

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

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

**DIVISION CASE NOS. 24021-24024  
and 24026-24027**

**EMPIRE NEW MEXICO LLC'S MOTION TO  
LIFT STAY AND SET FOR STATUS CONFERENCE**

Empire New Mexico LLC ("Empire") hereby submits its Motion to Lift Stay and Set for Status Conference ("Motion") and, in support of its Motion, respectfully shows the New Mexico Oil Conservation Commission ("Commission") as follows:

1. In 2023, Empire submitted applications in the following matters:<sup>1</sup>
  - a. **Case No. 24021**. Application of Empire to Revoke the Injection Authority granted under Order No. R-22027 for the Rocket SWD No. 1 Well Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.
  - b. **Case No. 24022**. Application of Empire to Revoke the Injection Authority Granted Under Administrative Order No. SWD-2391 for the Pedro SWD #001 Well Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.
  - c. **Case No. 24023**. Application of Empire to Revoke the Injection Authority Granted Under Order No. R-22030 for the Verlander SWD #001 Well Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.
  - d. **Case No. 24024**. Application of Empire to Revoke the Injection Authority Granted Under Order No. R-20855 for the Nolan Ryan SWD #001 Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.

---

<sup>1</sup> Each Case Number is hyperlinked to provide the respective application pending before the Commission.

- e. **Case No. 24026**. Application of Empire to Revoke the Injection Authority Granted Under Administrative Order No. SWD-2075 for the Ted 28 SWD Well No. 1 Well Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.
  - f. **Case No. 24027**. Application of Empire to Revoke the Injection Authority Granted Under Order No. R-20865 for the Yaz 28 SWD Well No. 1 Operated by Goodnight Midstream Permian LLC, Lea County, New Mexico.
2. On or around July 2, 2024, the Commission executed a Joint Order on Goodnight Midstream Permian L.L.C.'s Motion to Limit Scope of Hearing on Cases within the Eunice Monument South Unit and the Oil Conservation Motion Concerning the Scope of the Evidentiary Hearing Set for September 23-27, 2024 ("Joint Order").<sup>2</sup>
  3. The Joint Order recognized Division Case Nos. 24021-24024, and 24026-24027 ("Pending Cases") were stayed by the Commission pending resolution of Commission Case No. 24123, and Division Case Nos. 23775, 23614-23617, 24018-24020, and 24025 ("Prior Cases").
  4. A final hearing occurred in the Prior Cases, and the Commission entered its Order Denying Goodnight's Applications & Partially Granting/Partially Denying Empire's Applications on September 12, 2025, and its Amended Order Denying Goodnight's Applications & Partially Granting/Partially Denying Empire's Applications on December 17, 2025 ("December Order"), fully and finally resolving each of the Prior Cases.
  5. Pursuant to the Joint Order and the resolution of the Prior Cases by the December Order of the Commission, the Commission can lift the stay on the Pending Cases, and the parties and Commission can proceed with the Pending Cases.

---

<sup>2</sup> A true and correct copy of the Joint Order is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes.

FOR THESE REASONS, the stay placed on the Pending Cases, Division Case Nos. 24021-24024 and 24026-24027, should be lifted, and Empire requests the Commission set the Pending Cases for status hearing to determine how and in what manner the parties are to proceed in the Pending Cases.

Respectfully submitted,

SHAHEEN LAW NM LLC

/s/ Sharon T. Shaheen

Sharon T. Shaheen  
422 Medico Lane, Suite A  
Santa Fe, NM 87505  
(505) 469-1521  
[sharon@shaheenlaw.com](mailto:sharon@shaheenlaw.com)  
cc: [paralegal@shaheenlaw.com](mailto:paralegal@shaheenlaw.com)

Dana S. Hardy  
Jaclyn M. McLean Timothy B. Rode  
Jaime R. Fontaine  
**HARDY MCLEAN LLC**  
125 Lincoln Ave., Suite 223 Santa Fe, NM 87505  
(505) 230-4410  
[dhardy@hardymclean.com](mailto:dhardy@hardymclean.com)  
[jmclean@hardymclean.com](mailto:jmclean@hardymclean.com) [trode@hardymclean.com](mailto:trode@hardymclean.com)  
[jfontaine@hardymclean.com](mailto:jfontaine@hardymclean.com)

Corey F. Wehmeyer  
**SANTOYO WEHMEYER, P.C.**  
IBC Highway 281 N. Centre Bldg. 12400 San Pedro  
Avenue, Suite 300 San Antonio, Texas 78216  
(210) 998-4190  
[cwehmeyer@swenergylaw.com](mailto:cwehmeyer@swenergylaw.com)

*Attorneys for Empire New Mexico, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on the following counsel by electronic mail on April 28, 2026:

Michael H. Feldewert  
Adam G. Rankin  
Nathan R. Jurgensen  
Julia Broggi  
Paula M. Vance  
Holland & Hart LLP  
P.O. Box 2208  
Santa Fe, New Mexico 87504-2208  
Telephone: (505) 986-2678  
[mfeldewert@hollandhart.com](mailto:mfeldewert@hollandhart.com)  
[agrarkin@hollandhart.com](mailto:agrarkin@hollandhart.com)  
[nrjurgensen@hollandhart.com](mailto:nrjurgensen@hollandhart.com)  
[jbroggi@hollandhart.com](mailto:jbroggi@hollandhart.com)  
[pmvance@hollandhart.com](mailto:pmvance@hollandhart.com)

*Attorneys for Goodnight Midstream  
Permian, LLC*

/s/ Sharon T. Shaheen  
Sharon T. Shaheen

# EXHIBIT "A"

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

**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**

**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 PERMIAN  
MIDSTREAM, LLC FOR APPROVAL OF A  
SALTWATER DISPOSAL WELL,  
LEA COUNTY, NEW MEXICO** **CASE NO. 24123**

**APPLICATIONS OF GOODNIGHT MIDSTREAM  
PERMIAN, LLC FOR APPROVAL OF  
SALTWATER DISPOSAL WELLS  
LEA COUNTY, NEW MEXICO** **CASE NOS. 23614-23617**

**APPLICATIONS OF EMPIRE NEW MEXICO LLC  
TO REVOKE INJECTION AUTHORITY,  
LEA COUNTY, NEW MEXICO** **CASE NOS. 24018-24027**

**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**


**JOINT ORDER ON GOODNIGHT MIDSTREAM PERMIAN L.L.C.'S  
MOTION TO LIMIT SCOPE OF HEARING ON CASES  
WITHIN THE EUNICE MONUMENT SOUTH UNIT AND THE OIL  
CONSERVATION MOTION CONCERNING THE SCOPE OF THE EVIDENTIARY  
HEARING SET FOR SEPTEMBER 23-27, 2024**

These matters, having come before the Oil Conservation Commission (“Commission”) on the motions by Goodnight Midstream Permian L.L.C. (“Goodnight”) and the Oil

Conservation Division (“OCD”), to limit the scope of the Commission’s hearing on the above captioned cases (“Motion”), and the Commission, being fully advised and having heard arguments of the parties’ counsel at a public meeting on June 20, 2024, hereby finds as follows:

1. The hearing on the above captioned matters, as amended by this or any other order by the Commission, shall be heard on September 23-27, 2024 by hearing examiner Rip Harwood, as per previous Commission order.
2. At said hearing, the parties shall submit all evidence, testimony, and legal argument on the issue of the existence, extent of and possible interference with a residual oil zone the Eunice Monument South Unit (“EMSU”) by produced water injection activities undertaken by Goodnight.
3. Such evidence, testimony, and legal argument shall be limited to applications and wells by Goodnight or by Empire New Mexico LLC within the EMSU and shall include the following cases:
  - a. Commission Case No. 24123;
  - b. Division Case No. – 23775;
  - c. Division Case Nos – 23614-23617;
  - d. Division Case Nos – 24018-24020, and 24025; and
4. The following cases, previously part of this case, have been stayed by other Order of the Commission pending resolution of the cases above:
  - a. Division Case Nos – 24021-24024, 24026, and 24027
  - b. Commission Case Nos – 24277 and 24278.

SO ORDERED.

  
\_\_\_\_\_  
Dylan Page, Chairman (Acting)  
New Mexico Oil Conservation Commission