navigability and the navigability study process.

All of the testimony received at the public hearing and during the public comment period can be viewed on DSL's Web site: [www.oregonstatelands.us](http://www.oregonstatelands.us)

**Q. Did DSL receive input during the public comment period that it could use to support or refute the information presented in the draft navigability study report?**

- A. Yes. DSL did receive some factual input that it used when revising the first draft of the study.

**Q. How did DSL notify persons of the availability of the draft study report, the public hearing and the public comment period?**

- A. In early October 2007, DSL completed the first draft of its navigability study report for the Rogue River study segment. Notice of the availability of this study and the October 24<sup>th</sup> public hearing was mailed to the owners of parcels adjacent to the Rogue River study segment and other interested persons. The list of owners was obtained from the tax records maintained by the Josephine and Jackson County Assessors. The notice was also posted on DSL's website and in local and regional newspapers.

**Q. Why doesn't the study present evidence indicating that the historical use and condition of the Rogue River do not meet the requirements of the federal test for navigability?**

- A. The purpose of a navigability study is to determine if sufficient evidence exists concerning the historical use and condition of a waterway to meet the requirements of the federal test for navigability, not to prove that a waterway does not meet that test.

In conducting this study, DSL collected and presented in the draft report all evidence that it was able to locate concerning the historical use and condition of the waterway, regardless of whether it supported or refuted the provisions of the federal test. Upon analyzing the evidence in light of the requirements of the federal test for navigability, DSL has concluded that it supports a determination that the 89-mile study segment is navigable.

**Q. Because ferries only cross, not go up and down the Rogue River, why does DSL place any significance on their use in determining the title navigability of the study segment?**

- A. Any evidence of the use of the Rogue River study segment was included in the draft study report. Because numerous ferries crossed the Rogue River since statehood at various points along the waterway, this evidence of use cannot be ignored. Although it is indeed correct that these ferries were tethered to a cable and only went back and forth across the waterway, it can be concluded from their presence that at least at the crossing points, the river was of a sufficient flow and/or depth for enough of the year to make crossing the river by another means (for example, by horse, foot, swimming, etc.) difficult or impractical. Furthermore, even though the ferries often consisted of little more than logs tied together in order to support a board deck, they nevertheless floated and constituted commerce. Therefore, in determining whether the federal test for navigability was met, DSL considered the existence of ferries as just one of many pieces of evidence of the actual or possible use of the waterway.

**Q. What does it mean to river property owners if the Land Board declares that the Rogue River is "navigable?"**

- A. A determination of navigability and an assertion of ownership by the Land Board means that the bed and banks of the waterway are, in the opinion of the State of Oregon, publicly owned and have been since statehood. Consequently, the public would have the right to use the bed and banks of the waterway, generally to the line of ordinary high water, for activities such as fishing and boating. Such an assertion would also mean that the state would act as an owner of the Rogue River and would require persons to obtain permission from DSL for certain uses of the waterway (for example, removing sand and gravel for commercial purposes).

The impact on a landowner of a determination by the Land Board that the Rogue River study segment is navigable will depend on a number of factors, among which are:

- The sudden changes (avulsive acts) of the waterway over time.
- Whether the landowner could assert that their ownership is to the line of ordinary high water, to the middle of the stream, or to some other point along the waterway based on the language in their deed.
- The experiences the landowner has had with the public who have used the submerged and submersible land fronting his/her property.
- The landowner's perception of his rights to control the activities of the public using the waterway in front of his/her property.

If a landowner has asserted that the riverward limit of their ownership is to the line of ordinary high water based on the deed under which they acquired the property or on some other basis, and s/he has not been concerned about persons using the submerged and submersible land fronting his/her property for recreational purposes, a determination of navigability by the Land Board will have little, if any, impact on him/her.

However, if a landowner asserts, based on their deed, that their upland ownership extends to the middle of the stream or to some other point below the line of ordinary high water, and/or s/he believes that the public does not have the right to use the submerged and submersible land fronting his/her property, s/he may believe that determination of navigability will reduce the amount of property they own and consider this to be a "taking."

**Q. Is there any way to appeal a determination of navigability by the Land Board?**

- A. ORS 274.412 provides that any person who is aggrieved by a declaration of the State Land Board made pursuant to ORS 274.406 (Declaration of state's claim; effect) may seek judicial review of the declaration in the manner provided in ORS 183.310 to 183.550 for judicial review of final orders in other than contested cases.

**Q. Does a landowner have any right of ownership to the property because of adverse possession?**

- A. No. Under Oregon State Statute (ORS 12.050 and 12.250), a person may not assert adverse possession against the state.

**Q. Why does the Department think the Rogue River between Grave Creek and Lost Creek Dam is "navigable?"**

- A. Because it meets the test that federal courts would use. The historical evidence, well-documented in public records, shows that the river could have been used as a highway for the transportation of people or goods using customary modes of trade and travel on water, while the river was in its natural and ordinary condition in 1859. To read a copy of the Rogue River

Draft Navigability Report, go to the following Web site:  
[www.oregonstatelands.us](http://www.oregonstatelands.us)

**Q. People using the Rogue River in front of my property are “trashing” it. If the Land Board asserts ownership to the beds and banks of the waterway, what can I do to stop them from leaving trash, setting fires, and trespassing on my property?**

- A. Regardless of who owns the bed and banks of the Rogue River, one thing is clear: certain offenses, such as littering, illegal use of alcohol and drugs, reckless burning and, in nearly every instance, entering private property without first obtaining the owner’s permission (see next Question and Answer) are crimes no matter where they occur. If you observe these offenses, you should contact your local law enforcement agency.

On both the Sandy and John Day Rivers, DSL has, since becoming manager of the bed and banks of these waterways, developed close working relationships with landowners and other federal, state, and local government agencies to develop a coordinated response to public misbehaviors. With regard to the Sandy River, this coordinated effort has proven to be successful in reducing the number of misdemeanors occurring along the waterway.

In addition, on other state-owned waterways, the Land Board has adopted restrictions on camping and campfires. Should the Rogue River study segment be determined to be navigable, it is possible that DSL could develop similar plans of action in conjunction with landowners, law enforcement, and other government agencies to address illegal activities.

**Q. How is it possible that a trespass may not occur if a person enters private property without the permission of the owner of the land?**

- A. In a recent opinion concerning public use of waterways for which a navigability determination has not yet been made, the Attorney General concluded based on case law that the public may go above the line of ordinary high water onto privately-owned land if it is necessary to the lawful use of the waterway. For example, the Attorney General believes that a person may, under certain conditions discussed in the opinion, enter upon private upland to go around an obstacle on a waterway such as a logjam or waterfall. To read this opinion, go to: [http://oregonstatelands.us/DSL/NAV/docs/ag\\_op-8281\\_navigability.pdf](http://oregonstatelands.us/DSL/NAV/docs/ag_op-8281_navigability.pdf)

**Q. Will the Department immediately require that livestock be fenced from the river if the Rogue River is declared navigable?**

- A. No. Riparian landowners have the right to access the river from their land.

**Q. If I hold rights to take water from the Rogue River, will a determination of navigability affect these rights?**

- A. No. A determination of navigability will have no effect on any valid water rights you hold. However, you will be required to obtain an easement from DSL for

any pipelines and required stands, pumps, wiring, and/or fish screens on state-owned submerged land that are necessary to convey the water from the point of diversion.

## DEEDS, TAXES, & RIVERFRONT PROPERTY RIGHTS

### Q. What if the current property owner's deed reads to the middle of the river?

- A. Many deeds state that the owner of a river property owns to the center of the stream. A deed sometimes describes property that was never intended to be, or could not be legally conveyed. Although title companies work hard to ensure that the buyer is, in fact, legally entitled to all of the property described on a deed, their research relies in large part on verifying the "chain of ownership" contained in historical records. Therefore, if a transfer of property many years before was erroneous, and has not been contested over time, the oversight or mistake may go uncorrected.

Often title insurance companies include "exceptions from coverage" for such things as: (1) *"the rights of the public and governmental bodies to the area below the high water line;"* or (2) *"any adverse claim based on the assertion that the waterway has moved and that the area has been created by artificial means or accretion."* This means the companies will not insure against loss or damage arising from these issues.

If a waterway is determined by the courts, or through the navigability study process to be state-owned, the state has what could be called "a prior existing right" or a competing claim to the land in that waterway. Since a deed can only convey interests actually owned by the seller, and since the bed and banks of all navigable rivers were given to the state at statehood in 1859, there will be situations where the state would assert the public as the true owner of the submerged and submersible land rather than what a deed may say.

Again, these issues depend upon the facts of the particular situation, property, waterway, or deed.

### Q. If the Land Board declares the river navigable, won't my deed be changed?

- A. No. Only a landowner, voluntarily, or the courts, by order, can change your deed. The Land Board's declaration of navigability is a "claim" to the beds and banks of the river that can be challenged in court.

### Q. Because the Rogue River has changed its course over time, where will DSL consider that the state's ownership begins if the waterway is determined to be navigable?

- A. Should the Rogue River study segment be determined to be navigable for title purposes, an assertion of the state's ownership will be to the submerged and submersible land below the current line of ordinary high water of the river where it now flows unless there is compelling reason to do otherwise.

However, DSL will work with landowners to address ownership issues in areas where there have been avulsive changes in the course of the waterway.

**Q. Will DSL survey the limits of the state's ownership along the Rogue River?**

A. DSL will not survey the limits of the state's ownership along the entire Rogue River study segment. However, DSL staff will be willing to assist landowners who are unable to determine the location of the line of ordinary high water.

**Q. Is it possible that the owner of an upland parcel could be paying taxes on the submerged and submersible land in front of that parcel on a navigable waterway?**

A. Yes, it is possible. Carefully check your current property tax statement from your county assessor or contact him/her. You may find out, however, that you are being taxed only on the upland (that is, land above ordinary high water) and the remainder, though within your tax lot, is not taxed at all.

**Q. Will the tax assessor of the county in which my property is located refund taxes I have paid on the submerged and submersible land claimed by the State of Oregon?**

A. DSL cannot answer this question. You will need to contact either the Jackson or Josephine County Assessor to determine whether you may obtain a refund of that amount of the property taxes you have paid on the submerged and submersible land.

**Q. Do private upland property owners along navigable rivers have any special rights?**

A. Yes. In addition to the rights of ordinary property owners, ORS 274.040 grants owners whose land abuts or fronts state-owned submersible land a preference right to lease the adjacent state-owned land, should the state decide to lease the public land. In addition, a riverfront owner has the right to access the river from their upland property.

**Q. What liability does a landowner have for injuries suffered by persons using the submerged and submersible land if the Rogue River is determined to be navigable?**

A. A determination of title navigability would mean that it is the State of Oregon's opinion that it owns the submerged and submersible land underlying a waterway below the line of ordinary high water. Therefore, it is unlikely that an adjacent landowner would have any liability for the use of such land by the public.

In addition, Oregon state law (ORS 105.672 to 105.700) provides certain protections from liability for a landowner who allows persons to use their land for recreational purposes. Specifically, a landowner "...is not liable in contract or tort for any personal injury, death or property damage that arises

*out of the use of the land for recreational purposes, woodcutting or harvest of special forest products when the owner of the land either directly or indirectly permits any person to use the land” for these purposes.*

However, DSL strongly recommends that a landowner contact their attorney and/or insurance company to assess whether they will have any liability under these circumstances and if their insurance policy covers incidents arising from the public's use of their land or land adjacent to their property.

**Q. Is it necessary for DSL to conduct an assessment of the impacts on the environment if the Rogue River study segment is determined to be navigable?**

A. No. The purpose of a navigability study is to determine with certainty the ownership of the submerged and submersible land underlying a waterway. Therefore, an environmental impact study is not required.

**Q. Who do I contact if I have additional questions about the Rogue River navigability study?**

**Jeff Kroft or Steve Purchase**  
Department of State Lands  
775 Summer Street N.E., Suite 100  
Salem, Oregon 97301  
Phone: 503.986.5280 or 503.986.5279  
FAX: 503.378.4844  
Email: [jeff.kroft@dsl.state.or.us](mailto:jeff.kroft@dsl.state.or.us) or [steve.purchase@dsl.state.or.us](mailto:steve.purchase@dsl.state.or.us)

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