

**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-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

**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-
22024/SWD-2403 TO INCREASE THE APPROVED
INJECTION RATE IN ITS ANDRE DAWSON SWD #1,
LEA COUNTY, NEW MEXICO.**

CASE NO. 23775

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

**CASE NO. 24123
ORDER NO. R-22869-A**

**EMPIRE NEW MEXICO LLC'S RESPONSE TO GOODNIGHT MIDSTREAM
PERMIAN LLC'S DECEMBER 20 & 31, 2024 DOCUMENT REQUESTS
ARISING OUT OF DEPOSITION TESTIMONY**

Empire responds below to all of the additional requests Goodnight is now making with respect to witness testimony at deposition, which were identified in your emails of December 20, 2024 9:07 PM and December 31, 2024 2:00 PM, as represented in your email of January 7, 2025 12:55 pm. *See id.* (“The attached email and its attachment, which I sent on 12/31 and 12/20, have the outstanding data/information requests in one place.”). I note that we provided to you last week the requested EMSU production/injection data by well from 11/23 forward until the date that OCD’s public data are correct going forward.

Mr. Cestari

- NUTECH log interpretation images and associated LAS files referenced by Cestari.

RESPONSE: These were provided to you by production on Monday, January 13, 2025 4:37 PM, which I believe included some logs and LAS files that had been previously produced. The same images and associated LAS files support the testimony of Joe McShane filed in August 2024. In other words, the NUTECH analysis for Mr. McShane’s testimony is the same analysis that Mr. Cestari’s testimony reflected. The analysis did not change. Thus, Goodnight incorrectly concludes that NUTECH’s analysis has changed four times. The NUTECH analysis for Empire changed only once, as explained in my email of Thursday, December 5, 2024 8:16:58 AM, and as will be memorialized in the notice regarding the revisions.

Dr. Buchwalter

- List of wells for which KZ values were modified as part of his model

RESPONSE: This list was previously provided by email on Tue 1/7/2025 10:40 AM

- Geologic inputs for his model
 - Logs, core, poro/perm, ect, by zone provided by Empire

RESPONSE: This data was previously produced to Goodnight in the spreadsheet entitled Empire Base Case Model Simulation Input Grids IMPORTANT DATA, as Bates # 6520.

- Relative perm curves used in his model

RESPONSE: This data was previously produced to Goodnight in the spreadsheet entitled Empire Base Case Model Simulation Input Grids IMPORTANT DATA, as

Bates # 6520. As a courtesy, I provide a simple table that we believe addresses this specific data.

Layer	KX	KY	KZ	Comments
1	100	100	1	Penrose
2	100	100	0.2	Penrose
3	500	500	1	Grayburg
4	500	500	1	Grayburg
5	100	100	1	Grayburg
6	100	100	1	Grayburg
7	100	100	1	Grayburg
8	250	250	Variable	San Andres
9	250	250	1	San Andres
10	250	250	1	San Andres

- Structure and isopach maps used in his model provided by Empire.

RESPONSE: These documents were previously produced as Bates #s 3730-3739. The spreadsheet identified above as Bates # 6520 has the actual cell by cell tops.

- “fluid data” provided to Dr. Buchwalter (see depo page 53:4)

RESPONSE: This data was previously produced to Goodnight in the spreadsheet entitled Empire Base Case Model Simulation Input Grids IMPORTANT DATA, as Bates # 6520.

- Communications on oil saturations used in his model to/from Empire and Dr. Buchwalter

RESPONSE: This will be produced.

- Documents/data/inputs that show base of ROZ used by Dr. Buchwalter in his model (and justification for it)

RESPONSE: Empire provided Dr. Buchwalter with estimated oil in place, 900MMBO for the entire model (including EMSU, AGU, EMSU-B, and outlying areas), and he adjusted the base of the ROZ accordingly.

- pressure data from the “five or six wells” used to match the model (see depo page 233:5-6) or, if already provided, identify by Bates.

RESPONSE: This will be produced.

Mr. Dillewyn

- RR Bell #4 log interpretation - PDF image and LAS (relied on in Nutech's interpretation)

RESPONSE: This was run by Nutech for XTO. Nutech did not provide this log interpretation to Empire because Empire did not pay for it. Goodnight can acquire this log interpretation directly from Nutech. See Pre-Hearing Order, ¶ 7 ("The parties agree to provide copies of documents that are (1) within the respective party's possession, custody, or control[.]").

- Original XTO interpretations - PDF image and LAS (reviewed and relied on by Nutech)

RESPONSE: These were produced on 1/13/25.

- Communications from Empire to Nutech requesting adjustments to geologic tops and new log interpretations/analyses

RESPONSE: These were produced on 1/13/25.

- Communications from Empire to Nutech on M&N values to use

RESPONSE: These were produced on 1/13/25.

- Communications on poro/perm ranges from EMSU 679 provided by Empire to Nutech for Nutech's original testimony.

RESPONSE: This was produced on 1/13/25.

- All data, including San Andres wells and data, Nutech relied on to validate input parameters/interpretations, as testified to by Mr. Dillewyn.

RESPONSE: This information has been requested from NUTECH.

West

- Deposition notes Mr. West was reviewing and relying on during his deposition.

RESPONSE: This will be produced with the mental impressions of Empire's attorneys redacted.

- Empire's EMSU evaluation file, diligence file, and data room documents provided by XTO.

RESPONSE: Empire objects to this request, which has been repeated numerous times, including but not limited to Request No. 7 in Goodnight's Subpoena issued July 2, 2024. Empire incorporates its responses thereto, as well as its response to Goodnight's other related requests. In an effort to ensure that Goodnight has any

document that it believes may be remotely related to this request, Empire produces additional documents in response to Request No. 6 in Goodnight's Fourth Subpoena.

- Skim oil reports on EMSU water supply wells referenced by Mr. West, or confirm no documentation exists or has been identified.

RESPONSE: Empire has conducted a reasonable search and determined that no responsive documents exist.

- Oil-water-contact documents provided to Dr. Buchwalter.

RESPONSE: This will be produced in the Buchwalter folder.

- Internal emails and follow-up reports or analyses relating to (1) Davis Memo (Memo to File); (2) 250 & 72 pattern economic models; and (3) "Bubble Map" document (Exhibit 1a) from Piazza hearing)

RESPONSE: Empire has conducted a reasonable search and determined that no responsive documents exist.

- Updated EMSU production numbers (water, oil, gas, water injection) from October 2023 to present

RESPONSE: Responsive information was previously provided by email of Tue 1/7/2025 10:40 AM as EMSU Production and Water Injection Volumes.

- Emails/communications/notes reflecting or regarding EMSU chemical treatment, including provider's invoices, communications, analyses, recommendations, historical treatments, results, etc.

RESPONSE: Responsive documents were previously produced in response to similar requests, such as Request No. 5 in Goodnight's Subpoena March 5, 2024 and Request Nos. 3 and 4 in Goodnight's Subpoena July 2, 2024. See Empire's response(s) thereto. Additional documents will also be produced.

- Emails/communications/documents reflecting CO2 supply discussion/proposals and with potential natural and anthropogenic CO2 sources.

RESPONSE: These will be produced, with the exception of those documents subject to the NDA, which Dana will share with you as we discussed (Email RE CPV NDA – Empire Petroleum and pdf CPV Basin Ranch Communication).

- OIP and recovery factor documents

RESPONSE: Any responsive documents that have not been produced will be produced.

- Communications to Nutech reflecting changes to requested San Andres top picks

RESPONSE: This was produced on 1/13/25.

- 45Q tax credits documents/communications/emails/analyses

RESPONSE: Empire has conducted a reasonable search and determined that no responsive documents exist.

- AFEs on workovers and maintenance for “wells impacted by disposal”

RESPONSE: These will be produced.

- AFEs on new San Andres drills

RESPONSE: Empire has conducted a reasonable search and determined that no responsive documents exist.

Respectfully submitted,

By: /s/ Sharon T. Shaheen

Sharon T. Shaheen

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on the following by electronic mail on January 20, 2025.

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