



MORGAN COUNTY  
 PLANNING, ZONING &  
 BUILDING DEPT. 231 Ensign,  
 P.O. Box 596  
 Fort Morgan, Colorado 80701  
 PHONE (970)542-3526  
 FAX (970)542-3509  
 Email: [permits\\_licensing@co.morgan.co.us](mailto:permits_licensing@co.morgan.co.us)

PERMIT # \_\_\_\_\_ - \_\_\_\_\_

Date Received	____/____/____	Received By	_____
Fee:	<input type="checkbox"/> Administrative Review \$____	<input type="checkbox"/> Full Review \$	_____
Ck/CC #:	_____ Paid ____/____/____	Recording Fee \$	_____ Ck/
CC #:	_____ Paid ____/____/____	P C Date:	____/____/____
BOCC Date:	____/____/____		
100 Year Floodplain?	<u>Y/N</u>	Taxes Current?	<u>Y/N</u>

## MINOR SUBDIVISION APPLICATION

### Landowner MUST Sign Application and Right to Farm Policy

#### APPLICANT

#### LANDOWNER

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone (\_\_\_\_) \_\_\_\_\_  
 Email \_\_\_\_\_

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone (\_\_\_\_) \_\_\_\_\_  
 Email \_\_\_\_\_

#### SURVEYOR

Name \_\_\_\_\_ Email \_\_\_\_\_  
 Address \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

#### Minimum Lot Size Requirements:

- Minimum lot size for parcels containing both a water well and septic system is 2.5 (two and one half) acres
- Minimum lot size for parcels without a water well and served by a public or private water system and septic system is 1 (one) acre

#### PROPERTY LEGAL DESCRIPTION AND TECHNICAL INFORMATION

Address of Property to be divided (or general location if not yet addressed): *\*Attach extra pages if needed*

\_\_\_\_\_  
 \_\_\_\_\_

Parcel #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Zone District: \_\_\_\_\_

S: \_\_\_\_\_ T: \_\_\_\_\_ R: \_\_\_\_\_ \_\_\_\_\_ 1/2 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4

Total acreage in parcel: \_\_\_\_\_ Number of lots to be created: \_\_\_\_\_

Is property located within 1320' (1/4) of a livestock confinement facility? Y/N

Distance and Direction to Nearest Community: \_\_\_\_\_

**PRESENT** use of property \_\_\_\_\_

**PROPOSED** use of property \_\_\_\_\_

SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED**

# MINOR SUBDIVISION APPLICATION REQUIRED ATTACHMENT LIST

*Additional information may be required by staff*

## Application Fee:

- Non-Refundable Application Fee due with application as determined by staff:  
*\*Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations. Applicant will be responsible for any legal fees after the first 5 hours.*
- \$ \_\_\_\_\_ Administrative Review
- OR
- \$ \_\_\_\_\_ Full Review

## Project Narrative: Narrative to include:

- Project Description
- Purpose of request, including minor subdivision criteria
- Additional information to show project's intent
- How project will relate to or impact existing adjacent uses
- All off-site impacts and proposed mitigation measures
- Development or implementation schedule of project
- General topography of land and potential hazards
- If property is in the floodplain, give Zone, panel number, and panel date  
<https://msc.fema.gov/portal/home>
- Is proposed subdivision located within a Fire District?

## Site Plans/Maps:

- Plat map (survey) per requirements set forth in the Morgan County Subdivision Regulations Section 6-170 -- **must show the original exempted parcel and the parcel being created through this amendment** (SUBMIT ELECTRONICALLY)
- Improvement location certificate, including setbacks of existing structures, wells and septic system (SUBMIT ELECTRONICALLY)
- Include any **easements** required for the project-widths and other pertinent information.  
*May be required to supply copies of easement agreements*

## Proof of Ownership:

- Current** title insurance commitment (within last 6 months)

## Utilities/Access

- Names, addresses and phone numbers for all property owners
- Water-** Must have "Will Serve Letter" for lots being subdivided
- Septic System**
- Existing Septic System - Evaluation of adequacy in terms of today's regulations from local Health Department
  - Private System - "Will Serve Letter"
  - Proposed Septic System - "Will Serve Letter"
  - Public System - "Will Serve Letter"

Utilities/Access

**Electric** (Electric bill or letter of commitment from electricity provider)

**Driveway Permit** from CDOT or Morgan County Road and Bridge  
(If required by staff)

Technical:

**Ditch Company**- Proof of contact if there is a ditch on or next to your property

**Impact statement** from Morgan County Extension for determination of the number of animal units this land can sustain

**Soil Map** from Morgan Conservation District showing suitability for sanitary facilities, and building site development for site specific soil

**Revegetation Plan**

**Notification to all mineral rights owners** and/or lessees  
Provide names and addresses as well as a copy of a letter sent **30 days prior** to submission or if unable to locate, submit a list of owners/lessees showing 3 sources of attempts to locate.

Declaration of **restrictive covenants**

**Homeowners Association agreement** and by-laws

**Right to Farm Policy** signed by Landowner (attached)

**Recording Fees:** *All recording fees will be collected at the **conclusion** of all hearings Made payable to Morgan County Clerk & Recorder*

Plat map recording fee

\$13.00 first page

\$10.00 per page thereafter

\_\_\_# additional pages x 10=\$ + \$13= \$      Total Recording Cost

Covenants recording fee

\$13.00 first page

\$ 5.00 per page thereafter

\*Title to any or all of the Minor Subdivision **CANNOT** be transferred until all required documents have been recorded in the Morgan County Clerk and Recorders office.

Additional Information required by staff: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ # **Paper Applications**

\_\_\_\_\_ **Digital Copy of Complete Application** *One sided only please*

**LANDOWNER AND APPLICANT STATEMENTS**

Property taxes must be current prior to processing application.

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct.

Application must be signed by applicant and landowner as it appears in title insurance.

\_\_\_\_\_  
 Applicant Signature                      Date

\_\_\_\_\_  
 Landowner Signature                      Date

\_\_\_\_\_  
 Applicant Signature                      Date

\_\_\_\_\_  
 Landowner Signature                      Date

# MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

## RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

***To Be Signed by Landowner***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Address

MORGAN COUNTY EXTENSION  
914 E. RAILROAD AVE  
FORT MORGAN, CO 80701  
970-542-3540  
FAX: 970-542-3541

\_\_\_\_\_ is applying for a Minor Subdivision or Planned Development  
(landowner)  
consisting of \_\_\_\_\_ lots totaling \_\_\_\_\_ acres. Landowner is Proposing to allow \_\_\_\_\_ animal units  
per acre, or \_\_\_\_\_ animal units per lot.

Location and/or address of site: \_\_\_\_\_

Driving direction from Fort Morgan: \_\_\_\_\_

Date application is due in Planning Dept.: \_\_\_\_\_

Copy of soils map must accompany this request.

Copy of site plan must accompany this request.

It is the landowners/applicants responsibility to provide a stamped, self-addressed envelope for return of this form  
or to make arrangements to pick it up at the Extension Office.

EXTENSION AGENT USE ONLY:

Approval of animal units as proposed: \_\_\_\_\_ Recommended maximum animal units: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Application for Driveway Access Permit**  
Morgan County, Colorado

**Instructions for Completing and Submitting Application**

1. Property Owner (Permittee): Please provide the full name, mailing address, telephone number and email address (*if available*) of the legal property owner. The provided telephone number should be one where the Permittee can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT.
2. Agent of Permittee: If the applicant (*person or company completing this application*) is different from the legal property owner (*Permittee*), provide entity name (*if applicable*), the full name of the person serving as the agent, mailing address, telephone number, and email address (*if available*). The provided telephone number should be one where the Agent can be reached during business hours Monday through Friday, 8:00 a.m. to 4:00 p.m. MDT. *Please provide documentation you are an agent of property owner.*
3. Legal Description of property: Provide the legal description to the full extent that applies for the property to be accessed by the requested driveway. Include the Assessor parcel number. This information is available through the County Assessor or Clerk and Records office or on your property deed(s).
4. Road Access: Complete the information on the County Road that will be accessed by this proposed driveway.
5. New or Existing Driveway: Complete the information for the driveway type.  
New Driveways:
  - In determining location for the proposed driveway, take into account: line of site distances, relationship to road intersections, and relationship to crests of hills.
  - Please indicate the desired width of the new requested driveway.
  - If possible, provide a map showing the desired location of the proposed driveway.
  - ***The proposed area for the new driveway must be clearly marked with flagged stakes on each side of the proposed area. Please have the location marked as indicated prior to submitting application.***
6. Initial the bottom of page two (2) in the provided location indicating that you have read and understand the terms and conditions.
7. Signature Section must be signed and dated by the property owner or agent. *Applications will not be processed until they are fully completed, initialed, signed and submitted, along with any additional required documents.*
8. Submittal of Application: Please submit application and all corresponding paperwork to:  
By mail or in person: Morgan County Road and Bridge Department  
P.O. Box 516  
17303 County Road S  
Fort Morgan, CO 80701  
By Email to: [rbmorganc@co.morgan.co.us](mailto:rbmorganc@co.morgan.co.us)

**Application for Driveway Access Permit**  
Morgan County, Colorado

**Terms and Conditions**

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (*examples: columns, walls, fencing, large rocks, etc.*). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.

\_\_\_\_\_ Please Initial that you have read and understand the terms and conditions outlined on this page.



**Application for Driveway Access Permit**  
Morgan County, Colorado

**1. Property Owner (Permittee):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip Code: \_\_\_\_\_  
Phone (    ) \_\_\_\_\_ Email: \_\_\_\_\_

**2. Agent of Property Owner (If Applicable)**

Company/Individual Name \_\_\_\_\_  
Contact Name (If Applicable) \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip Code: \_\_\_\_\_  
Phone (    ) \_\_\_\_\_ Email: \_\_\_\_\_

**3. Legal Description:**

\_\_\_\_\_  
\_\_\_\_\_

Parcel Number: \_\_\_\_\_

**4. Road Access:**

Access onto County Road \_\_\_\_\_ (Circle Direction) North / South / East / West of County Road \_\_\_\_\_

**5. Driveway Type:** (Check One) **\*\*New Driveway** \_\_\_\_\_ **Existing Driveway** \_\_\_\_\_

Desired width of New Driveway \_\_\_\_\_ Feet.

**\*\*If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.**

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.

\_\_\_\_\_  
*Property Owner/Agent Signature*

\_\_\_\_\_  
*Date*

**Submit Completed Application and All Supporting Documents to:**

Morgan County Road and Bridge Department  
P.O. Box 516  
17303 County Road S  
Fort Morgan, CO 80701  
Or by Email to: [rbmorganc@co.morgan.co.us](mailto:rbmorganc@co.morgan.co.us)  
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: \_\_\_\_\_ Approved \_\_\_\_\_ Denied (Reason for Denial): \_\_\_\_\_

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: \_\_\_\_\_

Maximum Width of Driveway: \_\_\_\_\_ Feet Longitude: \_\_\_\_\_

Culvert Required: YES / NO If Yes, Size: \_\_\_\_\_

Closest Intersecting Road \_\_\_\_\_ Measurement from Closest Intersecting Road \_\_\_\_\_ Feet

Driveway Access Code: \_\_\_\_\_

Completed By: \_\_\_\_\_ Date: \_\_\_\_\_

FORM NO  
GWS-76  
02/2005

WATER SUPPLY INFORMATION SUMMARY  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

1313 Sherman St., Room 818, Denver, CO 80203  
Phone - Info (303) 866-3587 Main (303) 866-3581 Fax (303) 866-3589 <http://www.water.state.co.us>

Section 30-28-133,(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adequate supply of water."

1. NAME OF DEVELOPMENT AS PROPOSED:																																		
2. LAND USE ACTION:																																		
3. NAME OF EXISTING PARCEL AS RECORDED: SUBDIVISION: _____, FILING (UNIT) _____, BLOCK _____, LOT _____																																		
4. TOTAL ACREAGE:	5. NUMBER OF LOTS PROPOSED	PLAT MAP ENCLOSED? <input type="checkbox"/> YES or <input type="checkbox"/> NO																																
6. PARCEL HISTORY - Please attach copies of deeds, plats, or other evidence or documentation. A. Was parcel recorded with county prior to June 1, 1972? <input type="checkbox"/> YES or <input type="checkbox"/> NO B. Has the parcel ever been part of a division of land action since June 1, 1972? <input type="checkbox"/> YES or <input type="checkbox"/> NO If yes, describe the previous action:																																		
7. LOCATION OF PARCEL - Include a map delineating the project area and tie to a section corner ____ 1/4 of the ____ 1/4, Section _____, Township _____ <input type="checkbox"/> N or <input type="checkbox"/> S, Range _____ <input type="checkbox"/> E or <input type="checkbox"/> W Principal Meridian: <input type="checkbox"/> Sixth <input type="checkbox"/> New Mexico <input type="checkbox"/> Ute <input type="checkbox"/> Costilla Optional GPS Location: GPS Unit must use the following settings: Format must be UTM, Units must be meters, Datum must be NAD83, Unit must be set to true N, <input type="checkbox"/> Zone 12 or <input type="checkbox"/> Zone 13 Easting: _____ Northing: _____																																		
8. PLAT - Location of all wells on property must be plotted and permit numbers provided Surveyor's Plat: <input type="checkbox"/> YES or <input type="checkbox"/> NO If not, scaled hand drawn sketch: <input type="checkbox"/> YES or <input type="checkbox"/> NO																																		
9. ESTIMATED WATER REQUIREMENTS		10. WATER SUPPLY SOURCE																																
<table border="1"><thead><tr><th>USE</th><th colspan="2">WATER REQUIREMENTS</th></tr><tr><td></td><th>Gallons per Day</th><th>Acre-Feet per Year</th></tr></thead><tbody><tr><td>HOUSEHOLD USE # _____ of units</td><td>_____</td><td>_____</td></tr><tr><td>COMMERCIAL USE # _____ of S F</td><td>_____</td><td>_____</td></tr><tr><td>IRRIGATION # _____ of acres</td><td>_____</td><td>_____</td></tr><tr><td>STOCK WATERING # _____ of head</td><td>_____</td><td>_____</td></tr><tr><td>OTHER: _____</td><td>_____</td><td>_____</td></tr><tr><td>TOTAL</td><td>_____</td><td>_____</td></tr></tbody></table>	USE	WATER REQUIREMENTS			Gallons per Day	Acre-Feet per Year	HOUSEHOLD USE # _____ of units	_____	_____	COMMERCIAL USE # _____ of S F	_____	_____	IRRIGATION # _____ of acres	_____	_____	STOCK WATERING # _____ of head	_____	_____	OTHER: _____	_____	_____	TOTAL	_____	_____	<table border="1"><tr><td><input type="checkbox"/> EXISTING WELL</td><td><input type="checkbox"/> DEVELOPED SPRING</td><td rowspan="2"><input type="checkbox"/> NEW WELLS - PROPOSED AQUIFERS - (CHECK ONE) <input type="checkbox"/> ALLUVIAL <input type="checkbox"/> UPPER ARAPAHOE <input type="checkbox"/> UPPER DAWSON <input type="checkbox"/> LOWER ARAPAHOE <input type="checkbox"/> LOWER DAWSON <input type="checkbox"/> LARAMIE FOX HILLS <input type="checkbox"/> DENVER <input type="checkbox"/> DAKOTA <input type="checkbox"/> OTHER: _____</td></tr><tr><td colspan="2">WELL PERMIT NUMBERS _____ _____ _____</td></tr><tr><td colspan="2"><input type="checkbox"/> MUNICIPAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> COMPANY <input type="checkbox"/> DISTRICT NAME _____ LETTER OF COMMITMENT FOR SERVICE <input type="checkbox"/> YES or <input type="checkbox"/> NO</td><td>WATER COURT DECREE CASE NUMBERS: _____ _____</td></tr></table>		<input type="checkbox"/> EXISTING WELL	<input type="checkbox"/> DEVELOPED SPRING	<input type="checkbox"/> NEW WELLS - PROPOSED AQUIFERS - (CHECK ONE) <input type="checkbox"/> ALLUVIAL <input type="checkbox"/> UPPER ARAPAHOE <input type="checkbox"/> UPPER DAWSON <input type="checkbox"/> LOWER ARAPAHOE <input type="checkbox"/> LOWER DAWSON <input type="checkbox"/> LARAMIE FOX HILLS <input type="checkbox"/> DENVER <input type="checkbox"/> DAKOTA <input type="checkbox"/> OTHER: _____	WELL PERMIT NUMBERS _____ _____ _____		<input type="checkbox"/> MUNICIPAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> COMPANY <input type="checkbox"/> DISTRICT NAME _____ LETTER OF COMMITMENT FOR SERVICE <input type="checkbox"/> YES or <input type="checkbox"/> NO		WATER COURT DECREE CASE NUMBERS: _____ _____
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11. WAS AN ENGINEER'S WATER SUPPLY REPORT DEVELOPED? <input type="checkbox"/> YES or <input type="checkbox"/> NO IF YES, PLEASE FORWARD WITH THIS FORM. (This may be required before our review is completed.)																																		
12. TYPE OF SEWAGE DISPOSAL SYSTEM																																		
<input type="checkbox"/> SEPTIC TANK/LEACH FIELD	<input type="checkbox"/> CENTRAL SYSTEM DISTRICT NAME: _____																																	
<input type="checkbox"/> LAGOON	<input type="checkbox"/> VAULT LOCATION SEWAGE HAULED TO: _____																																	
<input type="checkbox"/> ENGINEERED SYSTEM (Attach a copy of engineering design)	<input type="checkbox"/> OTHER:																																	



**Planning and Zoning Department**  
**231 Ensign St.**  
**PO Box 596**  
**Fort Morgan, CO. 80701**  
**970-542-3526 or Fax 970-542-3509**  
**Email: [permits\\_licensing@co.morgan.co.us](mailto:permits_licensing@co.morgan.co.us)**

## **MINERAL RIGHTS NOTICE REQUIREMENTS**

Pursuant to Colorado Revised Statutes (C.R.S) 24-65.5-103(1), applicants for development are required to notify all owners and lessees that hold a mineral interest on the subject property, of a pending application for proposed development.

### **What Are Mineral Rights?**

Mineral rights are ownership rights that allow the owner the right to exploit minerals from underneath a property. The rights refer to solid and liquid minerals, such as silver, gold, copper, salt, clay, oil, natural gas, sand and gravel or any other material below the surface. Mineral rights can be separate from surface rights and are not always possessed by the property owner.

### **Mineral Rights Lessee**

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

### **How can I find the mineral rights owner?**

There are several options to help guide you in your search:

- Examine the records in the office of the county tax assessor and clerk and recorder of the county in which the real property is located. Notice shall be sent to the last-known address of the mineral estate owner as shown by such records.
- Hire an attorney to perform the research.
- Hire a title company to perform the research.
- Hire a Landman to run your title. – An individual who researches title and mineral rights on behalf of a company wishing to exploit the minerals beneath the surface of the privately owned land.
- BLM databases for public research are also available at: [glorerecords.blm.gov](http://glorerecords.blm.gov)

### **How do I notify the mineral rights owners?**

State law requires that notice of the hearing be provided to the mineral owners and lessees by certified mail, return receipt requested, or by a nationally recognized overnight courier, no later than 30 days prior to the initial hearing date. For applications that do not require a hearing, notice should include the proposed date a decision will be made by the Planning and Zoning Department.

**The notice must contain the date, time and place of the hearing, the nature of the hearing, the location and legal description by section, township, range of the property that is the subject of the hearing, and the name of the applicant. COPY OF LETTER AND RECEIPT OF IT BEING DELIVERED SHALL BE PROVIDED TO THE MORGAN COUNTY PLANNING AND ZONING DEPARTMENT WITHIN 14 DAYS OF PLANNING COMMISSION HEARING OR DATE OF DECISION BY PLANNING DIRECTOR AND SHALL INCLUDE THE NAMES AND ADDRESSES OF MINERAL OWNERS AND LESSEES. IF UNABLE TO LOCATE, SUBMIT A LIST OF MINERAL OWNERS/LESSEES SHOWING 3 SOURCES OF ATTEMPTS TO LOCATE.**

***Sample Notice***

[Insert Date]

[Insert mineral interest owner's/ lessee's address]

*Sent via Certified Mail*

Notice to Mineral Rights Owners and/or Lessees:

As required by Colorado State Statute 24-65.5-103, I am notifying you that I have submitted an [type of application] application to the Morgan County Planning and Zoning Department for [Insert name of proposed project], located in the [Insert location and legal description by section, township, and range] of the 6th P.M., Morgan County, Colorado.

- APPLICATIONS REQUIRING PLANNING COMMISSION AND BOARD OF COUNTY COMMISSIONERS HEARINGS:

The application will be heard by the Morgan County Planning Commission in a public hearing on [Insert date] at 6:00 PM in the assembly room, 231 Ensign Street, Fort Morgan, Colorado. The Planning Commission will review the application and recommend approval or disapproval to the Board of County Commissioners.

Final approval or disapproval of the application will be considered by the Morgan County Commissioners on [Insert date] at [Insert time] in the assembly room, 231 Ensign Street, Fort Morgan, Colorado.

- APPLICATIONS APPROVED ADMINISTRATIVELY (NO HEARINGS REQUIRED):

Final approval or disapproval of the application will be determined by the Morgan County Planning and Zoning Director on [Insert date].

Sincerely,

(applicant/landowner)