

**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**

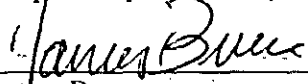
**RESPONSE OF APPLICANT  
TO MOTION TO CONTINUE**

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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James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

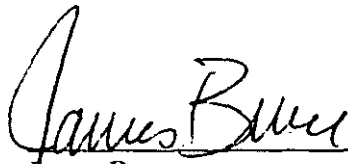
Attorney for Apex Disposal Services, LLC

**CERTIFICATE OF SERVICE**

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

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James Bruce