

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

jmclean@hinklelawfirm.com

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

Sharon T. Shaheen

SPENCER FANE LLP

P.O. Box 2307

Santa Fe, NM 87504-2307

(505) 986-2678

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