

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. 15,408

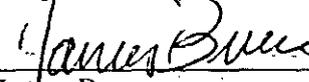
**RESPONSE OF APPLICANT
TO MOTION TO CONTINUE**

Apex Disposal Services, LLC ("Apex") submits this response to the motion to continue filed by XTO Energy Inc. ("XTO"):

1. XTO stated that it desires extra time to negotiate a change in the location of Apex's well. Apex declines to move its well. As a result, Apex originally opposed XTO's motion.
2. However, Apex now consents to the continuance. The continuance will provide additional time for Apex to prepare on the issues raised by XTO's pleadings.

WHEREFORE, Apex requests the Division to grant XTO's motion to continue this case to the December 17, 2015 Examiner hearing.

Respectfully submitted,



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Attorney for Apex Disposal Services, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 10th day of November, 2015 by e-mail:

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