

WYOMING Public Land



GUIDE

Public Land

Q What is Public Land?

Federal Land

For purposes of this brochure, public land means any land managed by either the

***Bureau of Land Management,
U.S. Department of the Interior***

or by the

***Forest Service,
U.S. Department of Agriculture
(National Forests and National Grasslands)***

These lands are generally open to public recreational use, including hunting and fishing, subject to the regulations of the managing agency.

Wyoming is a mixture of public, state and private land, each with different laws and regulations. So, use common sense. Know where you are at all times. Ask first before entering private land. Observe signs and posted areas. Avoid travel that will cause damage to the land. Don't litter. Leave all gates the way you found them.

***In other words...be a good neighbor.
Respect both public and private land.***

State Land

Almost all of the 3.8 million acres of Wyoming's state-owned lands are "trust lands." "Trust lands" are managed to produce income for the state's schools and public institutions.

In general, state lands, other than cultivated croplands, are available for public hunting, fishing and casual recreational day uses. The lands must have legal access, and public users must comply with the regulations of the Wyoming Board of Land Commissioners (Board). These regulations prohibit any off-road motor vehicle use, overnight camping, or open fires. Activities which would damage state lands, roads, improvements or lessee property interests are also prohibited. Motor vehicle use is restricted to established roads. Established roads as defined by the Board means any roads or trails which have been graded or constructed to carry vehicular traffic, or on which repeated vehicular traffic has created well defined tracks. The Board may close specific State land roads and areas to public use on a permanent, temporary, or seasonal basis. While lessee permission is not required to use legally accessed state lands, public users are encouraged to notify state grazing lessees as a courtesy, whenever it is reasonably possible to do so.



Q What are the rights of the public to cross private lands to access public land?

The public may cross private lands to access public lands when a public road or right-of-way (easement) for public access exists across the private lands. In all other circumstances, the public must first obtain permission from the landowner to cross private lands. The landowner is not obligated to grant such permission.

Q What does the law say with regard to corner crossing?

There are no specific state or federal laws regarding corner crossings. Corner crossings in the checkerboard land pattern area or elsewhere are not considered legal public access.

Q Do public lands in the checkerboard or in other intermingled land ownership areas have public access?

Public access to public lands is often limited in the checkerboard and in other public and private intermingled land ownership areas in Wyoming. If there is a public road or a right-of-way (easement) for public access through the checkerboard or intermingled land, then the public has legal access to the public land crossed by the public road.



Q What are the rights and privileges of lessees and permittees on federal lands?

Federal grazing leases or permits authorize livestock grazing on public lands. Like any other private landowner, a federal grazing lessee or permittee can control access across his private property.

A private landowner holding a grazing lease or permit from the BLM or Forest Service does not have to allow or provide public access across his private property as a condition of the lease or permit.

Permittees have no authority to control access on or use of public land, nor can permittees restrict travel over a public road or a road with an easement that allows public travel. Lessees and permittees are not allowed to charge the public for the privilege of using public lands.

In addition to federal grazing leases, both BLM and the Forest Service authorize a variety of other uses with a number of different types of authorizations. In general, holders of these authorizations may not exclude the public from the public lands within their lease or permit area, if appropriate public easements exist. They do have the right to exclude the public from entering any buildings they may have been authorized to construct under the terms of their authorization. Additionally, some areas may be closed to public entry by order of the federal land management agency. An example of this is a mining operation that has been closed for reasons of public safety.

Q What are the rights and privileges of lessees and permittees on state lands?

Lessees on state lands have specific rights and privileges under their leases, such as using the land for grazing and agricultural purposes. There are also special-use leases issued for non-agricultural purposes on state land. **A state lessee does not have to allow or provide public access across his private property as a condition of the lease.**

Lessees, and others, are not allowed to charge for or receive payments from persons engaged in hunting, fishing or other recreational use of state lands, unless specifically authorized to do so under a special use lease or other Board authorization. Lessees cannot exclude the public from legally accessible state land, other than cultivated cropland, unless the land has been closed by the Board. However, lessees do have a legitimate and legal interest in protecting the forage they lease, protecting the condition of and improvements placed on state lands, and protecting their livestock. If public use privileges are abused or lessee interests damaged, public uses of state lands will be restricted by the Board. Any closure or posting of state lands must be approved by the Board.

Lessees and permittees on land owned by the Wyoming Game and Fish Commission and the Division of State Parks and Historic Sites do not have the right to exclude the public from their lease and permit area.

Q Do rivers and streams offer legal access to public lands?

Boating or floating rivers and streams is allowable to access public lands, but any use of the stream bed or bank itself, while on private lands, is restricted to incidental contact necessary to dislodge the boat or circumvent hazards. All other uses of private land are strictly prohibited without permission of the private landowner.

Q Can a wounded animal be pursued onto private land?

Wounded animals may only be pursued onto private land with the permission of the private landowner.



Q What are the State of Wyoming's trespass laws?

Two separate Wyoming Statutes pertain to public trespass:

1. W.S. 6-3-303 Criminal trespass:

(a) *A person is guilty of criminal trespass if he enters or remains on or in the land or premises of another person, knowing he is not authorized to do so, or after being notified to depart or to not trespass. For purposes of this section, notice is given by:*

(i) Personal communication to a person by the owner or occupant, or his agent, or by a peace officer; or

(ii) Posting of signs reasonably likely to come to the attention of intruders.

(b) *Criminal trespass is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750), or both.*



2. W.S. 23-3-305 Hunting from highway; entering enclosed property without permission; hunting at night without permission prohibited:

- (a) No person shall hunt, shoot, or attempt to kill any wildlife from any public road or highway.*
- (b) No person shall enter upon the private property of any person to hunt, fish, or trap without the permission of the owner or person in charge of the property.*
- (c) No person shall fire any firearm from, upon, along, or across any public road or highway.*
- (d) No person knowingly shall fire any rifle from the enclosed lands of one person onto or across the enclosed lands of another without the permission of both persons.*
- (e) No person shall hunt at night upon privately owned or leased lands except with written permission of the landowner or lessee.*

Violation of this statute is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than four hundred dollars (\$400), or both.



Q What recourses are available if access problems arise?

Federal Agencies

Immediately report the incident to the nearest Forest Service, Wyoming Game and Fish, or BLM field office with all the specifics of the incident, particularly the exact location where the incident occurred. BLM uses an "Access Problem Identification Form" to document access problems on public lands. A copy of this form is available at all BLM offices identified in this brochure. If you do not have a copy of this form, please note the location (i.e., legal description) of problem, describe the incident, and mail this information along with your name and address to the nearest BLM or Forest Service Office. This form can also be found on Wyoming BLM's web site www.wy.blm.gov.



State Agencies

The Office of State Lands and Investments will investigate state land access related problems and complaints which involve actions that are either illegal or contrary to the Board's regulations and lease terms. If the problem/complaint can be documented and verified, the parties involved will be contacted and requested to immediately correct the situation. Non-compliance with lease terms and related Board regulations is grounds for lease cancellation. Non-compliance with the Board's public use rules, such as off-road vehicle use and vandalism or property damage on state lands, is grounds for arrest by any duly authorized peace officer and for prosecution under pertinent Wyoming statutes.



Q What is a public road?

Federal Lands

For purposes of this handbook, a public road is any road which is under the jurisdiction of the Federal Highway Administration, the State Highway Department, a county, a municipal government, or identified or maintained by one of the land management agencies discussed in this brochure. These roads are open to public travel unless closed by order of the agency having jurisdiction. Roads may be closed or use restricted to protect public health and safety or to preserve resources.

State Lands

On state land, public roads are only those roads identified and maintained as state, federal, or county roads. These roads are constructed on easements or rights-of-way which provide for public use. Other established roads on state land as defined by the Board are available for use by persons engaged in hunting, fishing and casual recreational use, unless closed by order of the Board. Such roads may be closed to prevent resource damage, to protect other authorized uses, or to protect public health and safety.



Q How can public roads be identified and located?

State and some county roads are shown on the official Wyoming State Highway Map. Public roads under the jurisdiction of land management agencies are less easy to identify. Public roads can normally be identified by signs posted on the ground or on Forest Service or BLM recreation maps. Topographic maps published by the U.S. Geological Survey show all roads that physically exist, and these maps may not differentiate between private and public roads. ***Unless a public agency acquires a right-of-way for the road across private land, a private landowner may close the road at any time, may be selective in who is allowed to use the road, or may charge a fee for use of the road.*** If you have any questions about whether or not a road is a public or a private road make an inquiry at the local land managing agency office to avoid being denied access on a private road.



Q What are travel management policies and practices of public agencies on roads?

Federal Lands

The majority of BLM and Forest Service roads that provide public access are open to vehicle use. However, the BLM and the Forest Service may regulate the use of all roads and lands under its jurisdiction to accomplish specific land management objectives, to protect resources, or for public safety. Road management may include restricting vehicle travel to designated travel ways, either during specific periods of time, or for all year. It may include closing areas to specific modes of travel or specific types of vehicles. It may mean that a particular road is closed to vehicular access but is open to non-motorized uses. Ideally restrictions should be posted with signs on the ground. Road closures or restrictions are usually announced in local newspapers and news media. Information and maps showing restrictions are always available at local BLM or Forest Service offices, and the public can find out which BLM or Forest Service roads are open for public use by contacting the nearest BLM or Forest Service office.



State Lands

Motor vehicle use on state land for recreation purposes is restricted to public roads and other established roads as defined by the Board. No off-road motor vehicle use is allowed. No new roads or extensions of existing roads may be created without specific Board authorization. The Board may restrict the use of certain established roads, or close such roads entirely. Such restrictions and closures will be posted at the direction of the Board.

Game and Fish Department

The majority of roads on lands owned by the Game and Fish Department are open for public use. Travel is restricted to established roads and some roads may be regulated for resource protection.

Q What is a prescriptive right?

Under Wyoming state law, a prescriptive right-of-way may exist when use of a road has been open and notorious, adverse and continuous for 10 years. A prescriptive right can only be confirmed through court action. Prescriptive rights do not attach to state or federal lands.



Q What are the access acquisition management policies of federal agencies?

BLM

The Bureau of Land Management's policy is to acquire legal public access to larger blocks of public land that have high value for public recreation and use. In areas where there are intermingled public and private lands, it is not always practical nor feasible for the government to secure public access to *all* public land. BLM may acquire public access either by buying easements from willing private landowners or by exchanging lands to obtain public access. The BLM has authority to condemn rights-of-way for public access; however, the need for such action must be well justified, and the landowner must be paid just compensation.



Forest Service

The Forest Service policy is to acquire, on a priority basis, rights-of-way needed to provide reasonable access to the National Forests and National Grasslands. Many roads that provide access to these lands may have been open to the public, courtesy of the landowner, for years.

The Forest Service does have authority to condemn rights-of-way for public access. The need for such action must, however, be well justified, and the landowner must be paid just compensation.



Q What are the access acquisition management policies of state agencies?

Access is acquired and developed for necessary state land management purposes on an as needed, case-by-case basis. The Office of State Lands and Investments also cooperates with other state, local and federal entities in the acquisition, development and management of access to state and federal lands.



The Wyoming Game and Fish Department has active programs to provide public access for hunting and fishing. The Department has both long- and short-term access easements that are used depending on public demand, wildlife use, management decisions and landowner cooperation. Short-term easements are handled through the Private Lands Public Wildlife (PLPW) Access Program. The PLPW Access Program enters into agreements with private landowners to allow hunting and/or fishing access from 1-5 years through either Hunter Management or Walk-in areas.

Many of the larger easements allow vehicular access, but the smaller Walk-in Areas are limited to foot traffic only. Identify the area you are interested in using to be sure of the rules and regulations associated with that particular area. For information concerning either Walk-in or Hunter Management Areas, consult the G&F web site at <http://gf.state.wy.us> under Public Access – Private Lands Public Wildlife or contact a G&F office.

The Department also purchases lands for wildlife habitat management areas. These lands are open to public use but may have some seasonal or site specific restrictions to protect wildlife resources. Game and Fish Department access areas are marked with informational signs and permission is not required from lessees or permittees.



INFORMATION

Bureau of Land Management Offices

Wyoming State Office

5353 Yellowstone Road
P.O. Box 1828
Cheyenne, WY 82003-1828
(307) 775-6256

Newcastle Field Office

1101 Washington Boulevard
Newcastle, WY 82701-2968
(307) 746-6600

Buffalo Field Office

1425 Fort Street
Buffalo, WY 82834-2436
(307) 684-1100

Pinedale Field Office

432 East Mill Street
P.O. Box 768
Pinedale, WY 82941-0768
(307) 367-5300

Casper Field Office

2987 Prospector Drive
Casper, WY 82604-2968
(307) 261-7600

Rawlins Field Office

1300 North Third
P.O. Box 2407
Rawlins, WY 82301-2407
(307) 328-4200

Cody Field Office

1002 Blackburn
Cody, WY 82414-8464
(307) 578-5900

Rock Springs Field Office

280 Highway 191 North
Rock Springs, WY 82901-3447
(307) 352-0256

Kemmerer Field Office

312 Highway 189 North
Kemmerer, WY 83101-9711
(307) 828-4500

Worland Field Office

101 South 23rd
P.O. Box 119
Worland, WY 82401-0119
(307) 347-5100

Lander Field Office

1335 Main
P.O. Box 589
Lander, WY 82520-0589
(307) 332-8400



U.S. Forest Service Offices

Ranger District Offices

Ashley National Forest
355 North Vernal Avenue
Vernal, UT 84078
(435) 789-1181

Flaming Gorge (NRA)
(435) 784-3445

Big Horn National Forest
2013 Eastside 2nd Street
Sheridan, WY 82801
(307) 674-2600

Powder River
(307) 684-1100
Medicine Wheel/Paintrock
(307) 548-6541
Tongue
(307) 674-2600

Black Hills National Forest
25401 North Highway 16
Custer, SD 57730-9501
(605) 673-9200

Bearlodge
(307) 283-1361
Hell Canyon (Custer/Elk Mtn)
(307) 746-2782

Bridger-Teton National Forest
P.O. Box 1888
Jackson, WY 83001
(307) 739-5500

Big Piney
(307) 276-3375
Blackrock Ranger Station
(307) 543-2386
Greys River
(307) 886-3166
Jackson
(307) 739-5400
Kemmerer
(307) 877-4415
Pinedale
(307) 367-4326

Caribo -Targhee
1405 Hollipark Drive
Idaho Falls, ID 83101
(208) 524-7500

Soda Springs
(208) 547-4356
Montpelier
(208) 847-0375
West Side/Malad
(208) 766-4743
Ashton/Island Park
(208) 652-7442
Teton Basin
(208) 354-2312

Medicine Bow-Routt National Forest
(including Thunder Basin National Grasslands)
2468 Jackson Street
Laramie, WY 82070-6535
(307) 745-2300

Brush Creek/Hayden
(307) 326-5258
(307) 327-5481
Laramie
(307) 745-2300
Douglas & Thunder Basin National Grassland
(307) 358-4690

Shoshone National Forest
808 Meadow Lane
Cody, WY 82414-4516
(307) 527-6241

Washakie
(307) 332-5460
Wind River
(307) 455-2466
Clarks Forks
(307) 527-6921
Greybull
(307) 527-6921
Wapiti
(307) 527-6921

Wasatch-Cache National Forest
8236 Federal Building
125 South State Street
Salt Lake City, UT 84138
(801) 524-3900

Evanston
(307) 789-3194

Wyoming Game & Fish Department

Cheyenne State Headquarters

5400 Bishop Boulevard
Cheyenne, WY 82006
(307) 777-4600

Casper Region Office

3030 Energy Lane, Suite 100
Casper, WY 82604
(307) 473-3400

Cody Region Office

2820 State Highway 120
Cody, WY 82414
(307) 527-7125

Green River Region Office

351 Astle
Green River, WY 82935
(307) 875-3223

Jackson Region Office

420 North Cache
Jackson, WY 83001
(307) 733-2321

Lander Region Office

260 Buena Vista
Lander, WY 82520
(307) 332-2688

Laramie Region Office

528 South Adams
Laramie, WY 82070
(307) 745-4046

Pinedale Region Office

117 South Sublette Avenue
Pinedale, WY 82941
(800) 452-9107

Sheridan Region Office

700 Valley View Drive
P.O. Box 6249
Sheridan, WY 82801
(307) 672-7418



Other State Agencies

Wyoming State Land and Farm Loan Office

Herschler Building 3rd floor, West
122 West 25th Street
Cheyenne, WY 82002-0600
(307) 777-7331

Division of State Parks and Historic Sites

Department of Commerce

Herschler Building, 1st floor, NE
122 West 25th Street
Cheyenne, WY 82002-0600
(307) 777-6323

*This brochure was developed in
cooperation with the following agencies:*

***U.S. Department of Agriculture
Forest Service***

***U.S. Department of the Interior
Bureau of Land Management***

Wyoming State Land Office

Wyoming Game and Fish Department

Wyoming State Parks and Historic Sites

Wyoming State Planning Coordinator's Office

