

Oil and Gas Regulation Frequently Asked Questions

1. What are mineral rights?

Mineral rights may or may not be held by the same owner as the surface rights. A previous owner may have “severed” all or part of the minerals from the surface. If a surface owner does not know whether he or she owns any or all of the mineral rights the first places they should look are their deed and title insurance policy. These are not definitive but will be a good starting place. To be absolutely sure it will be necessary to have an attorney do a Title Opinion.

In some cases all or part of the mineral rights may still be held by the federal government because they were never transferred when the property was originally patented under the various Homestead Acts.

2. A representative from an oil and gas company recently approached me with an interest in buying or leasing land or mineral rights to my property. Who can I talk to if I have questions about my rights?

The Colorado Oil and Gas Conservation Commission may be able to provide you with more information about your rights as property/mineral rights owner. In addition, you may want to contact a real estate attorney that specializes in this subject matter.

3. What is fracking and how can I learn more?

Hydraulic fracturing or fracking has been used by the natural gas and oil industry since the 1940s. The Oil and Gas Conservation Commission, managed by the State of Colorado, is a great resource for detailed information about fracking, why it's done, how it's regulated and more.

View the [Hydraulic Fracturing Information sheet](#) (PDF 62KB) to learn more.

4. Can Fort Collins control what is used in frack fluid?

No. Fort Collins does not have the authority to regulate what happens below the surface. Fracking fluids and the fracking process are regulated by the Colorado Oil and Gas Conservation Commission.

5. Does the community have a voice in the permitting process?

The City of Fort Collins participates in the State of Colorado's Local Government Designee (LGD) program which provides the community with a notice of permit activity within the City's borders. This program is also meant to bring communities and oil and gas operators together to work on site locations, local concerns and other issues.

6. How will hydraulic fracturing within the City limits affect the quality of my drinking water?

The water treated by, and distributed within, the City of Fort Collins, will not be affected by oil and gas processes that occur within City limits. The surface water (the Cache La Poudre River and Horsetooth Reservoir) used in the City's treatment process is taken from a location that is not impacted by activities within city limits.