

TITLE 312 NATURAL RESOURCES COMMISSION

ARTICLE 1. DEFINITIONS

Rule 1.

Definitions

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312 IAC 1-1-1 Applicability

Authority: [IC 14-10-2-4](#)
Affected: [IC 14](#); [IC 25](#)

Sec. 1. (a) Except as provided in subsection (b), the definitions contained in this article apply throughout this title.

(b) If a definition in this article conflicts with a definition of specific applicability in another part of this title or in a statute that controls another part of this title, the definition of specific applicability controls. (*Natural Resources Commission; 312 IAC 1-1-*

1; filed Dec 1, 1995, 10:00 a.m.: 19 IR 656; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-2 "Administrative law judge" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5](#); [IC 14-10-2-2](#); [IC 25](#)

Sec. 2. "Administrative law judge" refers to a person appointed by the commission under [IC 14-10-2-2](#) to function as an administrative law judge under [IC 4-21.5](#). (Natural Resources Commission; 312 IAC 1-1-2; filed Dec 1, 1995, 10:00 a.m.: 19 IR 656; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-3 "Animal" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 3. "Animal" includes all:

- (1) mammals;
- (2) birds;
- (3) reptiles;
- (4) amphibians;
- (5) fish;
- (6) crustaceans; and
- (7) mollusks.

(Natural Resources Commission; 312 IAC 1-1-3; filed Dec 1, 1995, 10:00 a.m.: 19 IR 656; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-4 "Board" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14-9-6-1](#); [IC 25](#)

Sec. 4. "Board" means each of the following:

- (1) Advisory council established by [IC 14-9-6-1](#).
- (2) Commission.
- (3) Historic preservation review board.
- (4) Surface coal mine reclamation bond pool fund committee.

(Natural Resources Commission; 312 IAC 1-1-4; filed Dec 1, 1995, 10:00 a.m.: 19 IR 656; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); filed Mar 4, 2008, 12:31 p.m.: [20080402-IR-312070486RFA](#); errata filed Sep 28, 2011, 3:00 p.m.: [20111012-IR-312110574ACA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-4.5 "Boat" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 4.5. "Boat" means a watercraft. (Natural Resources Commission; 312 IAC 1-1-4.5; filed Jun 29, 2007, 2:32 p.m.: [20070725-IR-312060333FRA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26,

2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-5 "Boundary waters" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 5. "Boundary waters" means the following:

- (1) The part of the Wabash River that forms the boundary between Illinois and Indiana.
- (2) The part of the Ohio River that forms the boundary between Kentucky and Indiana.
- (3) The part of the Great Miami River that forms the boundary between Ohio and Indiana.
- (4) The part of Lake Michigan that is under the jurisdiction of Indiana.
- (5) The lakes other than Lake Michigan that are on the boundary between Indiana and bordering states.

(Natural Resources Commission; 312 IAC 1-1-5; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-6 "Bureau" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14-9-3-1](#); [IC 15](#)

Sec. 6. "Bureau" refers to any bureau created within the department under [IC 14-9-3-1](#). (Natural Resources Commission; 312 IAC 1-1-6; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-7 "Chase" defined (Repealed)

Sec. 7. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-8 "Commission" defined (Repealed)

Sec. 8. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-9 "Conservation officer" defined (Repealed)

Sec. 9. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-10 "Department" defined (Repealed)

Sec. 10. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-11 "Deputy director" defined (Repealed)

Sec. 11. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-12 "Director" defined (Repealed)

Sec. 12. (Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#))

312 IAC 1-1-13 "Division" defined

Authority: [IC 14-10-2-4](#)
Affected: [IC 14-9-4](#); [IC 25](#)

Sec. 13. "Division" refers to a division established under [IC 14-9-4](#). (*Natural Resources Commission; 312 IAC 1-1-13; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-14 "Division director" defined

Authority: [IC 14-10-2-4](#)
Affected: [IC 14](#); [IC 25](#)

Sec. 14. "Division director" means the director of a division. (*Natural Resources Commission; 312 IAC 1-1-14; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-15 "Flood plain" defined

Authority: [IC 14-10-2-4](#)
Affected: [IC 14](#); [IC 25](#)

Sec. 15. "Flood plain" means the area adjoining a river or stream that has been or may be covered by flood water. (*Natural Resources Commission; 312 IAC 1-1-15; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-16 "Floodway" defined

Authority: [IC 14-10-2-4](#)
Affected: [IC 14](#); [IC 25](#)

Sec. 16. "Floodway" means:

- (1) the channel of a river or stream; and
- (2) the parts of the flood plain adjoining the channel that are reasonably required to efficiently carry and discharge the flood water or flood flow of a river or stream.

(*Natural Resources Commission; 312 IAC 1-1-16; filed Dec 1, 1995, 10:00 a.m.: 19 IR 657; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-17 "Ground water" defined

Authority: [IC 14-10-2-4](#)
Affected: [IC 14-25-7-3](#); [IC 25](#)

Sec. 17. (a) "Ground water" means, except as provided in subsection (b), all water that fills the natural openings made under the earth's surface. The term includes the following:

- (1) Underground watercourses.
- (2) Artesian basins.
- (3) Reservoirs.
- (4) Lakes.
- (5) Other bodies of water below the earth's surface.

(b) For purposes of [IC 14-25-7](#), "ground water" has the meaning set forth in [IC 14-25-7-3](#). (*Natural Resources Commission; 312 IAC 1-1-17; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-18 "Hearing officer" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 18. "Hearing officer" refers to a person or persons who conduct a hearing for a board or the department other than as an administrative law judge. (*Natural Resources Commission; 312 IAC 1-1-18; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-19 "Hunt" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 19. "Hunt" means to take a wild animal except by trapping. (*Natural Resources Commission; 312 IAC 1-1-19; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-19.5 "Includes" defined (Repealed)

Sec. 19.5. (*Repealed by Natural Resources Commission; filed Sep 6, 2018, 11:30 a.m.: [20181003-IR-312170553FRA](#)*)

312 IAC 1-1-20 "Individual" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 20. "Individual" means a human person. (*Natural Resources Commission; 312 IAC 1-1-20; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-21 "Lake" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14-8-2-259](#); [IC 14-15](#); [IC 14-26-2](#); [IC 14-26-3-1](#); [IC 25](#)

Sec. 21. (a) "Lake" means, except as provided in subsections (b) through (d), a reasonably permanent body of water substantially at rest in a depression in the surface of the earth, if both the depression and the body of water are of natural origin or part of a watercourse. If part of a watercourse, a lake may be formed by damming a river or stream.

(b) For purposes of [IC 14-15](#), "lake" means a natural or an artificial lake.

(c) For purposes of [IC 14-26-2](#), "lake" has the meaning set forth in [IC 14-26-2-1.5](#).

(d) For purposes of [IC 14-26-3](#), "lake" has the meaning set forth in [IC 14-26-3-1](#).

(e) In determining the shoreline or water line of a lake, the following are included:

(1) A bay or cove, except for a determination of a small lake as defined under [IC 14-8-2-259](#).

(2) A man-made channel connected to a public freshwater lake under 312 IAC 11-2-17, if the channel:

(A) existed on March 12, 1947;

(B) as a condition of a department license, was required to conform to [IC 14-26-2-9](#) (or, before their repeals, to conform to [IC 13-2-11-2](#) or [IC 13-2-11.1-5](#)); or

(C) was constructed without a department license required under [IC 14-26-2](#) (or, before their repeals, under [IC 13-2-11](#) or [IC 13-2-11.1](#)).

(3) If a lake has more than one (1) legal elevation, the highest legal elevation is used.

(Natural Resources Commission; 312 IAC 1-1-21; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); filed Nov 5, 2008, 2:27 p.m.: [20081203-IR-312080286FRA](#); errata filed Nov 24, 2008, 11:07 a.m.: [20081210-IR-312080286ACA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-22 "Law" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5-1-7](#); [IC 14](#); [IC 25](#)

Sec. 22. "Law" has the meaning set forth in [IC 4-21.5-1-7](#). *(Natural Resources Commission; 312 IAC 1-1-22; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))*

312 IAC 1-1-23 "License" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5-1-8](#); [IC 14-8-2-152](#); [IC 14-11-4](#); [IC 25](#)

Sec. 23. (a) Except as provided in subsections (b) and (c), "license" has the meaning set forth in [IC 4-21.5-1-8](#).

(b) For [IC 14-11-4](#) and 312 IAC 2-3, "license" has the meaning set forth in [IC 14-8-2-152](#).

(c) For 312 IAC 8, "license" has the meaning set forth in 312 IAC 8-1.5-13. *(Natural Resources Commission; 312 IAC 1-1-23; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); filed Aug 18, 2011, 11:38 a.m.: [20110914-IR-312100668FRA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))*

312 IAC 1-1-23.5 "Motorboat" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14-8-2-202.5](#); [IC 25](#)

Sec. 23.5. (a) "Motorboat" means a watercraft propelled by:

(1) an internal combustion, steam, or electrical inboard or outboard motor or engine; or

(2) any mechanical means.

(b) The term includes the following:

(1) A sailboat that is equipped with a motor or an engine described in subsection (a) when the motor or engine is in operation, whether or not a sail is hoisted.

(2) A personal watercraft as defined in [IC 14-8-2-202.5](#).

(Natural Resources Commission; 312 IAC 1-1-23.5; filed Jun 29, 2007, 2:32 p.m.: [20070725-IR-312060333FRA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-24 "Navigable" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5](#); [IC 14-29-1-2](#); [IC 25](#)

Sec. 24. (a) "Navigable" means a waterway that has been declared to be navigable or a public highway by one (1) or more of the following:

- (1) A court.
- (2) The Indiana general assembly.
- (3) The United States Army Corps of Engineers.
- (4) The Federal Energy Regulatory Commission.
- (5) A board of county commissioners under [IC 14-29-1-2](#).
- (6) The commission following a completed proceeding under [IC 4-21.5](#).

(b) To assist in the administration of this title, a "Roster of Indiana Waterways Declared Navigable or Nonnavigable" is published at DIN: [20211020-IR-312210433NRA](#). This roster is not dispositive of whether a waterway is or is not navigable. (*Natural Resources Commission*; 312 IAC 1-1-24; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); filed Mar 4, 2008, 12:31 p.m.: [20080402-IR-312070486RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#); errata filed Nov 1, 2022, 10:38 a.m.: [20221109-IR-312220335ACA](#))

312 IAC 1-1-25 "Order" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 25. "Order" means an action by the department (including a board, other than the commission, of the department) of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one (1) or more specific persons. (*Natural Resources Commission*; 312 IAC 1-1-25; filed Dec 1, 1995, 10:00 a.m.: 19 IR 658; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-26 "Ordinary high watermark" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 26. "Ordinary high watermark" means the following:

- (1) The line on the shore of a waterway established by the fluctuations of water and indicated by physical characteristics. Examples of these physical characteristics include the following:

- (A) A clear and natural line impressed on the bank.
- (B) Shelving.
- (C) Changes in character of the soil.
- (D) The destruction of terrestrial vegetation.
- (E) The presence of litter or debris.

- (2) Notwithstanding subdivision (1), the shore of Lake Michigan at five hundred eighty-one and five-tenths (581.5) feet I.G.L.D., 1985 (five hundred eighty-two and two hundred fifty-two thousandths (582.252) feet N.G.V.D., 1929).

(*Natural Resources Commission*; 312 IAC 1-1-26; filed Dec 1, 1995, 10:00 a.m.: 19 IR 659; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-27 "Person" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5-1-11](#); [IC 14-8-2-202](#); [IC 25](#)

Sec. 27. "Person", except as provided in [IC 14-8-2-202](#), has the meaning set forth in [IC 4-21.5-1-11](#). (*Natural Resources Commission*; 312 IAC 1-1-27; filed Dec 1, 1995, 10:00 a.m.: 19 IR 659; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-27.5 "State plane coordinate" or "SPC" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 32-19-1-1](#)

Sec. 27.5. "State plane coordinate" or "SPC" has the meaning set forth in [IC 32-19-1-1](#). (*Natural Resources Commission; 312 IAC 1-1-27.5; filed May 11, 2004, 9:00 a.m.: 27 IR 3065; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-28 "Surface water" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 28. "Surface water" means all water occurring on the surface of the ground. The term includes the following:

- (1) Water in a stream.
- (2) Natural and artificial lakes.
- (3) Ponds.
- (4) Swales.
- (5) Marshes.
- (6) Diffused surface water.

(*Natural Resources Commission; 312 IAC 1-1-28; filed Dec 1, 1995, 10:00 a.m.: 19 IR 659; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-29 "Ultimate authority" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 4-21.5-1-15](#); [IC 14](#); [IC 25](#)

Sec. 29. "Ultimate authority" has the meaning set forth in [IC 4-21.5-1-15](#). (*Natural Resources Commission; 312 IAC 1-1-29; filed Dec 1, 1995, 10:00 a.m.: 19 IR 659; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-29.3 "Universal transverse mercator" or "UTM" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#)

Sec. 29.3. "Universal transverse mercator" or "UTM" means UTM Zone 16, NAD 83, in meters. (*Natural Resources Commission; 312 IAC 1-1-29.3; filed May 11, 2004, 9:00 a.m.: 27 IR 3065; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#)*)

312 IAC 1-1-29.4 "Watercraft" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 29.4. "Watercraft" means any instrumentality or device in or by means of which a person may be transported upon the public water of Indiana. The term includes a motorboat, sailboat, rowboat, skiff, dinghy, or canoe:

- (1) of any length or size; and
- (2) whether or not used to carry passengers for hire.

(Natural Resources Commission; 312 IAC 1-1-29.4; filed Jun 29, 2007, 2:32 p.m.: [20070725-IR-312060333RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-29.5 "Waterway" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14](#); [IC 25](#)

Sec. 29.5. "Waterway" means:

- (1) a river;
- (2) a stream;
- (3) a creek;
- (4) a run;
- (5) a channel;
- (6) a ditch;
- (7) a lake;
- (8) a reservoir; or
- (9) an embayment.

(Natural Resources Commission; 312 IAC 1-1-29.5; filed Feb 7, 2000, 3:31 p.m.: 23 IR 1363; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))

312 IAC 1-1-30 "Wild animal" defined

Authority: [IC 14-10-2-4](#)

Affected: [IC 14-22-38-6](#); [IC 25](#)

Sec. 30. (a) "Wild animal", except as provided in subsection (b), means an animal whose species usually:

- (1) lives in the wild; or
- (2) is not domesticated.

(b) For the purposes of [IC 14-22-38-6](#), "wild animal" has the meaning set forth in [IC 14-22-38-6](#). *(Natural Resources Commission; 312 IAC 1-1-30; filed Dec 1, 1995, 10:00 a.m.: 19 IR 659; readopted filed May 8, 2001, 3:51 p.m.: 24 IR 2895; readopted filed May 29, 2007, 9:42 a.m.: [20070613-IR-312070111RFA](#); readopted filed Sep 19, 2013, 10:13 a.m.: [20131016-IR-312130169RFA](#); readopted filed Mar 26, 2019, 3:40 p.m.: [20190424-IR-312190006RFA](#))*

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