



REPORT

State of Mineral Rights 2026

State of mineral rights 2026 is a report on U.S. mineral rights law and data from American Mineral Registry, built from the October 2026 review of all 50 states and D.C. It covers unused minerals, state taxes, 2025 production and federal revenue, and every figure links to the page and data it comes from.

2026 edition, October 6, 2026

Data periods: law as read in October 2026; production calendar 2025; federal revenue fiscal year 2025 [PDF](#)

Summary

Law. 18 of 51 jurisdictions have a dormant mineral statute and 15 more use another mechanism that can end or reassign an interest; AMR found no such statute in 18. In 13 of the 19 jurisdictions with a nonuse rule, nothing happens until the surface owner gives notice, records a claim or goes to court.

Corrections. The review found a rule or mechanism that can end or move an interest in 11 jurisdictions that AMR's June edition listed as having none.

Production. The United States produced 4,986,606 thousand barrels of crude oil in 2025, +2.7% on 2024, and 43,229,110 million cubic feet of marketed gas (EIA, released September 30, 2026).

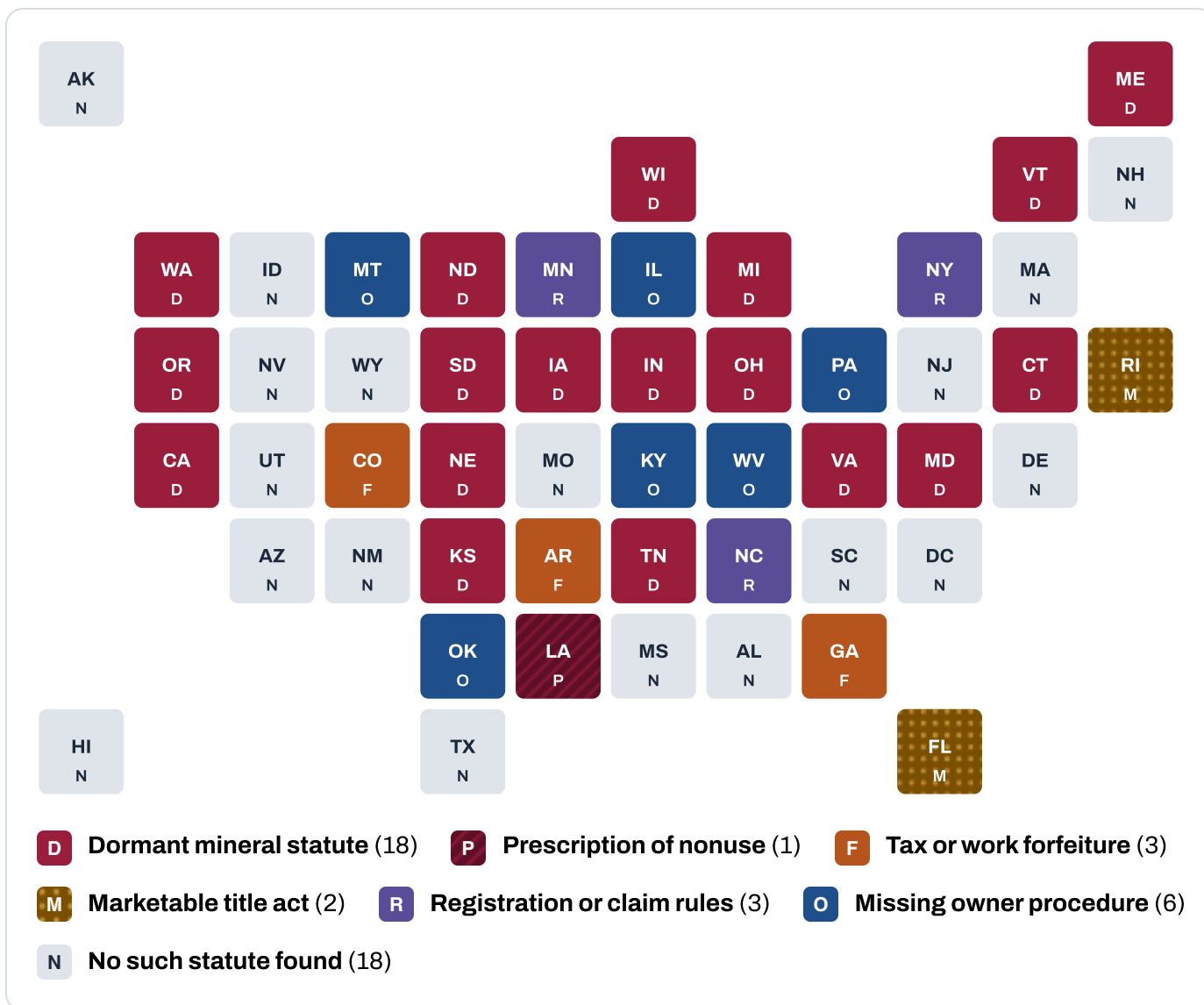
Federal revenue. ONRR disbursed \$14.61 billion in fiscal year 2025, against \$16.45 billion in 2024; state and local governments received \$4.07 billion.

These are counts of statutes and agency aggregates. AMR has no data on owners, interest values, losses or sales, and none of these figures describes any one property.

1. Unused mineral rights: the rules compared

Rule types for unused severed mineral interests, 50 states and D.C., release 2026.10.1

Rule type	Jurisdictions	Meaning
Dormant mineral statute	18	A statute under which an unused severed interest can lapse or be declared abandoned, subject to its conditions
Prescription of nonuse	1	Civil law prescription: certain mineral rights end after a period of nonuse unless interrupted
Tax or work forfeiture	3	An interest can be lost through unpaid taxes or a failure to work it, under a procedure the statute sets, such as a court petition or a tax sale
Marketable title act	2	A title act can cut off older recorded interests unless preserved; treatment of minerals varies
Registration or claim rules	3	Interests had to be, or must be, registered or claimed by deadlines the statute sets; loss follows only through the statute's own procedure, not a rolling nonuse clock
Missing owner procedure	6	A procedure for unknown or unlocatable owners, such as a trust or receivership, rather than lapse
No such statute found	18	A search of the official code found no statute of these kinds; the scope of the search is stated on the state page



Who must act. Where the law lets an interest end through nonuse, the decisive question for an owner is usually not the period but who must act. The interest can end by time alone in Indiana, Iowa, Kansas, Louisiana, Michigan, Vermont. In California, Connecticut, Maine, Maryland, Nebraska, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Virginia, Washington, Wisconsin, the surface owner must first give notice, record a claim or bring a court action, and the owner can often still preserve the interest by recording a claim.

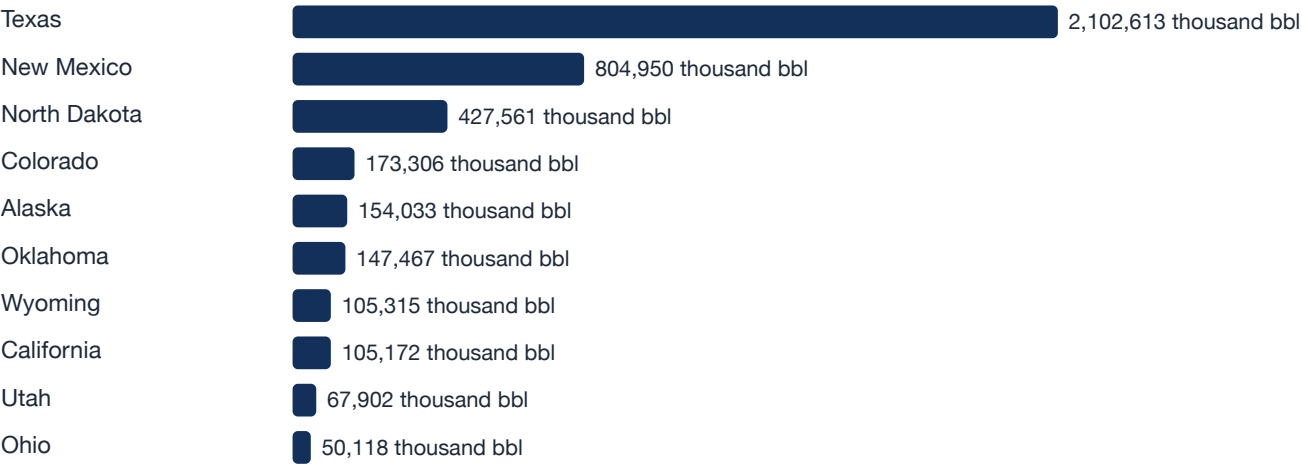
Rules the June edition missed. Arkansas, Colorado, Georgia, Iowa, Maine, New York, North Carolina, Rhode Island, Vermont, Virginia, Wisconsin. Each now has a state page with the statute, conditions and open questions.

Open questions. The review records 184 points it could not settle, for example whether Ohio's separate 40 year marketable title act can still cut off severed oil and gas rights, and how term limits

on oil and gas conveyances in Tennessee and North Carolina apply to mineral deeds. They are listed on each state page.

2. Production in 2025

Crude oil production, top 10 states, 2025 (thousand barrels)



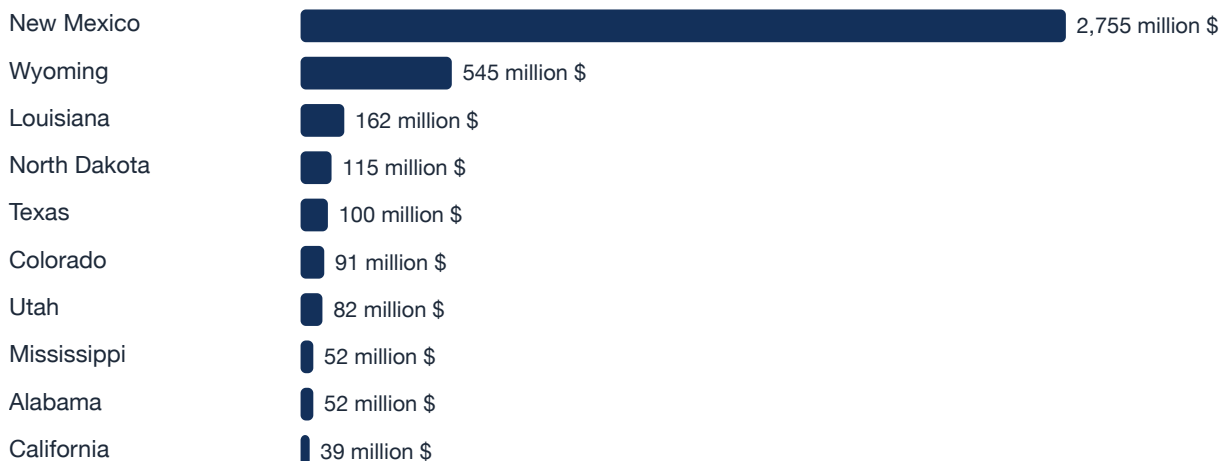
Source: U.S. EIA, released September 30, 2026. americanmineralregistry.com/research/oil-and-gas-production-by-state

The ten largest crude oil producing states in 2025. Thousand barrels, from EIA.

Texas alone produced 42.2% of U.S. crude oil in 2025, and the top ten states 83.0%. EIA had not yet published 2025 marketed gas for every state, so state gas comparisons use only published values. [Full table and data.](#)

3. Federal mineral revenue, fiscal year 2025

State and local share, top 10 states, fiscal year 2025 (million dollars)



Source: ONRR fiscal year disbursements, downloaded October 1, 2026

The ten states that received the most in fiscal year 2025. Million dollars, from ONRR.

New Mexico received \$2.76 billion, 68% of everything paid to state and local governments. These are federal lease revenues shared with states, not royalties paid to private owners. [Full table and data.](#)

4. What an owner can and cannot learn from this

The atlas tells you what kind of rule your state has and where it is written. Whether your interest is affected depends on recorded documents and production that only a title search shows.

Production totals show where drilling is concentrated, not what any tract produces or is worth.

Benchmark prices are not your realized price; deductions and severance tax come off before your check.

Methods, sources and corrections

Law: review of the official code, session laws, agency guidance and court opinions for each jurisdiction, completed October 6, 2026; see the [methodology](#) and [sources](#). Production: EIA annual tables released September 30, 2026. Federal revenue: ONRR fiscal year disbursements

downloaded October 1, 2026. Corrections are listed in [changes and corrections](#); this report will be corrected in place with a dated note.

Cite this report

American Mineral Registry. The State of U.S. Mineral Rights, 2026.
Published October 6, 2026. [https://americanmineralregistry.com/
research/state-of-mineral-rights-2026](https://americanmineralregistry.com/research/state-of-mineral-rights-2026)

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