

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

IN THE MATTER OF

**Amended Application of Alpha Energy
Partners, LLC, for Compulsory
Pooling, Eddy County, New Mexico**

**OCD Case No. 25166
OCC Case No. 25694
Order No. 23961**

**Amended Application of Alpha Energy
Partners, LLC, for Compulsory
Pooling, Eddy County, New Mexico**

**OCD Case No. 25495
OCC Case No. 25696
Order No. 23977**

**Amended Application of Alpha Energy
Partners, LLC, for Compulsory
Pooling, Eddy County, New Mexico**

**OCD Case No. 25496
OCC Case No. 25695
Order No. 23989**

ORDER OF THE COMMISSION

This matter came before the New Mexico Oil Conservation Commission (“Commission”) concerning American Energy Resources’ (“American”) amended motion requesting these matters be presented to the Attorney General. Having considered the request, and being fully apprised in the matter, the Commission FINDS and ORDERS as follows:

1. On March 20, 2026, American filed a Motion “Requesting These Matters Be Presented to the Attorney General for Emergency Review of the Merits of the Parties Claims and the Merits of the Hearing Proceeding Decisions in the Mentioned Cases and to Issue an Emergency Stay on the Mentioned Orders Pursuant to the Emergency Review.” American filed an amended version of its motion on April 9, 2026.
2. Alpha Energy Partners, II, LLC (“Alpha”) filed responses to American’s motion on April 8, 2026, and on April 23, 2026.
3. The subject cases and the record of the cases have been officially closed. The Commission issued a final order in these subject cases on January 15, 2026, explaining that the Commission

does not adjudicate property rights, and exclusive jurisdiction of such matters resides in the courts. Order R-24186 at ¶¶ 14, 15. “Because American was not pooled by Division Orders Nos. R-23961, 23966, 23989, and because there is a material dispute regarding American’s alleged property rights in this case that are beyond the Commission’s jurisdiction to resolve,” the Commission found that “American has not established that it has standing to file an Application for *De Novo* Review at this time.” *Id.* at ¶ 17.

4. There are no further procedural proceedings available at the Commission in these subject cases pursuant to 19.15.4 NMAC.

5. In addition, at a status conference hearing on American’s Motion, held on May 13, 2026, all parties asserted that this matter is not properly in front of the Oil Conservation Commission at this time. *See, e.g.* Transcript at 119, lines 23-25: “any determinations by the commission, ... it's all moot”; and ... “you are irrelevant to hear this matter.” *Id.* at 124, lines 19-20; *see also*, Alpha’s Response to AER’s Amended Motion at ¶5 “[American] has submitted its Amended Motion to the wrong forum.”

THEREFORE, the Commission DECLINES consideration of American’s Motion.

IT IS SO ORDERED.



DATED: 7/13/2026

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**

A handwritten signature in cursive script that reads "Albert Chang".

Albert Chang, Chairman
New Mexico Oil Conservation Commission