

Subject: : Paflyfish General Forum

Topic: : Who owns the trout?

Re: Who owns the trout?

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URL:

Wild fish and game are definately not the property of the landowner in the US. The landowner owned to fish and game in Great Britain and the United States intentionally broke that model with the common ownership/stewardship model. The frontier people certainly considered game to be common property since they depended on it and fought the British model. Access to the land certainly resides with the landowner. The landowner can determine who can hunt and fish on their land. But the fish and game are not their property. You can chase a wounded deer onto someone else's property - it doesn't become their's once it crosses the line. Similar to water on non-navigable streams. The water itself is always in the public trust - but the landowner determines who can use it on their property. However, the landowner can't degrade the water for those people upstream and down. Unfoirtunately, there have been plenty of exceptions to this.

There are some exceptions for private clubs who purchase birds/fish for sport on their property. I'm fuzzy on those rules since I'm not a club sort of person.