

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

**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. 24018-24020, 24025

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

CASE NO. 24123

ORDER No. R-22869-A

**ORDER GRANTING EMPIRE NEW MEXICO LLC'S
MOTION TO QUASH SCOTT CURTIS TRIAL SUBPOENA**

This matter is before the Commission on Empire New Mexico LLC's (hereafter "Empire"), motion to quash the trial subpoena requested by Goodnight Midstream Permian LLC (hereafter "Goodnight"), to compel the hearing attendance of Scott Curtis. Having reviewed the Motion, Response, and any attachments to these filings, the Commission orders as follows:

1. Goodnight's subpoena seeks to compel the attendance of a previously undisclosed witness.

2. The fact that Goodnight filed an omnibus statement that Goodnight might seek trial subpoenas for the attendance of witnesses affiliated with multiple party and non-party entities does not release it from pre-hearing obligations to identify trial witnesses by name. Scott Curtis is a non-disclosed witness Goodnight seeks to add in the midst of the hearing itself.
3. Pursuant to Rule 11-703 NMRA, Goodnight's identified expert witnesses may modify their opinions based on facts or data its motion attributes to Mr. Curtis, subject to Empire cross-examination and objection.
4. Empire's motion is accordingly well taken and is granted.

IT IS SO ORDERED.

DATED: 3/17/2025

A handwritten signature in blue ink, appearing to read "G. Razatos", written over a horizontal line.

Gerasimos Razatos, Chairman
New Mexico Oil Conservation Commission