

road, a municipal corporation, in the county of Roseau, from the state, executed by the commissioner of taxation on September 22, 1947, is validated and confirmed as a conveyance of all right, title and interest of the state on the date of execution thereof in and to the following described lands in the county of Roseau and state of Minnesota, to-wit:

South East One-quarter (SE $\frac{1}{4}$) of Section twenty-six (26), Township one hundred sixty-three (163) North, Range thirty-seven (37) West,

excepting and reserving to the state all minerals and mineral rights as otherwise provided by law.

Approved April 22, 1949.

CHAPTER 599—S. F. No. 1602

[Coded as Section 105.64]

An act relating to the drainage, diversion, control, or use of waters for mining iron ore or taconite.

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

[105.64] Section 1. **Drainage or diversion of water to facilitate mining.** Subdivision 1. The commissioner of conservation may grant permits for the drainage, diversion, control, or use of any waters under his jurisdiction when necessary for the mining of iron ore or taconite, wherever situated, as herein provided.

Subd. 2. Application for such permit shall be made to the commissioner in such form as he shall prescribe by the owner of the iron ore or taconite deposits affected or by the owner of the right to mine the same. Except as otherwise herein provided, all matters pertaining to such application, to the proceedings thereon, and to any permit issued thereon shall be governed by the provisions of Laws 1947, Chapter 142, and amendments thereof relating to applications and permits affecting waters, so far as applicable.

Subd. 3. A permit shall be granted hereunder only upon determination by the commissioner of the following conditions:

(1) That the proposed drainage, diversion, control, or use of waters will be necessary for the mining of substantial deposits of iron ore or taconite, and that no other feasible and economical method therefor is reasonably available;

(2) That the proposed drainage, diversion, control, or use of waters will not substantially impair the interests of the public in lands or waters or the substantial beneficial public use thereof except as expressly authorized in the permit, and will not endanger public health or safety;

(3) That the proposed mining operations will be in the public interest, and that the public benefits resulting therefrom will be sufficient to warrant the proposed drainage, diversion, or control of waters.

Subd. 4. In any case where the operations authorized by a permit hereunder may affect any public or private property not owned by the permittee, before proceeding with such operations, he shall acquire all rights or easements necessary therefor, shall pay or furnish security for the payment of all damages to such property that may result therefrom, and shall furnish such evidence of compliance with the provisions hereof as the commissioner may require. Neither the state nor any of its officers, agents, or employees shall incur any liability on account of the issuance of a permit hereunder or on account of any act or omission of the permittee, his agents or servants, under or in connection with any such permit.

Subd. 5. Notwithstanding any other limitations prescribed by law, every permit hereunder shall be granted for such term as the commissioner shall find necessary for the completion of the proposed mining operations, and he may allow and prescribe in the permit such time as he deems reasonable for the commencement or completion of any operations or construction under the permit or the exercise of the rights granted thereby. The original term of the permit or the time allowed for the performance of any condition thereof may be extended by the commissioner for good cause shown upon application of the permittee. In any permit issued hereunder the commissioner may prescribe such conditions as he deems necessary and practicable for restoration of the waters affected

to their former condition after completion of the mining operations or after expiration or cancellation of the permit, and may prescribe such other conditions as he deems necessary for protection of the public health, safety, and welfare, and may require the permittee to furnish a bond to the state, in such form and amount as the commissioner deems appropriate, as security for compliance with the conditions of the permit and all applicable provisions of law.

Subd. 6. Every permit issued hereunder shall be irrevocable for the term thereof and for any extension of such term except as follows:

(1) A permit may be modified or cancelled by the commissioner at the request or with the consent of the permittee upon such conditions as the commissioner deems necessary for protection of the public interests;

(2) Subject to appeal in the manner provided by Laws 1947, Chapter 142, a permit may be modified or cancelled by the commissioner in case of any breach of the terms or conditions thereof or in case of any violation of law pertaining thereto by the permittee, his agents or servants, or in case the commissioner finds such modification or cancellation necessary to protect the public health or safety, or to protect the public interests in lands or water against substantial injury resulting in any manner or to any extent not expressly authorized by the permit, or to prevent substantial injury to persons or property resulting in any manner or to any extent not so authorized, upon at least thirty days' written notice to the permittee, stating the grounds of the proposed modification or cancellation and giving the permittee an opportunity to be heard thereon;

(3) By written order to the permittee the commissioner may forthwith suspend operations under a permit if he finds it necessary in an emergency to protect the public health or safety or to protect public interests in lands or water against imminent danger of substantial injury in any manner or to any extent not expressly authorized by the permit, or to protect persons or property against such danger, and may require the permittee to take any measures necessary to prevent or remedy such injury; provided, that no such order shall be in effect for more than thirty days from the date thereof without giving the permittee at least ten days' written notice of such order and an opportunity to be heard thereon.

Sec. 4. Subd. 7. This act shall not amend, supersede, or repeal any existing law, but shall be supplementary thereto.

Approved April 22, 1949.

CHAPTER 600—S. F. No. 1605

[Not Coded]

An act relating to the cancellation of certain debts of drainage and conservancy districts organized under the provisions of Chapter 13, of the extra session laws of Minnesota for 1919, and laws amendatory thereto.

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

Section 1. Cancellation by counties of money advance to drainage ditches. That in all cases where any county, or counties of this state lying within the boundaries of any drainage and conservancy district, organized under the provisions of Chapter 13 of the Extra Session Laws of Minnesota for 1919, and laws amendatory thereto, have prior to January 1, 1925, made advances of moneys to such drainage and conservancy district for a preliminary expense fund, and such drainage and conservancy district has made no tax levy or assessment for the reimbursement of such county or counties of the moneys advanced for such preliminary expense fund and has made no reimbursement to such county or counties of the moneys so advanced, such debts and obligations of such drainage and conservancy districts to such county or counties are hereby in all things cancelled and discharged and shall no longer constitute a debt or obligation of such drainage and conservancy district to such county or counties.

Sec. 2. Effective date. This act shall take effect and be in force from and after its passage.

Approved April 22, 1949.

CHAPTER 601—S. F. No. 1630

An act relating to school buses and amending Minnesota Statutes 1945, Section 125.065, Subdivision 2.