



MINERAL INTEREST NOTICE REQUIREMENTS



GLOSSARY OF TERMS

Minerals

Anything below the surface, such as oil, natural gas, coal, clay, silver, gold, copper, salt, sand and gravel, or any other material below the surface.

Mineral Rights

Ownership 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 that do not include the minerals below the surface.

Mineral Rights Lessee

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

MINERAL INTEREST NOTIFICATION

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

To comply with this requirement, an applicant must complete the following:

- Send notice to the mineral rights owners and lessees and the Routt County Planning Department.
- Submit certification of compliance to the Planning Department prior to the initial public hearing on the pending application.

What types of applications do these notice requirements apply to?

The above mineral interest notification requirements apply to any application for the following:

- Subdivisions that will result in more than one (1) additional lot.
- Minor, Administrative, Conditional Use, and Special Use Permits and Planned Unit Developments that will result in the construction of permanent buildings.

How do I find the mineral rights owners?

To find the owners and lessees of the mineral interests on the subject property, you can do your own research using the public records databases available in the Clerk and Recorder's Office and the Assessor's Office, or you can hire an attorney or title company to perform the research. See below for more information.

How do I notify the mineral rights owners?

The C.R.S. requires that notice of the hearing be provided to the mineral owners and lessees and local government (Routt County Planning Department) by certified mail, return receipt requested, or by a nationally recognized overnight courier, no later than 30 days prior to the initial hearing date. The notice must contain the time and place of the hearing, the nature of the hearing, the location and legal description by section, township, and range of the property, and the name of the applicant. For applications that do not require a hearing, the notice should include the date a decision will be made by the Planning Department.

What certification do I submit to the Planning Department?

A Mineral Interest Notice Certification Form must be signed by the applicant, notarized, and submitted to the Planning Department **prior to the initial hearing date**. Failure to do so will result in the hearing being rescheduled to a later date. The Certification Form can be downloaded from the Routt County website at www.co.routt.co.us/planning/forms.

LOCATING MINERAL RIGHTS OWNERS

Determining mineral rights owners involves examining ownership records and deeds. To find who owns the mineral rights under your land, consider the following options:

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

Research On Your Own

Mineral interest ownership records are located in the Assessor's Office (basement level of the Historic Courthouse, 522 Lincoln Avenue, between 5th and 6th Street, Steamboat Springs, CO). To begin your search, you will need the legal description of the subject property. Research the names and percent (%) of interest for all mineral owners for the subject property. Owner addresses can be obtained from tax records available using the Assessor's Property Search on the Routt County website or the Assessor's guest computer. Copies of deeds can be obtained from the Clerk and Recorder's Office (first floor of the Historic Courthouse) or the Public Records search on the Routt County website (account required).

Contact an Attorney or Title Company

A law office that specializes in land and/or a title company may be able to assist you. You will need to provide a legal description and current deed to the subject property.