

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

[102.30] Section 1. **Upper and Lower Red Lake; transportation, sale, and disposal.** The commissioner of conservation may permit the transportation, sale and disposal of fish taken within the Red Lake Indian Reservation on Upper Red Lake and Lower Red Lake under such rules, regulations and conditions as the commissioner may prescribe.

Approved April 8, 1949.

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CHAPTER 325—S. F. No. 1304

[Coded as Sections 106.492, 106.493]

*An act authorizing changes and alterations to be made in public drainage systems by the state when expedient in the construction or maintenance of trunk highways when consented to by the county board or district court, and providing for the recovery of damages caused thereby.*

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

[106.492] Section 1. **Alteration in public drainage ditch affecting trunk highway.** Upon the filing of a petition by the Commissioner of Highways with the County Auditor in the case of a drainage system lying wholly within a county, or with the Clerk of the District Court having jurisdiction over said ditch in the case of a drainage system affecting two or more counties, therein setting forth that it would be advantageous or desirable in the construction or maintenance of a Trunk Highway to make a minor alteration or change in a public drainage system directly affecting a trunk highway and that such alteration or change will not affect the functioning or efficiency of such public drainage system, it shall be the duty of, the Auditor, or the Clerk with the approval of the Judge, to fix a time and place for hearing thereon and to give notice of the hearing by publication, as defined by Chapter 143, Laws of Minnesota for 1947. Upon the filing of the petition the Commissioner of Highways shall also file a plan showing in detail the alteration or change petitioned for. If upon said hearing it appears to the County Board or District Court that such alteration or change in the public drainage system will not affect or impair the efficiency of such drainage system, the

Board or Court shall make its order allowing the Commissioner of Highways to make the alteration or change petitioned for. Upon the making of such order by the County Board or the Court, the Commissioner of Highways may proceed at the sole cost and expense of the State to make such alterations or changes as may be in said order allowed, damages, if any, for any additional lands necessary for such change or alteration being first duly paid or secured. Upon completion of the alteration or change the Commissioner of Highways shall file with the Auditor or Clerk a map drawn to scale showing thereon the change or alteration made and shall also file a profile of all lines of the alteration or change in the ditch showing graphically the elevation of the ground and gradient, whether open or tiled, the size of tile and the bottom width and side slope of open ditch sections, and such other information as may appear necessary for the understanding thereof. If the map and profile be filed with the clerk, duplicates thereof shall also be filed with the auditor of each county affected. Upon the completion of the alteration or change herein provided for, the ditch shall thereafter include such alteration or change as a part thereof with the same force and effect as though it had been originally so constructed and established.

[106.493] Sec. 2. **Damage to landowners; recovery.** Within six years after completion of any alteration or change, as provided in section 1 hereof, any owner or owners of lands in the drainage system claiming damages by reason of such alteration or change may bring an action in the district court of the county in which such lands are located to compel the Commissioner of Highways to pay the damages, if any, caused by such alteration or change.

Approved April 8, 1949.

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CHAPTER 326—S. F. No. 1342

*An Act relating to the distribution of certain funds of dissolved towns; amending Minnesota Statutes 1945, Section 368.49.*

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

Section 1. Minnesota Statutes 1945, Section 368.49, is amended to read :