



# Boppre Law Firm

## NEWSLETTER

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### OUR MISSION STATEMENT

The Boppre Law Firm's mission is to provide high quality legal services and keep pace with and to anticipate the needs of existing and potential business and individual clients. We are North Dakota attorneys, serving in a manner that adheres to the highest standards of excellence and integrity, in a timely manner, at fees that our clients are willing and able to pay and that are fair to our firm. In pursuit of this mission, we will hold to these values: Excellence - we strive to become one of the most sought-after providers of legal services in this region; Service - we endeavor to meet or exceed the expectations of our clients in all aspects of their legal representation. Community - we will pursue our belief that individuals with a sense of family and community and with interests outside the practice of law are better for it.



# Team Spotlight

## Get to know Anthony!

Hi, I'm Attorney Anthony Cooper!

I hold a Juris Doctor from the University of North Dakota School of Law, and Bachelor of Science in Liberal Arts from Excelsior College, Albany, New York. While in law school, I interned at the Minot Public Defender's Office. I became a North Dakota licensed attorney in April 2020.

I am a 26-year United States Air Force Veteran who specialized in Computer Systems. I served in many leadership positions and received several outstanding leadership awards during my long career. As a result, I bring a unique, well-rounded perspective that is well suited to our clients' needs.

My wife, Kim, and I have been married for almost thirteen years and have two children. I have lived in the Minot community since 2006 and serve as a deacon and children's Sunday School teacher for a local church. In my spare time I enjoy spending time with friends and family, camping, playing soccer, and running.



*"Let us all be the  
leaders we wish we  
had."*

*-Simon Sinek*

# Mineral Rights

## Your Questions Answered

### **What are mineral rights?**

Real property can be divided into two parts: surface interests and mineral interests. In North Dakota, mineral interests mean an interest in the “oil, gas, coal, clay, gravel, uranium, and all other minerals of any kind and nature.”

### **How do mineral rights work?**

Minerals can be “severed” from the surface by reserving minerals when transferring land. This means that the same party does not necessarily have to own both the surface of a piece of land as well as the minerals. In fact, it is very common in North Dakota for one party to own the surface and many other parties to own the minerals.

### **How long do mineral interests last?**

Mineral interests last indefinitely as long as they are not abandoned. Minerals are considered abandoned when they have not been used or claimed for twenty or more years. Minerals are “used” when some type of activity such as production, leasing, or conveying occurs under North Dakota law.

A mineral interest owner can also assert their ownership by recording a document known as a Statement of Claim. This protects the mineral interests from being deemed abandoned, even if they are unused, for up to twenty years.

### **Can mineral interests be lost?**

As discussed above, if mineral interests are unused or unclaimed for more than twenty years, they are considered abandoned. A surface landowner can initiate a court action to gain ownership of abandoned minerals under their land. Mineral owners do have the opportunity to respond to this action; however, in many cases, the rightful owners of mineral interests might not even be aware of their existence.

### **Searching for mineral rights records:**

Clients often are unsure what mineral rights they or their family might own. When this occurs, we work with the client to search for recorded deeds or other mineral rights records to help shed light on the situation. Sometimes we also enlist the assistance of third party landmen to help us out and search for mineral rights records in various counties throughout North Dakota or even perform mineral title opinions to determine exactly who owns what and how much.

### **The value of mineral rights:**

We also turn to landmen for assistance when a client wants to know the value of mineral rights. We often need to determine the value of mineral rights for an estate during the probate process. Landmen examine where the minerals are located, how much the client owns, the price of oil, and other factors in order to provide us with an appraisal of the their value.

### **How can I get mineral rights?**

For a surface owner, the court action for abandoned minerals discussed above is one option to obtain mineral rights. Many are passed down through families, either deeded directly or obtained through the probate process.

### **What if I'm not a surface owner and my family doesn't own minerals - Can I buy mineral rights?**

It is absolutely possible to purchase mineral rights if you are able to find an owner who is selling! Many individuals recognize the value of minerals and so it can be challenging to find mineral rights for sale, particularly in the highest oil-producing counties in western North Dakota. Nevertheless, it is absolutely possible to purchase them.



**What if I want to sell my oil rights:**

Again, many people recognize the value of mineral rights and if your minerals are in a prime producing location, you could very likely find interested buyers. The sale or purchase of mineral rights can be handled similarly to the sale of any other real property. The first step is to confirm exactly what you own—you do not want to inadvertently sell something that is not actually yours! A mineral title opinion and appraisal would be a good place to start: this process will tell you exactly what you own and what it is worth. You could then proceed with a purchase agreement and, finally, you would sign a deed, conveying your mineral interests to the buyer.

**What is a mineral deed?**

A mineral deed is very similar to any other deed for real property but, instead of conveying surface property, it conveys the mineral interests below the listed legal description. A mineral deed conveys the “oil, gas, coal, clay, gravel, uranium, and all other minerals of any kind and nature” from the Grantor (current owner) to the Grantee (new owner). Because there can be many different owners of the minerals in the same legal description, a mineral deed can only transfer whatever interests are owned by the Grantor of the deed.

**This is a lot to understand...**

***Can you help me?***

Absolutely! Mineral rights can be very challenging, which is why we're here to help! Whether you need to protect minerals you already have, find out if you do have minerals, or buy, sell, or convey minerals, we can point you in the right direction. We have successfully assisted clients with their mineral interests located all throughout North Dakota. Please feel free to give us a call to find out how we can be of assistance!

Check us out online or give us a call to speak with one of our attorneys and let us serve you.

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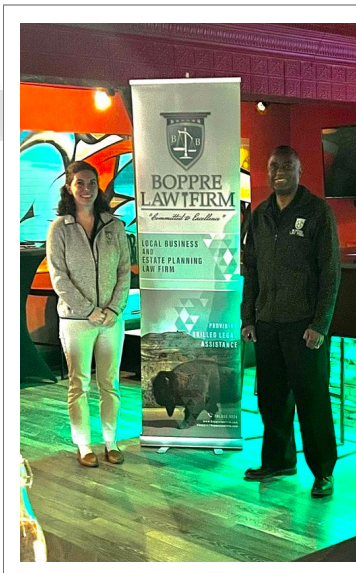
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**BOPPRE  
LAW FIRM**



# Out in the Community



We hosted our Wills & Wine at 10 North Main



Brian attended the 2nd annual Trinity Health Foundation Gala with his wife Deb and several others for a wonderful evening!

# Other Office News

## Work Anniversaries this Quarter

*Congratulations, everyone! You are so invaluable to the firm!*



**Anthony's 3rd Year  
as an Attorney!**



**Darla's 4-Year**



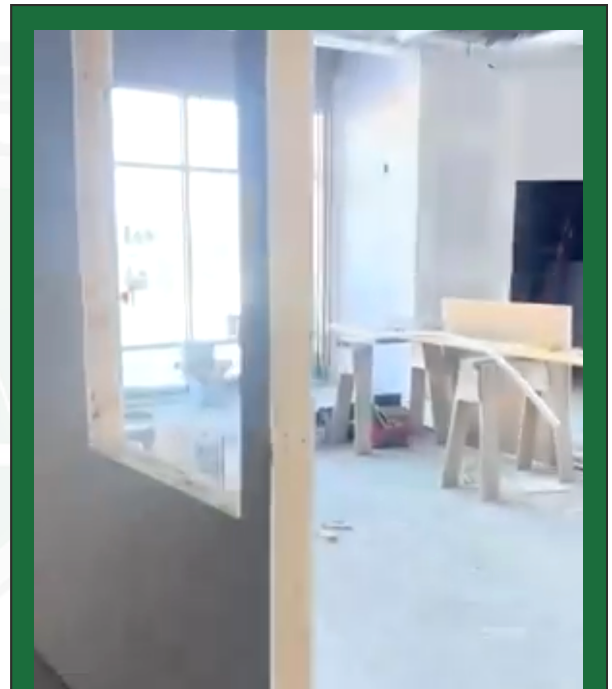
**Brittany's 2-Year**



**Brayda's 7-Year**



**Morgan has become the new Regional  
Director for the Women's Lawyer  
Section in the Minot region!**



**Our office is expanding!  
We expect to see it finished around May  
1st - updates & open house to come!**

# Upcoming Events

We plan to host an open house in May, following the completion of our office expansion, so keep an eye on our FB page for that announcement!

## UPCOMING OFFICE CLOSURES:

**April 7th: EARLY closure for Good Friday & Easter Weekend at 11:30AM**

*Our hours of operation are Monday - Friday from 7:30am - 4:30pm*



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