

Section 1. Laws 1947, Chapter 183, is amended by adding thereto a new subdivision, to be known as Subdivision 3, to read as follows:

490.12. **To receive half-pay.** [Subd. 3.] **Service need not be continuous.** In computing the period of service of any probate judge for retirement purposes he shall receive credit for all periods of time served in the armed forces of the United States *during any period when the United States was at war.* *Such period of service as a probate judge need not be continuous.*

Approved April 23, 1947.

CHAPTER 473—H. F. No. 1443

An act providing for the issuance of permits to prospect for gold, silver, copper, cobalt, coal, graphite, petroleum, sand, gravel, stone, natural gas and all minerals, excepting iron ore, under the waters of any public lake or river, and for the issuance of leases for the mining of such minerals and amending Minnesota Statutes 1945, Section 93.08, Subdivision 1 and Subdivision 2.

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

Section 1. Minnesota Statutes 1945, Section 93.08, Subdivision 1 and Subdivision 2, are hereby amended to read as follows:

93.08. **Prospecting for minerals under waters of meandered lakes and streams.** Subdivision 1. **Permits and leases; rules and regulations.** The department, with the approval of the executive council, shall adopt rules and regulations for the issuance of permits to prospect for gold, silver, copper, cobalt, coal, graphite, petroleum, sand, gravel, stone, natural gas, and all minerals, excepting iron ore, under the waters of any *public lake or stream in the state, including that portion of boundary lakes and streams within the boundaries of the state,* and for the issuance of leases for the mining and removal of such minerals upon such terms and conditions as such regulations may prescribe.

Subd. 2. **Scope of regulations.** It shall be provided in such regulations, among other things:

(1) No permit to prospect shall be issued for a period to exceed one year;

(2) Each permit shall authorize prospecting only within the area designated therein, which area shall not exceed the limitations upon size prescribed by the regulations;

(3) At any time prior to the expiration of any such prospecting permit, the holder thereof shall have the right to a lease giving him the exclusive right to mine and remove the minerals specified in such permit within the area specified in the permit; provided, if the regulations adopted hereunder shall permit or prescribe larger areas for permits than for leases, the permit holder shall designate the specific part of the area covered by his permit (not exceeding the limitations upon size of lease areas) upon which he desires a lease;

(4) *Minimum rents and royalties, and the other terms, conditions, and covenants of all such leases shall be prescribed by such regulations prior to the issuance of any permits hereunder;*

(5) No such lease shall be for a longer term than 25 years;

(6) All rents and royalties paid under such leases shall be paid to the state treasurer on the order of the state auditor and shall be credited to the permanent school funds of the state;

(7) No minerals shall be removed under such permits until lease has been issued as provided by such regulations, except that, with the approval of the commissioner, sufficient minerals or ore material may be removed for exploratory or assaying purposes;

(8) The grantee of such permit or lease, his or their assigns, representatives, and successors in interest, may be required to secure riparian owners against damage from the use of such lease or permit.

Approved April 23, 1947.