



Town of Berthoud  
Community Development  
807 Mountain Ave.  
P.O. Box 1229  
Berthoud, CO 80513  
970.532.2643

## MINERAL INTEREST NOTIFICATION

Town of Berthoud Development Code Section 30-1-117

### 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 for any of the following applications: Annexation, Zoning, Rezoning, Conditional Use/Special Review, Minor Subdivision, and Preliminary Plat.
2. Submit a certification of compliance to the Planning Department prior to the initial public hearing for any application noted above.

### How do I find the mineral right owners?

\*See next page for more information

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

### How do I notify the mineral right owners?

The Colorado Revised State Statute requires that notice of the hearing be provided to the mineral owners and lessees through certified 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 and legal description of the property, and the name of the applicant.

### What notification do I submit to the Planning Department?

The applicant is required to certify to the Planning Department conformance with the notice requirements at least **15 days** prior to the date of the public hearing(s). Confirmation of conformance should be provided in a letter format, signed and dated by the property owner and/or applicant. The letter should include a list of those mineral right owners, name and address, notified. Failure to do so will result in the hearing being rescheduled to a later date.

 Please contact our Planning Department at 970-532-2643 for more details on the specific Development Code regulations. The Development Code can be found online here: <https://www.berthoud.org/185/Planning-Documents>.

This handout should not be used as a substitute for codes and regulations. The property owner is responsible for compliance with all code and requirements, whether or not described in this document. Please refer to Development Code, [www.Berthoud.org](http://www.Berthoud.org).

### 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 a lease with the mineral rights owner to explore for, develop, and produce the leased minerals.