

Section 1. Minnesota Statutes 1986, section 92.67, subdivision 4, is amended to read:

Subd. 4. **TIMING OF SALES.** (a) The commissioner shall offer lakeshore cabin site lots for sale pursuant to written request and in accordance with the following schedule:

(1) as to requests received before January 1, 1987, the sale shall be held ~~in June, July, or August 1987~~ not later than by October 31, 1987, if possible. However, if a lot is not offered for sale by that date, the lot shall be offered for sale at the next sale in the next year;

(2) as to requests received each calendar year after December 31, 1986, the sale shall be held in June, July, or August of the year after the request is received.

(b) The last sales shall be held in 1992. Lots not sold the first year offered may be reoffered in a succeeding year, following reappraisal if it is determined necessary by the commissioner.

(c) If a person other than the lessee purchases the leased lakeshore cabin site, the purchaser must make payment in full to the lessee at the time of the sale for the appraised value of any improvements. Failure of a successful bidder to comply with this provision voids the sale and the property must be rebid, if possible, at the same sale.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 15, 1987

CHAPTER 159—H.F.No. 1507

An act relating to water; prohibiting the commissioner of natural resources from issuing certain permits or approving certain plans for diversion of water from certain water basins before consultation with state and Canadian officials; amending Minnesota Statutes 1986, sections 105.37, by adding subdivisions; 105.405, subdivision 2, and by adding subdivisions; and 105.44, subdivision 4.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 105.37, is amended by adding a subdivision to read:

Subd. 17. "Basin of origin" means the drainage basin of the Great Lakes, the Red River of the North, the Mississippi River, or the Missouri River.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1986, section 105.37, is amended by adding a subdivision to read:

Subd. 18. "Consumptive use" means water that is withdrawn from its source for immediate further use in the area of the source and is not directly returned to the source.

Sec. 3. Minnesota Statutes 1986, section 105.405, subdivision 2, is amended to read:

Subd. 2. REQUIREMENTS FOR DIVERSION. No permit authorized by sections 105.37 to 105.55 nor any plan ~~for which that requires a permit or the commissioner's approval is required or permitted,~~ involving a diversion of any waters of the state, surface or underground, of more than 2,000,000 gallons per day average in any 30-day period, to a place outside of this state or from the basin of origin within this state shall be granted or approved until after (1) a determination by the commissioner that the water remaining in ~~this state~~ the basin of origin will be adequate to meet the ~~state's~~ basin's water resources needs during the specified life of the diversion project; and ~~after~~ (2) approval by the legislature.

Sec. 4. Minnesota Statutes 1986, section 105.405, is amended by adding a subdivision to read:

Subd. 3. REQUIREMENTS FOR CONSUMPTIVE USE. (a) Except as provided in paragraph (b), a permit authorized by sections 105.37 to 105.55 or a plan that requires a permit or the commissioner's approval, involving a consumptive use of more than 2,000,000 gallons per day average in a 30-day period, may not be granted or approved until after: (1) a determination by the commissioner that the water remaining in the basin of origin will be adequate to meet the basin's water resources needs during the specified life of the consumptive use; and (2) approval by the legislature.

(b) Legislative approval under paragraph (a), clause (2), is not required for a consumptive use in excess of 2,000,000 gallons per day average in a 30-day period for:

(1) a domestic water supply, excluding industrial and commercial uses of a municipal water supply; and

(2) agricultural irrigation and processing of agricultural products.

Sec. 5. Minnesota Statutes 1986, section 105.405, is amended by adding a subdivision to read:

Subd. 4. REQUIREMENTS FOR GREAT LAKES. (a) A permit authorized by sections 105.37 to 105.55 or a plan that requires a permit or the commissioner's approval, involving a diversion or consumptive use of waters of the state from the Great Lakes water basin within Minnesota where the diversion or consumptive use of waters would be more than 5,000,000 gallons per day average in a 30-day period, may not be granted or approved until after:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(1) the commissioner has notified and solicited comments on the proposed diversion or consumptive use from the offices of the governors of the Great Lakes states and premiers of the Great Lakes provinces, the appropriate water management agencies of the Great Lakes states and provinces, and the international joint commission;

(2) the commissioner has considered the comments and concerns of the offices, agencies, and commission to which notice was given under clause (1); and

(3) approval by the legislature.

(b) If an objection is made to the proposed diversion or consumptive use by an office, agency, or commission to which notice was given under paragraph (a), clause (1), the commissioner will convene a meeting with the affected office, agency or commission to investigate and consider the issues involved, and to seek a mutually agreeable solution to be recommended to the commissioner. In making a final decision on the approval of a permit or plan subject to review under this subdivision, the commissioner shall consider the record of the meeting and the recommendation. The commissioner shall send notification of the final decision to each office, agency, or commission to which notice was given under paragraph (a), clause (1).

Sec. 6. Minnesota Statutes 1986, section 105.44, subdivision 4, is amended to read:

Subd. 4. **TIME.** (a) Except as provided in paragraph (b), the commissioner shall act upon all applications, except for appropriations for irrigation, pursuant to subdivision 8, for appropriation permits within 30 days after the application and all required data is filed in the commissioner's office; either waiving hearing and making an order thereon or directing hearing thereon.

(b) The requirements of paragraph (a) do not apply to applications for:

(1) appropriations for irrigation, under subdivision 8;

(2) appropriations for diversion from the basin of origin of more than 2,000,000 gallons per day average in a 30-day period; or

(3) appropriations with a consumptive use of more than 2,000,000 gallons per day average for a 30-day period.

Sec. 7. **APPLICABILITY.**

Sections 3, 4, and 5 apply to permits for consumptive uses and diversions that were not allowed by permit before the effective date of this act.

Approved May 16, 1987

Changes or additions are indicated by underline, deletions by ~~strikeout~~.