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NEWS: FOR IMMEDIATE RELEASE

North Dakota Land Board Announces Full Completion of Missouri River Acreage Adjustment Project

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BISMARCK, N.D. (DEC. 19, 2022) – The North Dakota Board of University and School Lands (Land Board) today announced full completion of the Missouri River Acreage Adjustment Project, which in total returned a net of approximately \$130 million to North Dakota private mineral owners and oil and gas operators. Part I of the project totaled \$120 million and was completed earlier this year. Part II totaled \$10 million and was completed last week.

The project involved adjusting the acreage of state-issued oil and gas leases to align with the newly established Missouri River ordinary high-water mark (OHWM) west of the Fort Berthold Indian Reservation, as determined by a survey commissioned by the North Dakota Legislature in 2017. The OHWM delineates the boundary of state/private ownership on both sides of the river.

“We are pleased to announce full completion of this project 11 months ahead of the required deadline. This finalizes a major initiative directed by the Legislature which provides clarity for the delineation of the Missouri River OHWM in the survey area and injects tens of millions of dollars back into the North Dakota economy through private mineral owners and oil and gas operators,” said Gov. Doug Burgum, who chairs the five-member Land Board. “The Board would again like to thank the North Dakota Department of Trust Lands team for their diligent work and the North Dakota oil and gas industry for their collaboration through this large and complex project.”

At statehood, under the constitutional legal principle called the “equal footing doctrine,” North Dakota was granted ownership of all lands, including minerals, under navigable waters up to the historical OHWM. Over the years, there have been numerous disputes about the exact location of the OHWM at various points along the Missouri River. In 2017, the Legislature commissioned a new survey to determine the OHWM of the river west of the Fort Berthold reservation. The statute also required the Board to work with oil and gas operators to adjust state leases, and their related revenues, to reflect the new acreage ownership as determined by the survey.

The total project included 510 oil and gas leases covering 39,500 mineral acres. It was broken into two parts: Part I encompassed most of the project, covering 463 leases east of State Highway 85. Part II was much smaller, covering 47 oil and gas leases west of Highway 85.

The five-member Land Board consists of Burgum, State Superintendent Kirsten Baesler, State Treasurer Thomas Beadle, Secretary of State Al Jaeger and Attorney General Drew Wrigley.

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