

## MANAGEMENT OF SOVEREIGN LANDS

North Dakota Century Code § 61-33-05 states the State Engineer shall “manage, operate, and supervise” Sovereign Lands. The State Engineer has adopted administrative rules (Administrative Code § 89-10) to create a framework to follow legislative directives in the management of North Dakota’s Sovereign Lands.

Oil, gas, and related hydrocarbons beneath Sovereign Lands are administered by the North Dakota Department of Trust Lands.

## REVIEW PROCESS FOR A SOVEREIGN LAND PERMIT

The permit applicant is responsible for obtaining any other local, state, or federal permits or permissions that may be necessary prior to construction of a project on Sovereign Land. During the review process, the following entities are informed about the Sovereign Land Permit Application and solicited for comments on the project:

- Local County Water Resource Districts
- North Dakota Department of Health
- North Dakota Game and Fish
- State Historical Society of North Dakota
- North Dakota State Parks and Recreation
- United States Army Corps of Engineers
- United States Fish and Wildlife Service
- Other agencies, private entities, or landowner associations as appropriate, or required by law

## ADDITIONAL INFORMATION ABOUT NORTH DAKOTA’S SOVEREIGN LAND PROGRAM

### NORTH DAKOTA STATE WATER COMMISSION WEBSITE

[www.swc.nd.gov/reg\\_approp/sovereignlands/](http://www.swc.nd.gov/reg_approp/sovereignlands/)

### APPLY ONLINE FOR A SOVEREIGN LAND PERMIT

[www.swc.nd.gov/pdfs/sovereign\\_land\\_app.pdf](http://www.swc.nd.gov/pdfs/sovereign_land_app.pdf)

### SOVEREIGN LAND MANAGEMENT PLAN

[www.swc.nd.gov/pdfs/sovereign\\_land\\_management.pdf](http://www.swc.nd.gov/pdfs/sovereign_land_management.pdf)

### NAVIGABILITY REPORT

[www.swc.nd.gov/pdfs/navigability\\_report.pdf](http://www.swc.nd.gov/pdfs/navigability_report.pdf)

### ORDINARY HIGH WATER MARK DELINEATION GUIDELINES

[www.swc.nd.gov/pdfs/ordinary\\_high\\_water.pdf](http://www.swc.nd.gov/pdfs/ordinary_high_water.pdf)

## FOR MORE INFORMATION

Please Contact  
The Sovereign Land Management Team:

(701) 328-4935

- or -

(701) 328-4988

[sovereignlands@nd.gov](mailto:sovereignlands@nd.gov)

[www.swc.nd.gov](http://www.swc.nd.gov)

# SOVEREIGN LAND PERMITS



NORTH DAKOTA  
OFFICE OF THE STATE ENGINEER

## UNDERSTANDING SOVEREIGN LANDS

North Dakota's **SOVEREIGN LANDS** are those areas, including the beds and islands, lying within the ordinary high watermark of navigable lakes and streams. Sovereign Lands are publically-owned lands that are managed for the benefit of the citizens of the state.

## STATE NAVIGABLE WATERS

**NAVIGABLE WATERS** are those waters that were in fact navigable at the time of statehood. This means that they were used, or were susceptible to being used in their ordinary condition as highways for commerce, over which trade and travel was, or may have been conducted in the customary modes of trade on water.

\* North Dakota considers the following waters navigable as of January 2017 (*subject to change*):

- Missouri River
- Cannonball River
- James River
- Yellowstone River
- Sheyenne River
- Devils Lake
- Pembina River
- Lake Metigoshe
- Mouse River
- Painted Woods Lake
- Red River of the North
- Sweetwater Lake
- Bois De Sioux
- Upper Des Lacs Lake
- Knife River
- Long Lake (Bottineau County)
- Heart River

## ORDINARY HIGH WATER MARK

**ORDINARY HIGH WATER MARK** is that line on navigable waters below which the action of the water is frequent enough either to prevent the growth of vegetation, or to restrict its growth to predominantly wetland species. Islands in navigable waters are considered to be below the ordinary high watermark in their entirety.

# Do I Need A **SOVEREIGN LAND** Permit (SLP)?

