

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

**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

**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

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

CASE NOS. 24018-24027

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

**DIVISION CASE NO. 22626
ORDER NO. R-22869-A
COMMISSION CASE NO. 24123**

SUBPOENA

To: Empire New Mexico, LLC
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cc: wmcginnis@montand.com

YOU ARE HEREBY COMMANDED pursuant to NMSA 1978, §70-2-8 and

Rule 19.15.4.16.A NMAC TO APPEAR as follows:

Place: Holland & Hart LLP, 110 North Guadalupe, Santa Fe, New Mexico, 87501

Date: August 2, 2024 Time: 10:00 a.m.

to testify at the taking of the deposition of Empire New Mexico, LLC's Rule 1-30(B)(6)
Representative, with knowledge known, or reasonably available to Empire New Mexico, LLC,

pertaining to the topics listed in **Exhibit A**. It will be recorded by a certified court reporter and videotaped by Bean & Associates. This deposition testimony may be used at trial for any and all purposes permitted by the New Mexico Rules of Civil Procedure and the New Mexico Rules of Evidence.

YOU ARE ALSO COMMANDED pursuant to Section 70-2-8 and Rule 19.15.4.16.A to bring with you the following document(s) or object(s):


Any documents requested in **Exhibit B**.

to produce the following documents at the offices of Holland & Hart LLP, 110 North Guadalupe, Santa Fe, New Mexico, 87501, contemporaneous with the taking of the deposition of Empire New Mexico, LLC.

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

Dated this 19th day of July 2024.

NEW MEXICO OIL CONSERVATION COMMISSION

BY: 

Gerasimos Razatos, Acting Division Director

Date: July 19, 2024

EXHIBIT A: CORPORATE REPRESENTATIVE TOPICS

Goodnight Midstream Permian, LLC respectfully requests a corporate representative of Empire New Mexico, LLC to testify regarding the following topics:

1. Engineering and reservoir plans for recovery of the alleged San Andres ROZ as a part of Empire's project plan;
2. The reservoir engineering data and analyses underlying Empire's alleged project to inject carbon dioxide "CO₂" to free the supposed San Andres ROZ oil for production, including but not limited to:
 - a. Reservoir characterization studies for the San Andres ROZ target zone;
 - b. Pilot holes to gather actual data on the San Andres ROZ target zone;
 - c. Geologic studies on the San Andres ROZ target zone;
 - d. Analysis of existing core data, acquisition of additional cores and core analysis;
 - e. Miscibility studies including laboratory tests;
 - f. Project staging and number of deepened or new drill wells;
 - g. Reservoir simulation studies;
 - h. Injection scheme study and design;
 - i. Production and recycle facility design;
 - j. CO₂ requirements, sourcing, and schedule;
3. Costs for each of the above enumerated items, estimates of project capital expenses and operating expenses, and the economic tools used to generate such estimates;
4. Estimates of future production and revenue and their references used to perform economic analyses using all project costs;
5. Any sensitivity studies using ranges of potential future revenues and costs to judge the profit margin, if any, from such economic analyses.

EXHIBIT B: DOCUMENT REQUESTS PURSUANT TO RULE 1-034 NMRA

Plaintiffs request production of the following documents contemporaneous with the deposition of Empire New Mexico, LLC:

1. All documents reviewed, referred to or relied upon by the witnesses to prepare for their deposition.
2. All documents used to refresh the recollection of the witnesses to prepare for their deposition.
3. All documents reviewed by witnesses as part of their preparation for the deposition on the topics above.

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