

**73-29-202 Public right to float on public waters.**

- (1) There is a public right to float on public water that has sufficient width, depth, and flow to allow free passage of the chosen vessel at the time of floating.
- (2) Subsection (1) includes the right to:
  - (a) incidentally touch private property as required for safe passage and continued movement;
  - (b) portage around a dangerous obstruction in the water, if portage is made in a manner that is:
    - (i) most direct;
    - (ii) least invasive; and
    - (iii) closest to the water; and
  - (c) fish while floating.
- (3) A person exercising the right that this section recognizes:
  - (a) shall enter and exit the water at a point on public property or private property with permission of the owner; and
  - (b) may not stop on private property.
- (4)
  - (a) The right this section recognizes does not prevent the establishment of broader public recreational access in accordance with this chapter.
  - (b) Notwithstanding Subsection (4)(a), the right this section recognizes does not establish broader public recreational access.

Amended by Chapter 340, 2011 General Session