

**MINUTES OF THE
NEW MEXICO MINING COMMISSION
REGULAR MEETING
WEDNESDAY, MARCH 3, 2010**

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

The New Mexico Mining Commission meeting was convened at 9:00 A.M. March 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
Jeremy Vesbach	Public Representative – Environment
Richard Mohr	Public Representative – Industry
Curtis Francisco	Environment Alternate
Sally Malavé	Commission Attorney

The following members were absent:

Vacant	State Engineer's Office
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

After Chairwoman Leavitt announced that Item No. 4 (continuation of hearing on Ree-Co Uranium L.P.'s Petition 09-01) would be removed from the agenda, a motion was made by Commissioner Bland, and seconded by Commissioner Vesbach, to approve the agenda. By voice vote, approval was unanimous.

Consideration of Ree-Co Uranium L.P.'s Supplemental Closing Argument and MMD's Motion to Strike Ree-Co's Supplemental Closing Argument

Chairwoman Leavitt stated she had read both Ree-Co's Supplemental Closing Argument and MMD's Motion to strike Ree-Co's Closing Argument, and she felt there was enough information for consideration by the Commission.

Commissioner Bland asked for a brief explanation of the Court's ruling regarding removing item 4 (see above) from the agenda. Commission Attorney Malave, asked Charles Lakins, Attorney, for Ree-Co, who was present in audience, to explain the court's ruling. Attorney Lakins briefly stated that Ree-Co had filed a Writ of Mandamus asking that the Court require that the Mining Commission reopen the hearing and take additional evidence. The offers of proof were denied, and also, the allowing of further questioning of Mr. Holland Shepherd, MARP Program Manager, was denied by the Court. The writ was quashed and the Court said for the Commission to continue with its deliberations.

Deliberation and possible decision on Petition 09-01

Chairman Leavitt entertained a motion to go into executive session made by Commissioner Bland, and seconded by Commissioner Bemis. The roll call vote was unanimous. The public portion of the proceedings was adjourned at 9:20a.m.

Adjourn

The commission deliberated until 3p.m. At that time they asked the Clerk to return to Porter Hall to discuss the availability of Porter Hall for a subsequent meeting where they would announce their decision/s regarding petition 09-01. The Commission set the meeting for March 15, 2010. The meeting was adjourned about 3:20 p.m.

Approved:

Minutes by:

Marcy Leavitt, Chair

Date _____

John J. Pfeil, Commission Clerk