



www.larimer.org

Planning Department
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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.

Larimer County Land Use Code

Mineral Interest Notification, Article 6.3.7

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 Department 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 Records 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 Department?

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

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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 Courthouse Offices.

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.

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