

**MINUTES OF THE
NEW MEXICO MINING COMMISSION
REGULAR MEETING
MONDAY, MAY 3, 2010**

Note: Draft minutes subject to review and approval by the Commission

The New Mexico Mining Commission meeting was convened at 1:00 P.M. May 3, 2010 in Porter Hall on the first floor of the Wendell Chino building (Energy, Minerals and Natural Resources Department) located at 1220 South St. Francis Dr. in Santa Fe, NM. The meeting was audio recorded and the audio files are in the custody of the commission clerk.

The following members were present:

Marcy Leavitt	Acting Chair, Environment Department
John Bemis	State Land Office
Doug Bland	NM Bureau of Geology and Mineral Resources
Matthew Wunder	Department of Game and Fish
Mike Johnson	State Engineer's Office
Richard Mohr (via telephone)	Public Representative – Industry
Curtis Francisco	Environment Alternate
Sally Malavé	Commission Attorney

The following members were absent:

Jeremy Vesbach	Public Representative – Environment
Charlie Sanchez	NM Soil and Water Conservation Comm.
Steve Loring	NM Agricultural Experiment Station
John Hughes	Industry Alternate

Roll call

Taken by Commission Clerk John Pfeil with attendance indicated by those present above.

Approval of the agenda

A motion was made by Commissioner Bemis, and seconded by Commissioner Wunder, to approve the agenda. By voice vote, approval was unanimous.

Adoption of the minutes of the November 13, 2009 and March 3 and 15, 2010 meetings

Chair Leavitt asks if there are any changes to the minutes. Mr. Bland states that he had identified some problems. After stating the requisite changes Mr. Wunder moves to approve the minutes as submitted with the revisions, second by Mr. Bland. Motion passes unanimously on a voice vote.

Discussion and Approval of Final Order in the Matter of the Petition for Review of the Director's Action Dated August 19, 2009 General Permit MK001DRY, Case No. 09-01

After a brief discussion, John Bemis made a motion to approve the order prepared by the Commission's counsel pursuant to its directive to prepare a written order consistent with the Commission's decision, announced at its March 15, 2010 meeting, and containing findings of fact and conclusions of law. Motion passes on a roll call vote 5-0 with one abstention. (Leavitt - yes, Bemis - yes, Bland – yes, Wunder – yes, Mohr – Yes, Johnson – abstain).

The Order approved by the Commission (1) affirms Conditions 2, 3, 5 and 10 on General Permit MK001DRY; (2) affirms the Director's decision to not permit Ree-Co's proposed twenty 4 7/8-inch diameter, 1200-foot deep drill holes on the East Ranch Project under a general permit; (3) affirms the Director's decision requiring Ree-Co to obtain either a Rule 302 minimal impact exploration permit or a Rule 402 regular exploration permit for its proposed twenty 4 7/8-inch diameter, 1200-foot deep drill holes on the East Ranch Project; and (4) concludes that the New Mexico Mining Act and the Commission rules, as written or applied by the Director in this matter, do not conflict with and are not preempted by the General Mining Law of 1872.

Mining Act Reclamation Program annual report

Holland Shepherd, David Otori, Chris Eustice and John Pfeil present the annual report to the commission.

Other business

None

Adjourn:

The meeting was adjourned at 2:25 P.M.

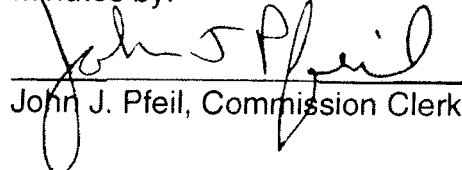
Approved:



Chair

Date 11-1-11

Minutes by:



John J. Pfeil, Commission Clerk