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 9:20 a.m.

**Adjourn**
The commission deliberated until 3 p.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.