

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

**APPLICATION OF GOODNIGHT
MIDSTREAM PERMIAN, LLC TO AMEND
ORDER NO. R-22506 (SWD-2392) FOR A
ONE-YEAR EXTENSION TO COMMENCE
INJECTION OPERATIONS, LEA COUNTY,
NEW MEXICO.**

CASE NO. 24491

MOTION TO REFER CASE TO COMMISSION

Goodnight Midstream Permian, LLC (“Goodnight Midstream”) (OGRID No. 372311), through its undersigned attorneys, hereby files this motion pursuant to 19.15.4.20.B NMAC to refer this case to the Commission. In support, Goodnight Midstream states the following:

1. This case involves an administrative application filed by Goodnight Midstream to extend the time to commence injection operations through its proposed Rocket SWD #1.
2. Authority to inject was approved under Division Order No. R-22506 in Case No. 21527, which went to hearing before the Division on December 3, 2020.
3. Under the provisions of the UIC Class II Permit SWD-2392, the authorization to inject granted the Rocket SWD #1 is valid for one year after the date of issuance, or until March 2, 2024. Goodnight Midstream submitted a timely request for a one-year extension in accordance with the terms of SWD-2392.
4. The administrative extension request was protested by Empire New Mexico LLC (“Empire”). In response, Goodnight Midstream filed an application for hearing to consider its extension request.
5. Empire has also separately filed an application to revoke the injection authority for the Rocket SWD #1 under Case No. 24021.

6. The Division Director referred Case No. 24021 to the Commission to be considered with a set of other disputed cases between Goodnight Midstream and Empire involving produced water disposal within and around Empire's Eunice Monument South Unit ("EMSU").

7. The application in this case relates to Goodnight Midstream Division Case Nos. 23614-23617, 23775; 24277 and 24278; and Commission Case No. 24123 (de novo); and Empire New Mexico, LLC's Division Case Nos. 24018-24020 and 24025, which all involve a dispute over produced water disposal in the San Andres formation within the EMSU. Applicant therefore requests that this application be referred to the Commission for consideration with the foregoing referenced cases under 19.15.4.20.B. NMAC.

8. Moreover, authority to inject into the Rocket SWD #1 is already pending before the Commission in Case No. 24021.

9. Division Rule 19.15.4.20 NMAC authorizes the Division Director to direct the Commission to hear certain matters. Referring this case to the Commission to be considered with other similar cases will promote administrative economy by avoiding the need for multiple hearings on similar issues between the Division and Commission.

10. Counsel for the Oil Conservation Division and Empire do not oppose this motion.

WHEREFORE, Goodnight Midstream Permian, LLC requests that this case be referred to the Oil Conservation Commission for an initial status conference on June 20, 2024.

Respectfully submitted,

HOLLAND & HART LLP

By: 

Michael H. Feldewert
Adam G. Rankin
Paula M. Vance
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
(505) 988-4421
(505) 983-6043 Facsimile
mfeldewert@hollandhart.com
agrarkin@hollandhart.com
pmvance@hollandhart.com

**ATTORNEYS FOR GOODNIGHT MIDSTREAM
PERMIAN, LLC**

CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2024, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

Ernest L. Padilla
Padilla Law Firm, P.A.
Post Office Box 2523
Santa Fe, New Mexico 87504
(505) 988-7577
padillalawnm@outlook.com

Dana S. Hardy
Jaelyn M. McLean
HINKLE SHANOR LLP
P.O. Box 2068
Santa Fe, NM 87504-2068
(505) 982-4554
dhardy@hinklelawfirm.com
jmclean@hinklelawfirm.com

Sharon T. Shaheen
Daniel B. Goldberg
Montgomery & Andrews, P.A.
Post Office Box 2307
Santa Fe, NM 87504-2307
(505) 986-2678
sshhaeen@montand.com
dgoldberg@montand.com
cc: wmcginnis@montand.com

Attorneys for Empire New Mexico, LLC

Jesse Tremaine
Chris Moander
Assistant General Counsels
New Mexico Energy, Minerals, and
Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505
(505) 741-1231
(505) 231-9312
jessek.tremaine@emnrd.nm.gov
chris.moander@emnrd.nm.gov

***Attorneys for New Mexico Oil
Conservation Division***



Adam G. Rankin