

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

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

CASE NOS. 23614-23617

MOTION FOR A CONTINUANCE

Goodnight Midstream Permian, LLC (“Goodnight Midstream”), the applicant in the above referenced matters, requests that these matters be continued to the December 21, 2023, docket for a status conference, and in support thereof states:

1. These matters are set on the Division’s November 16, 2023, docket to address two motions filed by Goodnight Midstream: (a) Motion to Compel Production of Documents, and (b) Motion to Continue to a Status Conference or, in the Alternative, to Exclude Empire’s Evidence and Testimony. The motions seek the production of documents responsive to a Division subpoena and requests “a status conference on December 21, 2023, to allow Goodnight Midstream time to obtain additional documents responsive to its Subpoena through a motion to compel filed contemporaneously herewith.” Both motions were filed by Goodnight Midstream on October 3, 2023, and directed at Empire New Mexico (“Empire”).

2. Shortly before 5:00 on Friday, November 10, 2023, Empire filed a response to the Motion to Compel. The response indicates the company “is providing” additional documents in response to the Division’s subpoena and alludes to discussions and agreements between counsel.

3. Adam Rankin, counsel Goodnight Midstream who has been solely involved in the briefing and discussions with counsel for Empire in these matters, has been pulled away from the

office to address a personal matter. It is expected that Mr. Rankin will be out of the office for the remainder of this week and next week.

4. Counsel for Empire have been contacted about the sudden circumstance requiring Mr. Rankin's attention and about this renewed request to set these matters for a status conference on December 21st. Counsel for Empire have indicated that they oppose this request and require a status conference at an earlier time.

5. The only party harmed by a continuance is the applicant, Goodnight Midstream. Empire is not prejudiced by this request for a one-month delay to address the matters before the Division.

Wherefore, Goodnight Midstream respectfully requests that these matters be continued to December 21, 2023, for a status conference to address the pending motions and, if appropriate, to set a contested hearing.

Respectfully submitted,

HOLLAND & HART LLP



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**ATTORNEYS FOR GOODNIGHT MIDSTREAM
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CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2023, I served a copy of the foregoing document to the following counsel of record via Electronic Mail to:

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