

So a minimum number of acres of water can produce many hours of productive fishing.

Steps - The major steps involved in leasing a pond are 1) locating the individual or group of individuals that plan to lease the fishing rights, 2) establishing the terms of the lease, and 3) drawing up the written lease.

Interested parties can be contacted through word of mouth or through newspaper or magazine advertisements. The amount of effort and money that is expended in locating possible lessees for the property should depend upon the quality of the fishery and the location and visual attractiveness of the pond. These factors will also determine the value of the lease. A trophy bass fishery, in close proximity to a large metropolitan area, and at an attractive site will bring top dollar. An adequate effort should be expended to ensure that the best price is obtained by the property owner.

The lease should spell out exactly what each party gets. In particular, who will have access/fishing rights to the pond, how long the lease will be in force, the price per year, under what conditions the lease can be broken, any fishing limits or regulations that are to be followed, other privileges that are included in the price such as camping or swimming, what management practices will be followed (i.e. aquatic weed control, lake drawdown, and stocking) and who will provide the cost of seeing the work through, what privileges will be retained by the owner, and the terms of liability. A lease similar to that used for hunting could be used to draw up a fishing lease.

The lease should be drawn up with the advice of an attorney, fisheries biologist, or other professionals. The lease can be an informal agreement that is not written down if the two parties know and trust each other. In most cases, however, a written lease is **recommended**.

While the sample fishing lease printed on page 8 contains most of the possible terms and contingencies of an agreement, it is recommended that an attorney be consulted when the document is drafted. Two copies of the lease should be prepared and signed, one for the pond owner and one for the lessee.

Cost and returns - The major costs to the pond owner will be in locating a suitable lessee and having the lease drawn up. Advertisement costs can be highly variable. The cost of having the lease prepared by an attorney should be minimal. Any work requested by the lessees should be paid for by the lessees.

Monetary returns vary substantially from less than \$100 per year to almost \$100,000 per year. A 3,600-acre reservoir in east central Florida currently leases for \$85,000 per year. Access is limited to 60 individuals. The amount of the lease increases each year with the CPI (Consumer Price Index), not to exceed a 5% increase in any one year. The members must jointly pay for liability insurance. Any improvements made to the site should increase the property value for the owner.

Advantages and disadvantages - A long-term lease can be of quite an advantage for the landowner. The pond owner needs only to deal with one or several individuals on an occasional basis, minimizing his labor. The landowner will have someone on the property looking after it, decreasing problems with theft, vandalism and fire. This should be particularly appealing to absentee landowners. Often the lessee will "post" the land for the landowner which serves to limit trespassing problems. The pond owner can also require the lessees to pay for liability insurance.

One disadvantage to this form of fee fishing is that not all ponds have suitable fisheries, locations, or aesthetics to interest someone in desiring to lease the fishing rights. Leased lakes also tend to be larger in size than what many land owners have available on their property, thus restricting this form of fee fishing to landowners who own large ponds.

Day leasing

An aesthetically-pleasing pond or one that offers good fishing tends to attract the interest of local fishermen. Many fishermen will ask the land owner for the right to fish such a pond, while others may trespass to gain access. Such an "attractive nuisance" may be considered a liability, but such a situation can be turned into an alternative source of income. Instead of allowing free fishing for all, a pond owner can charge a nominal fee for a day of fishing. Hence, the term "day leasing". Family and friends can still be allowed free access to the pond. A number of ponds, particularly in north Florida are operated in such a manner. Ponds located near travel trailer parks and overnight camping areas may attract a number of non-resident fishermen.

Ponds of at least an acre in surface area, but commonly upwards of 5 to 10 acres in size are good prospects for day leasing. Most are located in close proximity to a public road and have good visibility to individuals travelling by. Harvest by fishermen relies primarily on natural production of the pond.