

## ESTIMATING RIPARIAN RIGHTS LINES FOR DOCKS

- Docking is a near-shore consideration and is limited by the line of deep water (line of navigability, or line of navigation).
- The line of deep water or navigability is located at the distance off shore where the depth of water is sufficient for navigation year round.
- Along a straight river without a marked channel, the most common method is to construct dividing lines perpendicular with the line of deep water.
- Along a river or other waterbody with a nearby marked navigation channel, most courts construct perpendiculars with the nearest limit of the channel as opposed to the line of deep water.
- The direction of upland boundaries is largely ignored when apportioning riparian rights, but if there is a minor deviation in direction from that recommended for riparian rights division, they may be extended.
- When the shore is irregular in the form of a cove or projection into an ocean, ocean bay, lake, or river, most courts apportion the line of deep water to divide docking rights equally as opposed to any perpendicular method.
- Riparian rights may conflict with each other, and an order of priority is implied in court decisions. The dominant riparian right is usually the near-shore right of ingress and egress to navigable waters. The right to view has not been ranked very high in Florida case law.

