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FACSIMILE TRANSMISSION

DATE: May 23, 2013

TO: NM OIL CONSERVATION DIVISION
ATTN: FLORENE DAVIDSON

FAX NO.: 505 476-3462

NO. OF PAGES, INCLUDING COVER PAGE: 5

FROM: W.T. Martin, Jr.

OUR FILE: APPLICATION OF GEORGE ROSS RANCH

Please call Carla at (575) 887.3528 if the transmission is unclear or pages are missing.

I do hereby certify that I have completed the transmission set forth above.

By: _____
CARLA GALLOWAY

MESSAGE:
Ms. DAVIDSON,

PLEASE FIND OUR MOTION TO VACATE HEARING. PLEASE FAX THE CONFORMED COPY TO OUR OFFICE.

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STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

**IN THE MATTER OF THE APPLICATION OF)
CIMAREX ENERGY CO. OF COLORADO TO)
REINSTATE INJECTION AUTHORITY, EDDY)
COUNTY, NEW MEXICO)**

CASE # 14994

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GEORGE ROSS RANCH'S MOTION TO VACATE HEARING

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COMES NOW Applicant, George Ross Ranch, LLC, by and through its attorney, W. T. Martin, Jr., and moves the Hearings Examiner to vacate the hearing on the Cimarex Application set for Thursday, May 30, 2013 and reset the hearing at a later date. As grounds for the Motion, the Applicant states:

1. George Ross Ranch, LLC has filed an objection to the Cimarex application in the form of a Response in Opposition and Pre-hearing Statement, which has been filed with the OCD.
2. A hearing is set for Thursday, May 30, 2013 on the Cimarex application.
3. The hearing on the Cimarex application can be lengthy.
4. Counsel for George Ross Ranch has had to undergo a series of total hip replacement surgeries for both of his hips.
 - a. The first total hip replacement was the left hip done November 28, 2012. That surgery required weeks of recovery.
 - b. The second total hip replacement surgery took place April 23, 2013, which was approximately one month ago.
 - i. George Ross Ranch's counsel continues in rehabilitation with limits placed upon him. He is not allowed to drive and other physical activities are temporarily limited, which results in impairing the ability to attend certain matters. These restrictions will continue past the May 30, 2013 hearing date.
 - c. George Ross Ranch's counsel believes the restrictions will be gone by July 1, 2013, which will allow a June 13, 2013 setting.
5. For the reasons set forth in ¶4 above, request is made that the hearing for May 30, 2013 be vacated and reset at the next available setting of June 13, 2013.

6. At the time of filing this Motion, counsel for Cimarex has been contacted. Cimarex's counsel has been unable to state whether Cimarex does or does not object to this Motion.

Martin, Dugan & Martin



By _____

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CERTIFICATE OF SERVICE

Martin, Dugan & Martin certifies that on the 24th day of May 2013 a copy of the foregoing *Motion to Vacate* was served on the following persons or entities:

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Attorney for Applicant, Cimarex Energy of Colorado

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W. T. Martin, Jr.