

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

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

**CASE NOS. 23614-23617**

**SUBPOENA**

To: Empire New Mexico, LLC  
c/o Padilla Law Firm, P.A.  
Attn: Ernest L. Padilla  
Post Office Box 2523  
Santa Fe, New Mexico 87504  
(505) 988-7577 telephone  
padillalawnm@outlook.com

Dana S. Hardy  
Jaclyn M. McLean  
HINKLE SHANOR LLP  
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)

Sharon T. Shaheen  
Samantha H. Catalano  
Montgomery & Andrews, P.A.  
Post Office Box 2307  
Santa Fe, NM 87504-2307  
(505) 986-2678  
[sshaheen@montand.com](mailto:sshaheen@montand.com)  
[scatalano@montand.com](mailto:scatalano@montand.com)  
ec: [wmcginnis@montand.com](mailto:wmcginnis@montand.com)

**YOU ARE HEREBY COMMANDED** pursuant to NMSA 1978, §70-2-8 and Rule 19.15.4.16.A NMAC to produce the following documents at the offices of Holland & Hart LLC, 110 North Guadalupe, Santa Fe, New Mexico, 87501, within fifteen (15) days of service of this subpoena:

1. Documents, communications, correspondence, emails, data, analyses, reports, and summaries, including but not limited to internal and external correspondence, memoranda, and assessments, that address, reflect on, or concern the existence or non-existence of hydrocarbons in the San Andres formation within the Eunice Monument South Unit.

2. A copy of the analysis, including all drafts, identified in Paragraph 4 of Empire's Motion to Stay Issuance of Order, filed with the Division in Case Nos. 223614-23617.

3. Documents, communications, correspondence, emails, data, and summaries, including but not limited to internal and external correspondence and memoranda, that address, reflect on, or concern the analysis identified in Paragraph 4 of Empire's Motion to Stay Issuance of Order, filed with the Division in Case Nos. 223614-23617 on August 25th, 2023.

4. A copy of Empire's written plan, including all drafts, to evaluate the San Andres formation for production of hydrocarbons identified by Eugene Sweeney in Case No. 22626 at the hearing on September 15, 2023. *See* Tr. 238:18-22.

5. Documents, communications, correspondence, emails, data, and summaries, including but not limited to internal and external correspondence and memoranda, that address, reflect on, or concern Empire's plan to evaluate the San Andres formation for production of hydrocarbons identified by Eugene Sweeney in Case No. 22626 at the hearing on September 15, 2023. *See* Tr. 238:18-22.

6. Documents, communications, correspondence, emails, data, analyses, reports, and summaries, including but not limited to internal and external correspondence, memoranda, and assessments, that address, reflect on, or concern evidence that there is communication between the proposed injection intervals in Case Nos. 23614-23617 and the overlying Grayburg formation, including core analyses.

7. Documents, communications, correspondence, emails, reports, and summaries identifying Empire's geologic pick for the top of the San Andres formation within the Eunice Monument South Unit, including references to the measured depth and/or subsea depth for the top of the San Andres formation.

This subpoena is issued on application of Goodnight Midstream Permian, LLC through its attorney, Adam G. Rankin of Holland & Hart LLP.

Dated this 22nd day of September 2023.

**NEW MEXICO OIL CONSERVATION DIVISION**

**BY:**  \_\_\_\_\_

**Date:** 9/22/2023