



Colorado River Sovereign Lands

SOVEREIGN LANDS DEFINITION

The Arizona State Land Department is legislatively mandated to manage sovereign lands. Sovereign lands are those lands lying in the beds of navigable waterways. They are held in trust by the State in order to provide public access to those waterways for the purposes of fishing, commerce, and navigation. At statehood, (February 14, 1912) the State of Arizona assumed ownership of all navigable waterway channel beds within the State. To date, the Colorado River is the only navigable watercourse in Arizona.



Where a navigable river forms the boundary between two or more adjacent states, each state claims sovereign ownership to the center of the river channel. The Colorado River bounds the States of Arizona, California, and Nevada. The state of Arizona owns from the center of the river to the upland limit of the ordinary high water mark (OHWM).

JURISDICTIONAL BOUNDARY

Navigable rivers that serve as state jurisdictional boundaries (such as the Colorado River) present a unique

situation with respect to State sovereign lands. Because state jurisdictional boundaries are independent of

Example of an OHWM. (Staining on a seawall)



Example of an OHWM. (Topographic break)

state sovereign boundaries, sovereign lands from one state can potentially be located within the jurisdiction of another state. A compact titled *Interstate Compact Defining a Portion of the Arizona-Nevada Boundary on the Colorado River* was drafted in 1960 to create a fixed jurisdictional boundary between Arizona and Nevada.

In 1966, a compact was established to resolve issues related to the dynamic interstate boundary between the states of Arizona and California. The *Interstate Compact Defining the Boundary Between the States of Arizona and California* established a jurisdictional boundary defining a fixed political boundary only.

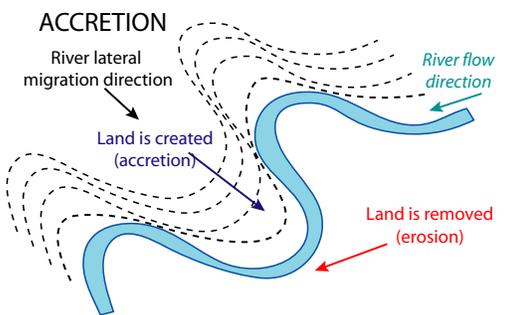
The jurisdictional boundary compacts did not define or affect sovereign land ownership title to the bed of the Colorado River, nor did they identify lands owned by the State of Arizona that were physically located within the political jurisdictions of California, Nevada, and vice versa.

ACCRETION AND AVULSION

Accretion

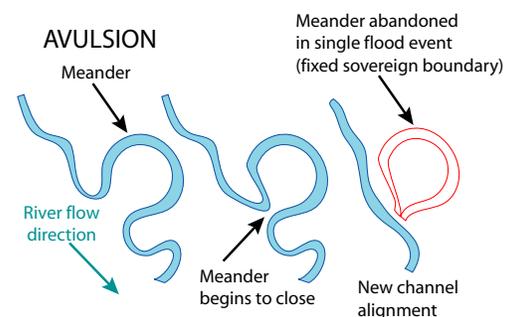
By definition a navigable stream constitutes a property boundary, and

the location of that boundary is inherently subject to change. Land can be removed from one side of the channel (erosion) while land is created on the opposite side (accretion). Accretive processes are generally considered imperceptible and occur “grain-by-grain” as sediment is eroded and accreted simultaneously over long periods of time (years).



Avulsion

Avulsive channel change is the result of a sudden and dramatic shift in channel location. It can be the result of both natural and manmade processes. An example of a natural avulsive change is the sudden cut-off of a meander bend in a channel during a flood event. An example of a man-made avulsion is channelization. Unlike accretion, where the boundary is subject to change with changes in the river location, an avulsion results in a fixed and limiting sovereign boundary that remains static with future changes to the river location.





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IMPACTS TO UPLAND LAND OWNERS

The following questions and answers are designed to address and clarify common concerns with respect to Arizona sovereign lands along the Colorado River.

Question: I own property along the Arizona side of the Colorado River. Is my property impacted by Arizona sovereign lands?

Answer: Determine Sovereign Boundary Impacts to the Upland Property.

Since 2000, the Arizona State Land Department (ASLD) has been actively determining its sovereign ownership limits along the Colorado River through a series of studies conducted under the Colorado River Boundary Study program. Several large, reach-wide studies have been completed to-date. These studies represent comprehensive technical and legal analyses that resulted in a determination of the State of Arizona's sovereign claim. To determine if your property is impacted by sovereign lands, you first need to determine if your property falls within one of the reach-wide study areas. Approximate study area limits for each completed study are listed below by study title:

Study Name	Approximate Study Area	Major Geographic Locations Included
Reach 1	Imperial Dam to Northern International Boundary	◆Yuma, Arizona ◆North Gila Valley
Reach 2	A portion of Mohave Valley including Davis Dam to Needles, CA	◆Davis Camp, Arizona ◆Bullhead City, Arizona ◆Riviera, Arizona ◆Mohave Valley
Reach 3	A portion of Palo Verde and Cibola Valleys including the southern limit of the Colorado River Indian Reservation to the northern limit of the Cibola National Wildlife Refuge	◆Ehrenberg, Arizona ◆Palo Verde Valley ◆Cibola Valley
Reach 4	A portion of Lake Havasu from the southern limit of the Havasu National Wildlife Refuge to Parker Dam	◆Lake Havasu City, Arizona

To date, ASLD has conducted field surveys of the sovereign boundary for selected areas along the Colorado River. These field surveys have been recorded as plat maps with the county recorder's office of the respective county in which the survey occurred.

Question: What if the Arizona State Land Department has completed a reach-wide study that includes my parcel area, but has not completed a sovereign boundary survey?

Answer: Contact a land surveyor registered in the State of Arizona.

A parcel boundary survey of your parcel that incorporates the sovereign boundary needs

to be performed by a professional land surveyor duly registered to practice in the State of Arizona.

Accretion Area

If your parcel is located within an accretive area as determined by ASLD, then a survey of the present ordinary high water mark (OHWM) is required. A representative of ASLD will need to accompany your surveyor to identify the OHWM evidence within your parcel. Have your surveyor contact ASLD to coordinate with their representative. A review of the field survey information by ASLD will be required.

Avulsion Area

If your parcel is located within an avulsion area as determined by ASLD then a survey of the sovereign boundary angle points is required. Have your surveyor contact ASLD to obtain the information required to locate the angle points. A representative of ASLD will accompany your surveyor in field to verify the sovereign boundary angle points and to make field adjustments as necessary. A review of the field survey information by ASLD will be required.

Question: What if the Arizona State Land Department has not completed a reach-wide study or a sovereign boundary survey for the area that includes my parcel?

Answer: Contact a riparian boundary expert.

If a sovereign boundary investigation has not been conducted for your parcel area, you can contract a riparian boundary expert to perform a sovereign boundary investigation.

The sovereign boundary investigation results will be reviewed by ASLD. If ASLD concurs with the findings in the sovereign boundary investigation, a field survey of the

sovereign boundary will be required. The same survey procedures described previously, including review by ASLD, are applicable.

Question: I own property along the Arizona side of the Colorado River and want to install a non-permanent boat dock. Who do I contact for information?

Answer: Arizona State Land Department: Commercial Sales and Leasing. Phone: (602) 542-2870.

SUMMARY

The following flowchart summarizes the procedures required for sovereign boundary determination within the State of Arizona.

