

**MINNESOTA STATE LOTTERY  
GAME PROCEDURES FOR THE LOTTO GAME  
“GOPHER 5<sup>®</sup>”**

**AS OF: MAY 13, 2009**

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"GOPHER 5®"**

1.0. Name of Game

The name of the Minnesota 5 of 47 Lotto Game is "GOPHER 5®".

1.1. Definitions

- A. "Director" means the Director of the Minnesota State Lottery.
- B. "Drawing" means the formal process of selecting Winning Numbers which determine the number of winners for each prize level of the game.
- C. "Game Board" or "Boards" means that area of the Play Slip which contains forty-seven (47) squares, numbers one (01) through forty-seven (47).
- D. "Game Ticket" or "Ticket" means a Ticket produced by a Retailer Terminal for the "GOPHER 5®" game.
- E. "Lottery" means the Minnesota State Lottery.
- F. "Lotto" means a Lottery game wherein a player selects a group of numbers out of a larger predetermined set of numbers.
- G. "Panel" means an area of a Play Slip which has to be marked by the player to select the numbers to play and the amount to be played.
- H. "Play" means the five (5) different numbers from one (01) through forty-seven (47) which appear on a Ticket as a single lettered selection and are to be played by a player in the game.
- I. "Play Slip" means a card used in marking a player's game plays and containing one (1) or more Boards.
- J. "Quick Pick" means the random selection by the computer system of five (5) different two-digit numbers from one (01) through forty-seven (47) which appear on a Ticket and are played by a player in the game.
- K. "Retailer" means a person or entity authorized by the Lottery to sell Lottery Game Tickets.

- L. "Terminal" means a device which is authorized by the Lottery to function in an interactive mode with the Lottery's computer system for the purpose of issuing Lottery tickets and entering, receiving and processing Lottery transactions, including purchases, validating tickets and transmitting reports.
- M. "Winning Numbers" means the five (5) numbers between one (01) and forty-seven (47) randomly selected at each Drawing, which shall be used to determine winning plays contained on a Game Ticket.

## 2.0. Game Description

- A. GOPHER 5<sup>®</sup> is a five (5) out of forty-seven (47) Lotto game which pays set prizes for matching 2 of the 5 numbers selected, 3 of the 5 numbers selected, 4 of the 5 numbers selected and pays prizes on a parimutuel basis for matching 5 of the 5 numbers selected.
- B. To play "GOPHER 5<sup>®</sup>", a player selects a set of five (5) different numbers from the set of numbers one (01) through forty-seven (47) for input into a Terminal. The player may select a set by audibly communicating the five (5) numbers or "Quick Pick" to the Retailer or by marking five (5) numbered squares in any one (1) Game Board or "Quick Pick" on a Play Slip and submitting the Play Slip to the Retailer. The Retailer will then issue a ticket, via the Retailer Terminal, containing the selected set of numbers, each on which constitutes a game play.

## 2.1. Claims

A ticket shall be the only proof of a game play or plays and the submission of a winning ticket to the Lottery or retailer shall be the sole method of claiming a prize or prizes. A play slip has no pecuniary or prize value and shall not constitute evidence of ticket purchase or of numbers selected.

## 2.2. Cancellations

- A. Except as provided in Paragraph E., if a Ticket is purchased on a day of a drawing and prior to time of the Drawing, the Ticket may be canceled by a player by 6:10 p.m.
- B. Except as provided in Paragraph E., if a Ticket is purchased on a day of a Drawing and after the time of the Drawing, the Ticket may be canceled by a player at any time prior to midnight on the same day that the Ticket was purchased.
- C. Except as provided in Paragraph E., if a Ticket is not purchased on a day of a Drawing, the Ticket may be canceled by the player at any time prior to midnight on the same day that the Ticket was purchased.
- D. A Ticket may only be canceled if:

- a. the player produces the Ticket;
  - b. the player returns the Ticket to the selling Retailer; and
  - c. no Drawing applicable to the Ticket has previously been held.
- E. A ticket purchased from a player activated terminal may not be canceled.

2.3. Player Responsibility

It shall be the sole responsibility of the player to verify the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the retailer who is acting on behalf of the player in entering the play or plays.

2.4. Price of Ticket

- A. The price of each GOPHER 5 ticket shall be \$1.00 and shall contain one play.
- B. A retailer may discount the sales price of a ticket in this game, if the reduction in price is part of a store-wide discount promotion on all purchases (lottery and non-lottery) made by the player. The discount of the price shall not relieve the retailer from the obligation to pay the Lottery the full price of a ticket as stated in this section.

2.5. Play Slip and Ticket Characteristics and Restrictions

- A. The player shall select, or request selection by computer, five numbered squares in the game grid on a play slip. Play slips shall be available at no cost to the purchaser. The minimum play amount is \$1.
- B. To purchase a ticket players shall, in addition to the purchase price, submit the completed play slip, or request number selection by Quick Pick to an authorized retailer to have issued a standard game ticket which shall contain the five number selections played in each game grid---the drawing date, amount bet and system control number data. This standard game ticket shall be the only valid proof of the bet placed, and the only valid receipt for claiming a prize. The standard game ticket shall only be valid for the drawing date printed on the ticket.
- C. If play slips are unavailable, plays may also be given verbally to an authorized retailer in groups of five number selections for each game grid for each \$1 wagered. The selections shall be manually entered into the computer terminal by the retailer.
- D. A player may select numbers for up to fourteen (14) drawings, specifically the next drawing and the thirteen (13) subsequent drawings.

- E. No ticket may be purchased or issued for a drawing within fifteen (15) minutes of that drawing.

2.6. Time, Place and Manner of Conducting Drawing

- A. Time of Drawing. GOPHER 5 drawing will be held three times a week or as determined and publicly announced by the Lottery.
- B. Place of Drawing. GOPHER 5 drawings will be conducted by the Lottery in places designated by the Lottery.
- C. Manner of Conducting Drawings. The Lottery will draw at random, five (5) numbers from one (01) through forty-seven (47), which will be known as the Winning Numbers after verification.

3.0. Prize Pool

The prize pool for all prize categories shall consist of 57 percent (57%) of each drawing period's sales, or such other percentage as may be determined and publicly announced by the Director.

3.1. Prize Reserve Fund

After there is sufficient funds allocated in the Grand Prize pool to fund a Grand Prize of \$130,000.00, the Director shall place up to two percent (2%) of the amount allocated to the Grand Prize in the GOPHER 5 game in a prize reserve fund until the prize reserve fund exceeds the amount designated by the Director from time to time.

3.2. Determination of Prize Winners

- A. The prizes awarded for the Grand Prize, matching the first five (5) numbers selected, shall be determined on a parimutuel basis starting at \$100,000 in the Grand Prize pool, with a minimum of \$100,000 paid to a single winning ticket.
- B. The prize money allocated to the Grand Prize from the total prize pool is 57.87%. The prize money allocated to the Grand Prize shall be divided equally by the number of tickets matching the five (5) numbers selected.
- C. An owner of a ticket matching four (4) of the five (5) numbers selected is entitled to a prize of five hundred dollars (\$500.00).
- D. An owner of a ticket matching three (3) of the five (5) numbers selected is entitled to a prize of fifteen dollars (\$15.00).

E. An owner of a ticket matching two (2) of the five (5) numbers selected is entitled to a prize of one dollar (\$1.00).

3.3. Funding of Guaranteed Prizes

The Lottery may offer guaranteed minimum Grand Prize amounts or minimum increases in the Grand Prize Amount between drawings or make other changes in the allocation of prize money where the Lottery finds that it would be in the best interest of the game.

3.4. Probability of Winning

The following table sets forth the probability of winning among each prize, based upon the total number of possible combinations of five (5) numbers played and five (5) numbers selected from a field of forty-seven (47).

<u>Prize</u>	<u>Match</u>	<u>Probability of Winning</u>
Grand Prize	5 of the 5 selected	1:1,533,939
\$500	4 of the 5 selected	1:7,304
\$15	3 of the 5 selected	1:178
\$1	2 of the 5 selected	1:13

\*Approximate  
\*Based on \$1.00 spent

Overall odds of winning a prize are 1:12.

3.5. Rollover

If the Grand Prize is not won in a drawing, the prize money allocated for the Grand Prize shall roll over and be added to the Grand Prize pool for the following drawing.

3.6. Limited to Highest Prize Won

The holder of a winning ticket may win only one Prize per board in connection with the winning numbers selected, and shall be entitled only to the prize won by those numbers.

3.7. Prize Claim Period

Prize claims must be submitted within one year of the drawing date, except if the one year deadline is a Saturday, Sunday, or a legal holiday, a claim must be submitted by close of business the following business day.

### 3.8. Procedure for Claiming a Prize

- A. To claim a prize of five hundred dollars (\$500.00) or less, a player shall sign the back of the ticket in the space designated on the ticket and present the winning ticket to any on-line retailer. The retailer shall verify the claim through use of the on-line terminal and, if valid, make payment of the amount due the player. In the event the Retailer cannot verify the claim, the Retailer shall provide the player with a claim form and instruct the player on how to file a claim with the Lottery. If the claim is validated by the Lottery, a check shall be forwarded to the player in the amount due. In the event the claim is not validated the claim shall be denied and the player shall be notified promptly.
- B. To claim the Grand Prize (matching five (5) of the five (5) numbers selected), the player must sign the winning ticket, fill out a claim form and present both at the Lottery's main office in Roseville, Minnesota or at such other locations as may be authorized by the Director. If the claim is validated by the Lottery, the check in the appropriate amount will be forwarded to the player, less applicable federal and state withholding tax and debt owed under Minnesota Statutes 270A.03. In the event that the claim is not validated by the Lottery, the claim shall be denied and the player shall be notified promptly.

### 4.0. Ticket Responsibility

- A. A GOPHER 5<sup>®</sup> prize claim is deemed to be submitted by the person whose name appears on the ticket or, in the case of a ticket not completed with name and address, by the person holding the ticket.
- B. The Lottery will not be responsible for lost or stolen GOPHER 5<sup>®</sup> tickets.
- C. The purchaser of the GOPHER 5<sup>®</sup> ticket has the sole responsibility for checking the accuracy and condition of the data printed on the ticket.
- D. The Lottery will not be responsible for GOPHER 5<sup>®</sup> tickets redeemed in error by a player from a retailer.

### 4.1. Ticket Validation Requirements

- A. Valid Tickets. To be a valid GOPHER 5<sup>®</sup> ticket, the following conditions shall be met:
  - 1. The ticket system control number shall be present in its entirety and shall correspond, using the computer validation file, to the selected numbers printed on the ticket for the date printed on the ticket.
  - 2. The ticket shall be intact.

3. The ticket may not be mutilated, altered, reconstituted or tampered with.
4. The ticket may not be counterfeit or an exact duplicate of another winning ticket.
5. The ticket shall have been issued by the Lottery through a retailer in an authorized manner.
6. The ticket may not have been stolen or canceled.
7. The ticket data shall have been recorded on the central computer system prior to the drawing and the ticket data shall match this computer record in every respect.
8. The player selected or computer selected numbers, the system control number data and the drawing date of an apparent winning ticket shall appear on the official file of winning tickets, and a ticket with that exact date may not have been previously paid.
9. The ticket may not be misregistered, defectively printed, or printed or produced in error to an extent that it cannot be processed by the Lottery.
10. The ticket shall pass other confidential security checks of the Lottery.

B. Invalid or Defective Tickets - Disputes. A ticket not passing the validation checks in subsection A will be considered invalid and will not be paid.

1. In cases of doubt, the determination of the Director of the Lottery is final and binding. The Lottery may replace an invalid ticket with a ticket of equivalent sale price from a current Lottery game.
2. If a defective ticket is purchased or if the Director determines to adjust an error, the sole and exclusive remedy will be the replacement of the defective or erroneous ticket with a ticket of equivalent sale price from a current Lottery game.
3. If a ticket is not paid by the Lottery and a dispute occurs as to whether the ticket is a winning ticket, the Lottery may replace the ticket as provided in paragraph 2. This is the sole and exclusive remedy of the holder of the ticket.

#### 4.2. Allowance for Delay of Payment

The Lottery may delay payment of the prize pending a final determination by the Director, under any of the following circumstances:

- a. if a dispute occurs or it appears likely that a dispute may occur, regarding the prize;
- b. if there is any question regarding the identity of the claimant;
- c. if there is any question regarding the validity of the ticket presented for payment; or
- d. if the claim is subject to any setoff for delinquent debts owed by the claimant under Minnesota Statutes, Section 349A.08, subdivision 8.

No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

#### 4.3. Payment of Prizes to Person Under 18

A prize may not be paid to a person under 18 years of age.

#### 5.0. Ticket Ownership

- A. Until such time as a signature is placed upon the back portion of a ticket in the space designated therefor, a ticket shall be owned by the physical possessor of said ticket.
- B. When a signature is placed on the back of the ticket in the space designated therefor, the player whose signature appears in that area shall be the owner of the ticket and shall be entitled to any prize attributable thereto.
- C. Notwithstanding any name or names submitted on a claim form, the Director shall make payment to the player whose signature appears on the back of the ticket in the space designated therefor except as provided below.
- D. If more than one (1) name appears on the back of the ticket or more than one (1) person have agreed to share the prize and the prize being claimed is not for the Grand Prize (matching all 5 of the 5 numbers selected), the director will require that one (1) of those players whose name appears thereon or have agreed to share the prize be designated to receive payment.
- E. If more than one (1) name appears on the back of a Ticket or there is a valid agreement among more than one (1) person agreeing to share the prize, and the prize being claimed is for the Grand Prize (matching 5 of the 5 numbers selected), the Director may make payment to each person who is party to a valid prize sharing agreement.
- F. The Lottery shall not be responsible for lost or stolen game tickets.

## 6.0. Governing Law

In purchasing a ticket, the player agrees to comply with, and abide by, these game procedures for GOPHER 5<sup>®</sup>, Minnesota Statutes, Chapter 349A (the State Lottery Law), the Lottery's Prize Payment Rules, and all final decisions of the Director.

## 7.0 Retailer's Conduct, Bulk Purchase Restrictions

- A. A Lottery Retailer authorized to sell lottery tickets for lotto games, or an employee of a retailer may not request, demand, or accept gratuities or additional compensation from any person, or agent thereof, in exchange for the purchase of GOPHER 5<sup>®</sup> lottery tickets.
- B. A Lottery Retailer authorized to sell lottery tickets for lotto games must make GOPHER 5<sup>®</sup> lottery tickets available for sale to the public during the hours that sale of GOPHER 5<sup>®</sup> tickets are authorized to be sold and that business is open to the public.
- C. A Lottery Retailer authorized to sell lottery tickets for lotto games may only sell GOPHER 5<sup>®</sup> lottery tickets on the premises described in the retailer's contract, except as specially authorized in writing by the Director. No transaction, or any part thereof, of GOPHER 5<sup>®</sup> lottery tickets may be made at the general corporate office of any retailer unless that office is open to the public and has contracted with the Lottery as a separate Lottery Retailer.
- D. A Lottery Retailer authorized to sell lottery tickets for lotto games may not enter into any special agreement with any person, group of persons, or agent thereof, for the purchase of over \$500 of GOPHER 5<sup>®</sup> lottery tickets for any one draw.
- E. A Lottery Retailer authorized to sell lottery tickets for lotto games must immediately report to the Lottery any attempt made by any person, or group of persons, or an agent thereof, to purchase more than 50% of the number combinations for GOPHER 5<sup>®</sup> for any one draw.
- F. A Lottery Retailer authorized to sell lottery tickets for lotto games must obtain the name and address of any person purchasing more than \$5,000 in GOPHER 5<sup>®</sup> lottery tickets for any one draw and report the information to the Lottery before the sale.