

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

**APPLICATIONS OF ALPHA ENERGY
PARTNERS II, LLC, FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO**

CASE NOS. 25495, 25497 and 25498

MOTION TO DENY OBJECTIONS

Alpha Energy Partners II, LLC, (“Alpha”) files with the Oil Conservation Division (“Division” or “OCD”) this Motion to Deny Objections (“Motion”) in the above-referenced cases, respectfully requesting the Division to deny the objections submitted by Warren and Lillie Anderson (“Anderson”) in Case Nos. 25495, 25497, and 25498 (“Subject Cases”), on the basis that Anderson does not own any interest in the lands that are the subject of these three Cases and therefore does not have standing to object to the Subject Cases and delay the proceedings. In support of its Motion, Alpha states the following:

1. Anderson only owns interest in the S/2 N/2 of Sections 17 and 18, Township 22 South, Range 27 East, Eddy County, New Mexico (“S/2 N/2 Unit”), which Unit is the subject of Alpha’s applications in Case No. 25496. As a result, Anderson does have standing to object to this one case going forward by affidavit. *See* Exhibit A-2, Alpha’s Hearing Packet for Case No. 25496; *see also* 19.15.4.10(A) NMAC.

2. However, Anderson has no ownership interest in the units proposed in Case Nos. 25495, 25497, and 25498, which cover the N/2 N/2 (“N/2 N/2 Unit”), N/2 S/2 (“N/2 S/2 Unit”) and the S/2 S/2 (“S/2 S/2 Unit”) of Sections 17 and 18, Township 22 South, Range 27 East, Eddy County. *See* Exhibits A-2, Hearing Packets for Case Nos. 25495, 25497, and 25498. Because Anderson does not own any interest in the lands and proposed units in Case Nos. 25495, 25497,

and 25498, Anderson was not entitled to receive notice pursuant to Rules 19.15.4.12(A)(1) and 19.15.4.10 and therefore does not have standing to object to Case Nos. 25495, 25497, and 25498.

3. Under 19.15.4.12(A)(1) NMAC, Alpha was required to send notice to all the owners of record in Case Nos. 25495, 25497 and 25498. Anderson is not an owner of record in these three Cases and owns no interest in the lands subject to these Cases. Anderson is only an owner in Case No. 25496. In order to show ownership in a proposed unit or lands to qualify as a party and to have standing, a party must show colorable title to lands in the unit. See Order No. R-11700, ¶ 22.

4. In its written objections to Case Nos. 25495, 25497 and 25498, Anderson provides no evidence whatsoever to show any claim of colorable title to the lands that are the subject of these three Cases. Therefore, Anderson does not have standing to object to these Cases, and its objections should be denied for three three Cases.

5. Alpha recognizes that Anderson has a right to object to Case No. 25496 and this case should be set for a status conference to address Anderson's objection. However, based on Anderson's lack of ownership in Case Nos. 25495, 24597, and 25498, Alpha respectfully requests that Anderson's objections be denied in these three Cases and the cases proceed by affidavit on August 7, 2025.

Conclusion: For the reasons stated above, Alpha respectfully requests that the Division grant this Motion and hear Alpha's applications in Case Nos. 25495, 25497, and 25498 on August 7, 2025.

Respectfully submitted,

ABADIE & SCHILL, PC

/s/ *Darin C. Savage*

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed with the New Mexico Oil Conservation Division and was served on counsel of record, or designated representative, via electronic mail on August 5, 2025:

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