

Law for landowners

AT A GLANCE

Informing rural landowners of legal issues surrounding rural land ownership will help them avoid potential pitfalls.

The Situation

Rural landowners are challenged with many legal issues arising from land ownership that are not as frequently encountered by urban residents. These include, but are not limited to, laws surrounding property boundaries, liability for individuals injured hunting or recreating on rural property, water law, open range and herd district laws, trespass, tax laws related to forest management and agriculture, easements and environmental laws related to land alteration.

However, many landowners are unfamiliar with the laws and legal rights affecting their landownership, and as a result may take actions (or fail to act) that put them at risk of violating the law or exposing themselves to unforeseen liability.

While landowners can solicit the services of competent attorneys who specialize in rural land legal issues, this is often not done until a problem has arisen, often unexpectedly, and consulting an attorney on basic questions of law and liability can be expensive. What is needed is basic instruction on the various legal issues that can affect landowners, at a reasonable cost, so they can avoid potential legal problems.



Legal symbols.

Our Response

Beginning in 2019 we designed a program to inform rural landowners of important legal issues affecting rural land. The evening programs were held in the winter of 2019 and 2020, and we plan to have them continue in subsequent years.

In 2019 we had the Clearwater County Prosecutor Clayne Tyler and CPAs Calvin Hogg and Scott Taylor from the accounting firm Presnell Gage give presentations on Idaho's new trespassing law and the effects of the new federal income tax law on forest owners.

In 2020 Clayne Tyler presented on the laws surrounding open range and herd districts and the procedure for creating a herd district, as well as the laws

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surrounding the use of drones over private land. Clearwater County Sheriff Chris Goetz was on hand to answer specific questions on enforcement and public education regarding the law.

Program Outcomes

Both the 2019 and 2020 programs were a great success with 105 people attending the two programs. Attendees reported an increase of knowledge from 45 to 140% depending on topic. With 90% reporting that

they would be able to use what they learned from the program, and over 94% saying it was a good way for them to learn the content. “This has been **very** helpful and well done!” “Thank you! Very informative!”

Based on client feedback and the number of legal issues affecting landowners, as well as recurring changes to the law, we plan to hold these “Law for Landowners” workshops on a regular basis in coming years.

FOR MORE INFORMATION

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