

be used for fishing, without first obtaining a license from the director of game and fish so to do, as provided by this act unless otherwise specifically permitted by law. Residents of the state shall be required to procure hunting licenses at the age of 16 years for the purpose of hunting protected wild animals or game birds and a resident of the state shall be required to procure a fishing license at the age of 18 years for the purpose of fishing. Non-residents of the state under 16 years of age may take fish without procuring a license, but may not transport or ship any fish out of the state without procuring a license, provided, that no non-resident under 16 years of age may fish without a non-resident fishing license unless his or her parent or guardian shall have obtained and have in his or her possession such non-resident fishing license. No trapping license, whitefish netting or inland herring netting license shall be issued to any non-resident of the state. All licenses shall be issued for the calendar year, and no reduction in fees shall be made for fractions of a year. *No license to hunt deer or to trap beaver shall be issued to any person after the third day of any open season provided for that year.* Only one license of each kind shall be issued to any one person in any calendar year. No license shall be transferable."

Approved March 27, 1943.

CHAPTER 208—S. F. No. 424.

An act relating to mining permits and leases for the purpose of mining and disposing of iron ore and manganese situate under the waters of public lakes or rivers in Minnesota and providing for disposal of funds and for other purposes, and repealing Mason's Statutes 1927, Sections 6428, 6429, and 6430, and Mason's Supplement 1940, Sections 6430-1, 6430-2 and 6430-3.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Commissioner of Conservation may sell permits to prospect for iron ore in state waters.—The Commissioner of Conservation may, in his discretion, semi-annually give public notice of sale of permits to prospect for iron ore situate in the bed of any public lake or river within the state of Minnesota in the same manner and at the same time as provided for sale of permits to prospect for iron ore under the provisions of Mason's Supplement 1940, Section 6405, as amended.

Sec. 2. Application.—Applications for permits to prospect for iron ore shall conform in all respects to the requirements set forth in Mason's Statutes 1927, Section 6406, as amended, and the permits issued thereunder shall be issued in the same manner and upon the same conditions as therein provided.

Sec. 3. Rights of permit holders.—The holder of any such permit shall have the right to prospect for iron ore on the land described therein for one year from the date thereof, and no longer; but no ore shall be removed therefrom until a lease has been executed. The work of prospecting under such permit shall begin in a substantial manner as soon after the date thereof as conditions will permit and shall be continued until the permit expires, is surrendered or a lease asked for. The holder of such permit shall report in writing to the Commissioner of Conservation on the first business day of each April, July, October and January, the progress of the work of prospecting and accompany such reports with maps showing the character and extent of the work done, the nature of materials encountered in such work and the analysis for iron, silica, phosphorus, alumina, and manganese of all iron bearing formation encountered. The permit holder shall split all samples taken and furnish the commissioner or his representative from time to time as the commissioner or his representative shall direct, with a portion of such samples, properly marked for identification. The work done by the permit holder shall be subject to inspection at all reasonable times by the commissioner or his representatives. The permit to prospect for ore is granted upon the express condition that if the permit holder shall fail to perform any of the terms, covenants or conditions in such permit to be performed by him, then it shall be the duty of the commissioner to cancel such permit, first having given said permit holder at least twenty days' notice in writing thereof.

Sec. 4. Permit holders may receive leases—royalties.—At any time prior to the expiration of any such prospecting permit, the original holder or any assignee thereof shall have a right to receive from the Commissioner of Conservation a mining lease which shall bind the state and the person to whom it is issued to the mutual observance of the obligations and conditions thereof. The minimum royalty provided in any such lease to be paid to the state of Minnesota as a consideration for its issuance shall be not less than the minimum royalty upon a gross ton which would be required by the existing law to be paid for such ore if located in state lands not under any such waters and the royalty on manganese (four per cent or over dried) shall be arrived at by the methods prescribed for determining such royalty on manganese as provided in Laws 1941, Chapter 329. Such leases for the mining, removing and disposing of such iron ore may contain provisions permitting the beneficiation by the lessee or purchaser of any ore not merchantable in its natural conditions, and for the payment of royalties at not less than such minimum rates per ton, upon the merchantable product of such beneficiation instead of upon the ore as mined. Such leases may fur-

ther provide for the drainage of such lake or river, or the diversion of the waters thereof to a new bed or channel. Before any mining or drainage operations are commenced under the provisions of any such lease, the lessee shall furnish such security as the Commissioner of Conservation, with the approval of the executive council, may require to assure the payment of any injury or damage which may be occasioned to any riparian owners affected by such operations. The Commissioner of Conservation with the approval of the executive council, upon the written request of the lessee or his successor in interest and at his sole expense, shall have power to institute condemnation proceedings to pay for the interests of private persons or corporations who may be injured or whose rights may be destroyed by the carrying on of such operations, and such contract, lease or agreement for mining, removing or disposing of such iron ore may contain a covenant on the part of the second party to return the waters of such lake or river to their former beds as nearly as possible after the ore shall have been removed. Any such contract, lease or agreement shall expressly provide that all persons engaged in exploring, mining, or removing any ores or minerals thereunder, shall comply with all laws, lawful orders or regulations relating to or affecting the safety of those engaged in such operations.

Sec. 5. Payments on leases.—Such contracts, lease, or agreements shall provide for an annual minimum rental payable quarterly in such sum as shall be determined by the Commissioner of Conservation with the approval of the executive council, and shall contain a provision requiring the lessee to assume and agree to pay all damages sustained by riparian owners occasioned by operations under such lease.

Sec. 6. Disposition of funds.—All revenues derived from any permits, contracts, leases or agreements issued hereunder shall be paid into the permanent school fund of the state.

Sec. 7. Instruments must be approved by Commissioner of Conservation.—All instruments affecting the title or ownership of any interest granted by the state hereunder shall be invalid and ineffectual for any purpose, unless approved by the Commissioner of Conservation and filed with him within 30 days of the execution thereof.

Sec. 8. Laws repealed.—Mason's Statutes 1927, Sections 6428, 6429 and 6430, and Mason's Supplement 1940, Sections 6430-1, 6430-2 and 6430-3, are hereby repealed. (Such repeal shall not be construed as repudiating any valid provisions of existing leases or permits to drain or divert public waters heretofore issued pursuant to said laws.)

Approved March 27, 1943.