

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

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

CASE NO. 15408

XTO's PRE-HEARING STATEMENT

XTO Energy, Inc. (XTO), a party appearing in opposition to the above referenced matter, submits this Pre-Hearing Statement pursuant to the rules of the Oil Conservation Division.

APPEARANCES

APPLICANT

Apex Disposal Services LLC
P. O. Box 2737
Littleton, CO 80161

OBJECTING PARTY

XTO Energy, Inc.
810 Houston Street
Fort Worth, TX 76102

ATTORNEY

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APPLICANT'S STATEMENT OF CASE

Applicant seeks authority to drill into the Devonian formation for the sole purpose of operating a commercial salt water disposal well in Unit C of Section 19, Township 23 South,

Range 30 East, N.M.P.M., Eddy County, New Mexico. XTO owns acreage and facilities affected by this proposal and objects to this additional disposal well in the Devonian formation.

APPLICANT'S PROPOSED EVIDENCE

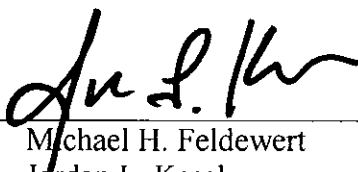
WITNESS Name and Expertise	ESTIMATED TIME	EXHIBITS
Angie Repka, Landman	Approx. 10	Approx. 3
Brian Henthorn, Petroleum Geologist	Approx. 10	Approx. 4
Jim Madison, Petroleum Engineer	Approx. 15	Approx. 4

PROCEDURAL MATTERS

XTO may request a continuance of this matter so that the parties may engage in efforts to resolve the issues.

Respectfully submitted,

HOLLAND & HART, LLP



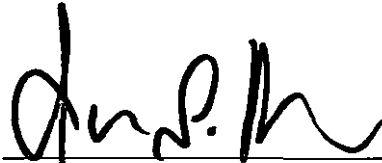
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ATTORNEYS FOR XTO ENERGY, INC.

CERTIFICATE OF SERVICE

I hereby certify that on November 5, 2015, I served a copy of the foregoing document to
the following via electronic mail to:

James Bruce
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A handwritten signature in black ink, appearing to read "Michael H. Feldewert", written over a horizontal line.

Michael H. Feldewert
Jordan L. Kessler