

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

**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**

**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**

**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**

**EMPIRE NEW MEXICO LLC'S SECOND SUPPLEMENTAL RESPONSE TO  
GOODNIGHT MIDSTREAM PERMIAN LLC'S SUBPOENA DUCES TECUM**

In accordance with the New Mexico Oil Conservation Commission's ("Commission")  
Amended Order Partially Granting Empire New Mexico, LLC's ("Empire") Objections to and

Motion to Quash Goodnight Midstream Permian, LLC's Subpoena Duces Tecum, Empire submits the following second supplemental response to subpoena request number 8.

**Request No. 8:** All internal and external estimates of proved, probable, and possible reserves of oil, gas, and hydrocarbons within the EMSU, including external reports prepared for the Empire New Mexico, LLC, or any of its parent companies, affiliates, or subsidiaries, as well as internal and external communications, emails, memoranda, and summaries, that reflect on, discuss, reference, or concern such reserve reports.

**Response:** Empire objected to this request, and the Commission's Order states: "This request is unduly burdensome with respect to any non-technical analysis that Empire relied upon in its estimates as described in this request. In light of Empire's representation that it will produce all such reports, this request should be limited to any other documents that reflect technical analysis as relied upon by Empire in such estimates."

Empire has not prepared, and is not in possession of, estimates of probable or possible reserves of oil, gas, and hydrocarbons within the EMSU. Regarding proved reserves, Empire is providing a March 21, 2024 report on proved developed reserves prepared by Cawley, Gillespie & Associates, Inc. with bates numbers OCD 23614-17 03537 – 03538. However, the report is not specific to the EMSU. Empire is not in possession of other documents that reflect technical analysis as relied upon by Empire with respect to proved reserves within the EMSU. Empire notes that it provided extensive testimony and exhibits in these matters in November of 2023, which include discussion of the reserves underlying the EMSU, and also provided extensive information in discovery responses regarding the bases for its exhibits and testimony. Goodnight is in possession of those documents, and Empire is not re-producing them here.

**Supplemental Response:** Empire is producing the report that it provided to Cawley, Gillespie & Associates, Inc. in relation to the March 21, 2024 report on proved, developed reserves that was previously produced (bates numbers OCD 23614-17 03537 – 03538). The report, which is being produced with bates numbers OCD 23614-17 03742, has been redacted with respect to areas outside the EMSU and with respect to financial information. The report does not address probable or possible reserves.

Respectfully submitted,

**HINKLE SHANOR LLP**

By: /s/ Dana S. Hardy

Dana S. Hardy

Jaclyn M. McLean

Timothy B. Rode

P.O. Box 2068

Santa Fe, NM 87504-2068

(505) 982-4554

[dhardy@hinklelawfirm.com](mailto:dhardy@hinklelawfirm.com)

[jmclean@hinklelawfirm.com](mailto:jmclean@hinklelawfirm.com)

[trode@hinklelawfirm.com](mailto:trode@hinklelawfirm.com)

Ernest L. Padilla

**PADILLA LAW FIRM, P.A.**

P.O. Box 2523

Santa Fe, NM 87504

(505) 988-7577

[padillalawnm@outlook.com](mailto:padillalawnm@outlook.com)

Sharon T. Shaheen

**SPENCER FANE LLP**

P.O. Box 2307

Santa Fe, NM 87504-2307

(505) 986-2678

[sshaheen@spencerfane.com](mailto:sshaheen@spencerfane.com)

*Attorneys for Empire New Mexico, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following by electronic mail on August 22, 2024.

/s/ Sharon T. Shaheen

Mathew M. Beck  
Peifer, Hanson, Mullins & Baker, P.A.  
P.O. Box 25245  
Albuquerque, NM 87125-5245  
(505) 247-4800  
mbeck@peiferlaw.com

*Attorneys for Rice Operating Company and Permian Line Company, LLC*

Christopher Moander  
Office of General Counsel  
New Mexico Energy, Minerals and Natural Resources Department  
1220 South St. Francis Drive  
Santa Fe, NM 87505  
(505) 476-3441  
Chris.Moander@emnrd.nm.gov

*Attorneys for Oil Conservation Division*

Ernest L. Padilla  
Padilla Law Firm  
P.O. Box 2523  
Santa Fe, NM 87504  
(505) 988-7577  
padillalawnm@outlook.com

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

*Attorneys for Empire New Mexico LLC*

Miguel A. Suazo  
Sophia Graham  
Kaitlyn Luck  
Beatty & Wozniak, P.C.  
500 Don Gaspar Ave.  
Santa Fe, NM 87505  
msuazo@bwenergylaw.com  
sgraham@bwenergylaw.com  
kluck@bwenergylaw.com

*Attorneys for Pilot Water Solutions SWD, LLC*

Michael H. Feldewert  
Adam G. Rankin  
Paula M. Vance  
Nathan Jurgensen  
Holland & Hart LLP  
P.O. Box 2208  
Santa Fe, NM 87504  
(505) 988-4421  
mfeldewert@hollandhart.com  
agrarkin@hollandhart.com  
pmvance@hollandhart.com  
nrjurgensen@hollandhart.com

*Attorneys for Intervenor Goodnight Midstream, LLC*