

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

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

**Case No. 22626
Order No. R-22869**

ORDER ON MOTION TO STAY ISSUANCE OF ORDER

This Order follows an opposed Motion to Stay Issuance of Order filed on August 25, 2023, by Empire New Mexico LLC and a Response filed by Goodnight Midstream Permian, LLC on September 8, 2023. The Oil Conservation Division (Division) Hearing Examiner (Examiner) enters the following findings and order.

FINDINGS

1. On March 4, 2022, Goodnight Midstream Permian, LLC (Goodnight) filed an application (Application) for approval of a produced water disposal well located in Section 9, T21S, R36E, Lea County. The Application proposed disposal into the San Andres formation.
2. Empire New Mexico, LLC (Empire) entered an appearance into the case and objected to the case being heard by affidavit.
3. A hearing was held on June 16, 2022, to address a motion to dismiss filed by Empire. The motion was denied, and an evidentiary hearing was held September 15, 2022.
4. At the conclusion of the hearing, the case was taken under advisement subject to the submittal of the documents as requested by the Examiner.
5. Since the hearing on September 15, 2022, Goodnight filed two motions: A Motion to Compel filed by Goodnight on November 3, 2022, and a Motion to Withhold Empire's Allowable for its EMSU #462 (Motion to Withhold) filed by Goodnight on January 10, 2023.
6. The Motion to Compel was granted and the Motion to Withhold was denied by order of the Examiner.
7. No final order has been entered by the Division as to the Application.

ORDER

It is hereby **ORDERED** that:

1. The Motion to Stay is denied. This matter is not ripe for a decision on the merits as no final order has been entered as of record as to the Application.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**

**GREGORY CHAKALIAN
HEARING EXAMINER**