

6125.0410 QUALIFICATION TO HOLD LEASE AND AUTHORIZATION TO CONDUCT GEOLOGICAL DATA GATHERING ACTIVITIES.

The right to apply for, acquire, and hold a lease to prospect for, mine, and remove metallic minerals owned by the state, and the right to apply for and to hold an authorization to conduct geological data gathering activities, are subject to items A and B.

A. The applicant is qualified to do business in Minnesota as shown by:

- (1) if a corporation organized under the laws of Minnesota, a certificate of incorporation from the secretary of state's office;
- (2) if a corporation organized under the laws of any state other than Minnesota or another country, a certificate of authority to transact business in Minnesota from the secretary of state's office;
- (3) if a limited partnership, a certificate of limited partnership from the secretary of state's office;
- (4) if an individual, proof of United States citizenship and of legal age; or
- (5) if a general partnership or other business entity, evidence that the general partners or individuals controlling the business entity meet the requirements in this part.

B. The applicant is qualified to conduct exploratory borings in Minnesota by fulfilling the requirements of Minnesota Statutes, section 103I.601, subdivision 3.

The commissioner may request additional evidence that the applicant is technically and financially capable of performing under the terms of a state minerals lease or an authorization to conduct geological data gathering activities and that the applicant has shown the capability to comply with environmental laws and permits. Such evidence may include but is not limited to a corporate report, an audited financial statement, resumes of corporate officers, and evidence of past compliance with environmental laws and permits in this or other states or in other countries. If such evidence is requested, the applicant must submit the evidence within 45 days of receipt of the request.

Statutory Authority: *MS s 93.08 to 92.12*

History: *19 SR 2434*

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