

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

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

Case No. 22626

OPPOSED MOTION FOR CONTINUANCE

Empire New Mexico, LLC (“Empire”), through its undesignated counsel, hereby moves the Division for continuance of the captioned matter to the Division’s from June 16, 2022 to the Division’s August 4, 2022 hearing docket. As grounds for this motion Empire states:

1. Empire has asked the Applicant, Goodnight Midstream Permian, LLC (“Goodnight”), through its counsel, for consent to continue this case to an August, 2022 hearing date. That request has been denied by Goodnight.

2. Previously, Goodnight asked for consent from Empire to continue the case from the June 2 docket to the June 16, 2022 docket. Empire consented to that request.

3. No urgent or other expedient reason was given by Goodnight to Empire for its denial.

4. Empire’s reasons for requesting the continuance is that, due to other commitments, it has been unable to adequately prepare for hearing even despite Goodnight’s continuance from June 2 to June 16. Additionally, Empire has witness availability issues for the June 16 hearing.

5. Empire is the operator of the Eunice Monument South Unit Area and waterflood operation within which Goodnight’s proposed SWD well is planned to be located.

6. An additional reason for a continuance became apparent on June 1, 2022 when undersigned counsel became aware that on May 16, 2022 the Division issued a subpoena for production of documents calling for production of requested documents on June 1, 2022. The subpoena was never served by the Division or Goodnight to Empire, although it may have been

discussed between counsel for the parties on May 17, 2022. A copy of the subpoena is attached hereto as Exhibit A.

7. Empire requires at least thirty (30) days to respond to the subpoena.

8. In conjunction with this motion, Empire will file its Motion to Quash Subpoena for the reasons cited in that motion.

WHEREFORE, for the foregoing reasons, Empire requests a continuance from the Division's June 16, 2022 docket to the August 4, 2022 dockets.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the forgoing was served to counsel of record by electronic mail this 6th day of June, 2022, as follows:

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