

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

**APPLICATIONS OF GOODNIGHT MIDSTREAM
PERMIAN, LLC FOR APPROVAL OF SALTWATER
DISPOSAL WELLS LEA COUNTY, NEW MEXICO**

CASE NOS. 23614-23617

**APPLICATION OF GOODNIGHT MIDSTREAM
PERMIAN LLC TO AMEND ORDER NO. R-
22026/SWD-2403 TO INCREASE THE APPROVED
INJECTION RATE IN ITS ANDRE DAWSON SWD #1,
LEA COUNTY, NEW MEXICO.**

CASE NO. 23775

**APPLICATIONS OF EMPIRE NEW MEXICO LLC TO
REVOKE INJECTION AUTHORITY,
LEA COUNTY, NEW MEXICO**

CASE NOS. 24018-24020, 24025

**APPLICATION OF GOODNIGHT ERMIAN
MIDSTREAM, LLC FOR APPROVAL OF A
SALTWATER DISPOSAL WELL, LEA COUNTY,
NEW MEXICO.**

**DIVISION CASE NO. 24123
ORDER NO. R-22869-A**

ORDER ON PREHEARING MATTERS

This matter, having come before the Oil Conservation Commission (“Commission”) on several pre-hearing issues raised by the parties or otherwise *sua sponte* considered by the Commission, and the Commission, being fully advised at its public meeting on January 16, 2025, as attended by all parties to the above-captioned case, and having consulted with Commission counsel, hereby orders as follows:

1. The parties have stipulated to the authority of the hearing examiner appointed by the Commission to issue the following pre-hearing procedural orders: *Order on Goodnight/Empire Motion to Quash Deposition Subpoenas* dated August 18, 2024; *Order Granting Goodnight's Expedited Motion For Issuance of Expert Deposition Subpoenas* dated August 22, 2024; *Order on Goodnight Expedited Motion to Compel*, dated August 22, 2024; *Prehearing Order* dated December 5, 2024; *Order Granting Empire New Mexico LLC's Motion for Four-Day Extension of Time To File Requests For Subpoenas* (undated);

2. In addition to the aforementioned stipulation, the Commission hereby ratifies said orders.

3. A quorum of the Commission shall, either personally or virtually, attend and hear all matters and evidence to be presented by the parties in this adjudication. Additionally, the hearing examiner will attend this adjudication and run the hearing, subject to any contemporaneous direction by the Commission.

4. At the close of the evidentiary hearing but prior to Commission deliberations, Commission counsel shall advise the Commission by privileged written communication. The hearing examiner shall not make any post-evidentiary recommendations or reports to the Commission but will be available to the Commission and to its counsel to provide additional administrative support.

5. The two petitioning private parties have stipulated that the Commissioners may review any pre-filed exhibits and testimony as soon as practicable to prepare for the hearing, and that to the extent that any Commissioner reviews any pre-filed exhibit or testimony subsequently excluded, those parties have stipulated that the Commission will be able to disregard any consideration of same without prejudice to any party.

6. The Commission shall rule on all pre-hearing motions, including motions *in limine*, at or prior to the evidentiary hearing.

7. At the hearing of this matter, the order of presentation of evidence shall be as follows: (1) Empire New Mexico L.L.C., (2) Goodnight Midstream Permian L.L.C., and (3) the Oil Conservation Division. Additional rebuttal evidence may be allowed thereafter as deemed appropriate by the Commission.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "G. Razatos", is written above a horizontal line.

Gerasimos Razatos, Acting Chairman
New Mexico Oil Conservation Commission