

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

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

**DE NOVO APPEAL OF DENIAL
OF PROPOSED NEW WELL
CASE NO. 24123 (PIAZZA)**

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

**PROPOSED NEW WELLS
CASE NO. 23614 (GOODEN)
CASE NO. 23615 (HERNANDEZ)
CASE NO. 23616 (HODGES)
CASE NO. 23617 (SEAVER)**

**APPLICATION OF GOODNIGHT
MIDSTREAM PERMIAN, LLC TO
AMEND ORDER NO. R-2206/SWD-2403
TO INCREASE THE APPROVED INJECTION
RATE IN ITS ANDRE DAWSON SWD #1
LEA COUNTY, NEW MEXICO**

**INCREASE EXISTING WELL
CASE NO. 23775 (DAWSON)**

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

**REVOKE EXISTING WELLS
CASE NO. 24018 (DAWSON)
CASE NO. 24019 (BANKS)
CASE NO. 24020 (SOSA)
CASE NO. 24025 (RYNO)**

OCC Order R-24004

ORDER ON EMERGENCY POST-HEARING MOTIONS

THIS MATTER came before the New Mexico Oil Conservation Commission (“Commission”) upon Goodnight Midstream Permian, LLC’s (“Goodnight”) Emergency Motion to Partially Stay Order R-24004 filed on September 21, 2025, and upon Empire NM LLC’s (“Empire”) Emergency Motion to Enforce Order R-24004 filed on September 23, 2025. In order to manage the docket in an orderly fashion, the Director of the Oil Conservation Division and Chair of the Oil Conservation Commission (“Director”) hereby FINDS as follows:

1. On September 12, 2025, the Commission issued Order R-24004.

2. On September 21, 2025, Goodnight filed an Emergency Motion to Partially Stay Order R-24004.
3. Goodnight's Motion stated: "Given the nature of the relief requested, Empire is presumed to oppose the Motion." Goodnight's Motion, p.3.
4. On September 22, 2025, Empire represented to the Commission Clerk via email that it would like to have until October 3, 2025, to respond to Goodnight's Motion.
5. On September 23, 2025, Empire filed its own Emergency Motion to Enforce Order R-24004.
6. Empire's Motion stated: "Due to the nature of this Motion, it is presumed that Goodnight opposes the relief sought." Empire's Motion p. 5.
7. Goodnight's Motion included the assertion that: "Goodnight intends to file an Application for Rehearing pursuant to 19.15.4.25 NMAC." Goodnight's Motion, p.4.
8. As of September 26, 2025, no party has yet filed an application for rehearing in this case.
9. The Commission takes administrative notice of NMAC 19.15.4.25, which specifies that for this case, the deadline for filing an application for rehearing will expire on October 2, 2025.
10. NMAC 19.15.4.25 also specifies that the Commission is required to grant or refuse an application for rehearing in whole or in part within 10 business days of filing. Therefore, in this case, the Commission will have clarity on whether or not this matter might be set for rehearing, in whole or in part, by no later than October 17, 2025.
11. Rule 19.15.4.24 NMAC does not expressly contemplate a post-hearing motion practice, however, the Director may take administrative steps to manage the docket. *See e.g.* Rule 19.15.4.14-.16, -.23 NMAC.

12. The Director “may grant a stay pursuant to a motion for stay or upon the director’s own initiative, after according parties who have appeared in the case notice and an opportunity to respond....” 19.15.4.23B NMAC. “A director’s order staying a commission order shall be effective only until the commission acts on the motion for stay.” *Id.*

13. All Parties who have appeared in the case have had actual notice of both motions at issue.

14. The disposition of Empire’s Motion may be contingent upon, or informed by, the disposition of Goodnight’s Motion, and/or clarity as to whether there will be an application for rehearing.

THEREFORE, based on the above findings, and to maintain an orderly docket, the Director hereby ORDERS as follows:

1. Parties who have appeared in this case, except Goodnight, are hereby given an opportunity to file responses to Goodnight’s Emergency Motion to Partially Stay Order R-24004 by NOON on October 3, 2025. Parties that do not timely file responses will be deemed to have waived their opportunity to respond. No Reply to Responses will be allowed.

2. Empire’s Emergency Motion to Enforce Order R-24004 is held in abeyance until October 17, 2025.

IT IS SO ORDERED.

DATED: 9/26/2025



Albert C.S. Chang, Chairman
New Mexico Oil Conservation Commission