



GLOSSARY OF TERMS:

MINERALS

Minerals are anything below the surface. Oil and natural gas might be minerals, along with coal, clay, silver, gold, copper, natural gas, salt, sand and gravel, or any other material below the surface.

MINERAL RIGHTS

Owning the rights to minerals under the surface of a piece of land. The rights can be sold or leased.

SURFACE RIGHTS

Ownership rights that are limited to the surface of the property and do not include the minerals below the surface.

MINERAL RIGHTS LESSEE

A person who has entered into a lease with the mineral rights owner to explore for, develop, and produce the leased minerals.

For additional Land Use Code information contact:
Larimer County Planning Division
200 West Oak Street, 3rd floor Fort Collins, CO 80521
970-498-7679 | planning@larimer.org

MINERAL INTEREST NOTIFICATION

Colorado Revised State Statutes (CRS) 30-28-133(10) and 24-65.5 103(1) require an applicant for development to notify all owners and lessees of a mineral interest on the subject property of a pending application.

As a result, an applicant must complete the following:

1. Send notice to the mineral rights owners and lessees.
2. Submit a certification of compliance to the Planning Division prior to the initial public hearing on any application for Zoning, Rezoning, Special Review, Subdivision, Conservation Development, Planned Land Division, Minor Land Division, Rural Land Use Plan, and Administrative Subdivisions.

HOW DO I FIND THE MINERAL RIGHTS OWNERS?

**See next page for more information*

1. Do your own research using the public records database available in the Clerk and Recorders office
2. Contact the Assessor's Office for assistance on researching mineral interests.
3. Contact a lawyer to perform the research.
4. Contact a title company to perform the research.

HOW DO I NOTIFY THE MINERAL RIGHTS OWNERS?

The Colorado Revised State Statute requires that notice of the hearing be provided to the mineral owners and lessees through first class mail no later than **30 days** prior to the hearing date. The notice must contain the time and place of the hearing, the nature of the hearing, the location of the property, and the name of the applicant.

WHAT NOTIFICATION DO I SUBMIT TO THE PLANNING DIVISION?

A mineral interest notification form (located in the submittal packet provided by the Planning Division) must be signed by the applicant, notarized, and submitted prior to the **first public hearing date**. Failure to do so will result in the hearing being rescheduled to a later date.

Updated December 2024



MINERAL INTEREST NOTIFICATION

COMMUNITY DEVELOPMENT | PLANNING

LOCATING MINERAL RIGHTS OWNERS

Determining ownership of minerals involves examining deeds from the beginning of private land ownership and then following the chain of title of the mineral to the present.

To find out who owns the mineral rights under your land consider the following options:

- Research the ownership on your own through the Clerk & Recorder's office, or
- Contact the Assessor's office, a law office, or a title company to perform the research for you.

RESEARCH ON YOUR OWN

To begin your search you will need the legal description of the property and/or a property owner's name.

From the land records, construct a "chain of title" and find the sequential record of documents showing how the mineral rights have changed hands through the years.

If you come to a "dead end" or "gap" in your title, check the probate deeds and miscellaneous deeds, such as divorce decrees, foreclosures, etc.

CONTACT THE ASSESSOR'S OFFICE

A specialist in the Assessor's Office may be able to assist you in your search for the owners and lessees of the mineral rights. Call 970-498-7050 or visit the 2nd Floor of the Larimer County Administrative Services Building.

CONTACT A LAWYER/TITLE COMPANY

If you are having trouble locating the mineral rights owners on your own or through the Assessor's office, a law office that specializes in land or land use and/or a title company may be able to assist you.

Provide the lawyer/title company with the current deed, an accurate legal description, and any other information that could help.



MINERAL INTEREST NOTIFICATION

COMMUNITY DEVELOPMENT | PLANNING

NOTIFICATION TO MINERAL ESTATE OWNER CERTIFICATION

Instructions

1. Check one of the four following statements
2. Sign and date the form
3. Attach a list of mineral owners and lessees to whom notice was sent (if applicable).

I/We, _____

_____ (the "Applicant" or authorized representative of the Applicant.)

by signing below, hereby declare and certify as follows:

With respect to the property located at:

Physical Address:

Legal Description (attach as applicable):

Case Number:

_____ I/We have search the records of the _____ County Tax Assessor and the _____ County Clerk and Recorder for the above identified parcel and have found that no mineral estate owner is identified therein pursuant to section 24-65.5-103(1) of the Colorado Revised Statutes.

_____ I/We certify that, not less than thirty (30) days before the initial public hearing, notice of application for surface development was provided to mineral estate owners pursuant to section 24-65.6-103(1) of the Colorado Revised Statutes.

_____ The mineral estate has been severed from the surface estate, and each mineral estate owner and lessee has waived the right to noticed as per CRS 24-65.5-103(5).

_____ The mineral estate has NOT been severed from the surface estate, and I/we certify that the owners of both the mineral rights and the surface estate are one and the same.

I hereby further certify that I am the Applicant, or I am authorized by the Applicant to make the representations contained herein and to act as the Applicant's agent for purposes of this Certification of Notification and bind the Applicant to these representations by my signature below.

Applicant or Authorized Representative

Date