

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

APPLICATION OF GOODNIGHT MIDSTREAM PERMIAN, LLC TO AMEND ORDER NO. R-7767 TO EXCLUDE THE SAN ANDRES FORMATION FROM THE EUNICE MONUMENT OIL POOL WITHIN THE EUNICE MONUMENT SOUTH UNIT AREA, LEA COUNTY, NEW MEXICO.

CASE NO. 24277

APPLICATION OF GOODNIGHT MIDSTREAM PERMIAN, LLC TO AMEND ORDER NO. R-7765, AS AMENDED TO EXCLUDE THE SAN ANDRES FORMATION FROM THE UNITIZED INTERVAL OF THE EUNICE MONUMENT SOUTH UNIT, LEA COUNTY, NEW MEXICO.

CASE NO. 24278

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

CASE NOS. 23614-23617

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

CASE NOS. 24018-24027

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

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

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

GOODNIGHT'S NOTICE OF NON-APPEARANCE FOR EXPERT DEPOSITIONS

Pursuant to NMSA 1978, §70-2-8 and 19.15.4.16.A NMAC, and Rules 1-030 and 1-045 NMRA, Goodnight Midstream Permian, LLC (“Goodnight”), by and through undersigned counsel, hereby gives notice to Empire New Mexico, LLC of the non-appearances of subpoenas for depositions of Thomas E. Tomastik (on August 6, 2024 at 9:00AM MT), of William J.

Knights (on August 6, 2024 at 1:00 PM MT), of Dr. James A. Davidson (on August 7, 2024 at 9:00 AM MT), of John McBeath (on August 7, 2024, at 1:00 PM MT), and of Dr. Larry Lake (on August 8, 2024, at 9:00 AM MT), as noticed in the subpoenas issued by the New Mexico Oil Conservation Commission on July 19, 2024. In support, Goodnight incorporates the arguments and authorities raised in its motion to quash said subpoenas, served contemporaneously with this notice. *See* NMRA 1-010(C).

DATED: August 1, 2024

Respectfully submitted,

HOLLAND & HART LLP

/s/ Nathan R. Jurgensen

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2024, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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