

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

**APPLICATION OF APEX DISPOSAL SERVICES,
LLC FOR APPROVAL OF A SALT WATER,
DISPOSAL WELL, EDDY COUNTY, NEW MEXICO**

Case No. 15408

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MOTION TO CONTINUE

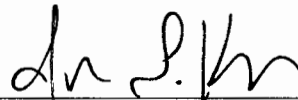
XTO Energy, Inc. ("XTO") moves the Division to continue the above-referenced application currently scheduled for the November 12, 2015, Examiner Hearing Docket, to the December 17, 2015, Examiner Hearing Docket. In support of this motion, XTO states:

1. In Case No. 15408, Apex Disposal Services, LLC ("Apex") seeks an order approving the Mobley Ranch SWD Well No. 1, a salt water disposal well, to be located 225 feet from the North line and 2450 feet from the West line of Section 19, Township 23 South, Range 30 East, N.M.P.M., Eddy County, New Mexico. Apex proposes to inject into the Devonian formation.
2. XTO owns acreage and facilities affected by this proposal and object to this additional disposal well in the Devonian formation.
3. XTO and Apex recently engaged in conversations in which Apex indicated that it is examining additional locations for its salt water injection well. A continuance would allow both parties additional time to evaluate well locations and engage in negotiations.
4. Apex's application should be continued until December 17, 2015, to give Apex and XTO additional time to evaluate other proposed well locations.
5. Apex's counsel has been contacted about this motion and stated that Apex opposes this motion.

WHEREFORE, XTO respectfully requests that the Division continue the hearing on these cases until the December 17, 2015, Examiner Hearing Docket.

Respectfully submitted,

HOLLAND & HART, LLP

By: 

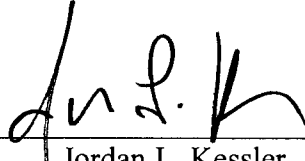
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ATTORNEYS FOR XTO ENERGY, INC.

CERTIFICATE OF SERVICE

The hereby certify that on November 9, 2015, I served a copy of the foregoing **Motion to Continue** to the following counsel of record via electronic mail to:

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