

Indiana Prospecting Regulations

Indiana Administrative Codes
312 IAC 10-5-11
and
312 IAC 6-5-10



Indiana Department of Natural Resources

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Indiana Department of Natural Resources

Introducing Indiana
State Rules
for
Recreational Prospecting
in
Indiana



For more information on Indiana's regulations
for recreational prospecting, contact the
IDNR, Division of Water by email @ water_inquiry@dnr.in.gov
or call Toll free: 1-877-928-3755
Main Line: 1-317-232-4160

Indiana Administrative Codes: 312 IAC 10-5-11 and 312 IAC 6-5-10

312 IAC 10-2-33.3 "Prospecting" refers to activities conducted in preparation for or to remove hard mineral resources

312 IAC 10-2-24.5 "Hard mineral resources" means naturally occurring alluvial deposits of the following: Gold, Platinum, Silver, Lead, Copper, Diamonds and other gemstones and other similar materials

According to 312 IAC 10-5-11 and 312 IAC 6-5-10, the following non-navigable and navigable waterways **can not be prospected**.

Non-navigable waterways:

Cedar Creek in Allen County and Dekalb County from river mile 13.7 to the confluence with the St. Joseph River

Galien River in LaPorte County and its tributaries

North Fork of Wildcat Creek in Tippecanoe County and Carroll County from river mile 43.11 to river mile 4.82

South Fork of Wildcat Creek in Tippecanoe County from river mile 10.21 to river mile 0.00

Trail Creek in LaPorte County and its tributaries

Tributaries of the East Branch of the Little Calumet River

Tributaries of the St. Joseph River that have their confluences downstream of the Twin Branch Dam in Mishawaka

Navigable waterways:

Big Blue River in Harrison County, Crawford County, and Washington County from river mile 57.2 downstream to river mile 11.5

The East Branch of the Little Calumet River in Porter County

Lake Michigan

The Portage Burns Waterway in Porter County

St. Joseph River in St. Joseph County from the Twin Branch Dam in Mishawaka downstream to the Michigan State Line

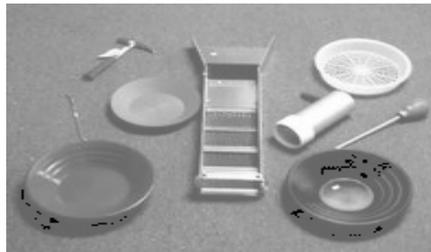
Prospecting in a non-navigable waterway

Except for those waterways listed in 312 IAC 10-5-11 and 312 IAC 6-5-10 (listed in this brochure), a person may prospect in a non-navigable waterway if they get a written permit from Indiana DNR, Division of Water

OR

Comply with the following criteria:

- (1) obtain lawful ingress to and egress from the waterway
- (2) obtain written permission from the property owner(s)
- (3) use one or a combination of the following processes:
 - (a) without the use of equipment, such as picking up nuggets
 - (b) use non-motorized equipment, such as a pan, sluice box, or pick and shovel
 - (c) use suction equipment, including motorized equipment, having a hand-operated nozzle that has an opening not larger than five (5) inches in diameter
- (4) can not use mercury or other chemicals to assist with the recovery of hard mineral resources
- (5) prospecting activities can only occur exclusively between sunrise and sunset
- (6) no mussels are taken as prescribed by 312 IAC 9-9-3
- (7) no endangered species are taken as prescribed by IC 14-22-34-12
- (8) nothing in this rule modifies the rights of riparian owners



Non-motorized equipment such as pan, pick, shovel, sluice box, and metal detector are permissible for prospecting.

Prospecting in a navigable waterway

Except for those waterways listed in 312 IAC 10-5-11 and 312 IAC 6-5-10 (listed in this brochure), a person may prospect within the ordinary high water-mark of a navigable waterway if they get a written permit from Indiana DNR, Division of Water

OR

Comply with the following criteria:

- (1) obtain lawful ingress to and egress from the navigable waterway
- (2) obtain written permission from any affected riparian owner
- (3) use one or a combination of the following processes:
 - (a) without the use of equipment, such as picking up nuggets
 - (b) use non-motorized equipment, such as a pan, sluice box, or pick and shovel
 - (c) use suction equipment, including motorized equipment, having a hand-operated nozzle that has an opening not larger than five (5) inches in diameter
- (4) can not use mercury or other chemicals to assist with the recovery of hard mineral resources
- (5) prospecting activities can only occur exclusively between sunrise and sunset
- (6) no mussels are taken as prescribed by 312 IAC 9-9-3
- (7) no endangered species are taken as prescribed by IC 14-22-34-12
- (8) nothing in this rule modifies the rights of riparian owners

A list of navigable waterways can be found on the web at <http://www.in.gov/nrc/2375.htm>.