

NORTH DAKOTA DEPARTMENT OF WATER RESOURCES

PUBLIC NOTICE OF PRELIMINARY FINDING AND OPPORTUNITY TO PROVIDE COMMENT ON THE NAVIGABILITY OF THE FOLLOWING NORTH DAKOTA WATERS:

BOIS DE SIOUX RIVER, MISSOURI RIVER, MOUSE RIVER, RED RIVER, UPPER DES LACS LAKE, AND YELLOWSTONE RIVER

The North Dakota Department of Water Resources (Department) hereby provides notice that pursuant to North Dakota Century Code (N.D.C.C.) § 61-33-05.1(2) it is soliciting public comment on the preliminary navigability findings (made under N.D.C.C. § 61-33-05.1(1)) of the following North Dakota waters (Waters):

- Bois De Sioux River
- Missouri River
- Mouse River
- Red River of the North
- Upper Des Lacs Lake
- Yellowstone River

1. Mailing and E-Mail addresses where public comments may be sent

North Dakota Department of Water Resources
C/O Regulatory Division
1200 Memorial Highway
Bismarck, ND 58504
sovereignlands@nd.gov

2. Body of Water(s) for Finding of Navigability

The Department solicited a study of the Waters for their potential for being used for commerce, or susceptible for being used for commerce, in their condition at the time North Dakota became a state (1889). Below is a summary of the preliminary navigability findings.

Bois De Sioux River

All portions of the Bois De Sioux River within the state of North Dakota.

Missouri River

All portions of the Missouri River within the state of North Dakota.

Mouse River

All portions of the Mouse River within the state of North Dakota.

Red River of the North

All portions of the Red River of the North within the state of North Dakota.

Upper Des Lacs Lake

All portions of Upper Des Lacs Lake within the state of North Dakota.

Yellowstone River

All portions of the Yellowstone River within the state of North Dakota.

3. Public Hearing

The Department will conduct a public hearing at 9 AM on July 14, 2026, at the Lewis & Clark Room No. 238 at the Bank of North Dakota (1200 Memorial Highway, Bismarck, ND 58504). A virtual option will also be available at www.dwr.nd.gov.

Each of the Waters will get at least 15 minutes and up to an hour of public comment, with a break from 12 PM to 1 PM central for lunch. Each waterbody will have a hearing open and closed in the order presented in this notice. If no members of the public in-person or virtual provide comment within a 15-minute period, the hearing for that particular waterbody will be closed and the next waterbody comment hearing will be opened.

4. Public Hearing Purpose

The purpose of the public hearing is to provide the public with an opportunity to provide comment to the Department on the draft determinations of navigability prior to making a final determination of navigability. The Department welcomes all comments that will aid in the Department's final determination of navigability on all segments of the Waters under consideration.

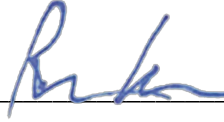
If a waterbody is determined to be navigable, the area within the ordinary high water mark of the navigable water body is held in trust by the State of North Dakota for the people of North Dakota.

5. Availability of Preliminary Finding Documentation

The Department's preliminary finding of navigability for the Waters are available on the Department's website at www.dwr.nd.gov.

Dated the 11th of May, 2026

North Dakota Department of Water Resources



Reice Haase, Director