

1 Department of Conservation, Geologic Energy Management Division
Doug Ito
2 STATE OIL AND GAS SUPERVISOR
715 P Street, MS 19-06 (Legal Office)
3 Sacramento, California 95814
Telephone (916) 323-6733
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8 **STATE OF CALIFORNIA**
9 **NATURAL RESOURCES AGENCY**
10 **DEPARTMENT OF CONSERVATION**
11 **GEOLOGIC ENERGY MANAGEMENT DIVISION**
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14 **ORDER TO PLUG AND ABANDON WELLS, DECOMMISSION ATTENDANT FACILITIES,**
15 **AND RESTORE WELL SITES**
16 **NO. 1581**
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18 **Operator: Leasure Family Trust (11756)**
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I. Introduction

The State Oil and Gas Supervisor (**Supervisor**), acting through the Geologic Energy Management Division (**CalGEM**), and under the authority of Division 3 of the Public Resources Code (**PRC**; commencing with PRC section 3000) and California Code of Regulations, title 14 (**Regulations**), may order the plugging and abandonment of a well or the decommissioning of a production facility that has been deserted, whether or not any damage is occurring, or threatened, by reason of that deserted well. (PRC, § 3237, subd. (a).) An operator's failure to timely pay required annual fees for any idle well is conclusive evidence of desertion. (PRC, § 3206, subds. (a) and (c).) An operator's failure to comply with idle well testing and management requirements for any idle well is conclusive evidence of desertion. (PRC, § 3206.1, subd. (e).)

Based on CalGEM's records, Leasure Family Trust (**Operator**) is the "operator" (as defined in PRC section 3009) of the two wells identified on **Attachment A**, incorporated herein (the **Wells**), and is responsible (as specified in PRC section 3237, subdivision (c)(1)) for the plugging and abandonment of the Wells, the decommissioning of the production facilities attendant to the Wells (the **Facilities**), and the restoration of the well sites for the Wells. CalGEM records indicate that, under applicable provisions of PRC sections 3206, 3206.1, and 3237, Operator has demonstrated evidence of desertion of the Wells and Facilities in its failure to comply with multiple provisions of the Public Resources Code and Regulations, including failures to comply with idle well fee and idle well testing requirements, and failure to respond to Supervisor inquiries and requests. Based on these ongoing failures to comply with the Public Resources Code and Regulations, the Supervisor has determined that the Wells and the Facilities are deserted.

Therefore, pursuant to PRC sections 3106, 3206, 3206.1, 3224, 3226, and 3237, and as set forth below, the Supervisor is ordering Operator to plug and abandon the Wells, to decommission the Facilities, and to restore the well sites for the Wells, consistent with all applicable requirements, including PRC sections 3208, 3224, 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724 through 1724.1, 1760, 1775, and 1776; and the

conditions included in any permit/approval CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform remedial work and testing as necessary to prevent damage to life, health, property, and natural resources.

Attachment B, incorporated herein, contains a list of definitions and authorities that are applicable to this order.

II. Conclusive Evidence of Desertion

Based on CalGEM's records, at all times relevant to this order, Operator was the "operator," as defined in PRC section 3009, of the Wells. At all times relevant to this order, the Wells were idle wells as defined in PRC section 3008, subdivision (d).

As the operator of the Wells, following the process for idle well management set forth in PRC section 3206, subdivision (a), Operator did not submit an Idle Well Management Plan in lieu of paying idle well fees. Operator was therefore required to pay an idle well fee for each of its idle wells that were idle in 2024 by May 1, 2025, as provided in the 2025 Idle Well Fee Invoice prepared by CalGEM. (PRC, § 3206, subds. (a) & (a)(2)(B)(v).) (**Attachment C** incorporated herein.) As of the date of this order, Operator has not paid its idle well fees for the Wells which were idle in 2024.

Operator's failure to pay the required idle well fees for the Wells is conclusive evidence of desertion. (PRC, § 3206, subd. (c).)

As the operator of the Wells, Operator was required to perform idle well casing pressure testing and fluid level testing on the Wells within 24 months of each well becoming an idle well, as required by Regulations section 1772.1, subdivision (a), and Operator failed to do so. CalGEM issued Notices of Violation to Operator regarding the failure to perform idle well testing. (**Attachments D, E, F, and G** incorporated herein.) As of the date of this order, Operator has not remediated the outstanding violations for the two wells which are overdue for testing.

Operator's failure to comply with idle well testing requirements for the Wells is conclusive evidence of desertion. (PRC, § 3206.1, subd. (e).)

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III. Rebuttable Presumption of Desertion

As the operator of the Wells, Operator was required to designate an agent for service of process, in accordance with PRC section 3200, and Operator failed to do so. CalGEM received written notice in 2023 and 2024 from Operator's previous agent, Nancy Birkenstein, that she is no longer acting as Operator's agent. Operator confirmed via email on November 27, 2024, that Nancy Birkenstein is no longer Operator's agent. However, Operator did not designate a new agent; to date, Operator has not designated a new agent. Operator's failure to designate an agent as required by PRC section 3200 creates a rebuttable presumption of desertion. (PRC, § 3237, subd. (a)(3)(D).)

As the operator of the Wells, Operator was required to provide CalGEM with written notification verifying whether there have been any changes to its right to operate each of its wells by July 1, 2021, and by July 1 of every other year thereafter, in accordance with PRC section 3202, subdivision (c), and Operator failed to do so. Operators are required to provide this notification even if there have been no such changes. CalGEM issued a Notice of Violation to Operator regarding this violation on August 4, 2023. (**Attachment H** incorporated herein.) To date, Operator has not provided CalGEM with written notification verifying whether there have been any changes to its right to operate each of the Wells.

Operator's failure to comply with PRC section 3202 creates a rebuttable presumption of desertion. (PRC, § 3237, subd. (a)(3)(E).)

At both Wells, the production facilities or injection equipment associated with the Wells has been removed from the well site for at least two years, creating a rebuttable presumption of desertion. (PRC, § 3237, subd. (a)(3)(B).) CalGEM inspectors observed on October 23, 2023, that production equipment had been removed from the Wells.

IV. Credible Evidence of Desertion

CalGEM has issued multiple Notices of Violation to Operator since 2023 and attempted to contact Operator regarding its many violations and idle wells. To date, Operator has failed to respond to CalGEM's notices and outreach regarding the Wells and Facilities. The lack of

1 response by Operator to inquiries and requests from CalGEM constitutes credible evidence of
2 desertion. (PRC, § 3237, subd. (a)(2).)

3 As the Operator of the Wells, Operator is required to maintain the Wells and Facilities in
4 accordance with the requirements of the Public Resources Code, and Operator has failed to
5 do so. Operator's widespread noncompliance and multitude of violations at the Wells and
6 Facilities constitutes credible evidence of desertion. (PRC, § 3237, subd. (a)(2).)

7 **V. Operator's Required Actions**

8 For the reasons stated herein, CalGEM has determined that the Wells and the Facilities
9 are deserted. Therefore, pursuant to PRC sections 3106, 3206, 3206.1, 3224, 3226, and 3237, **IT IS**
10 **HEREBY ORDERED** that Operator plug and abandon the Wells, decommission the Facilities, and
11 restore the well sites) for the Wells consistent with all applicable requirements of PRC sections
12 3208, 3224, 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724 through
13 1724.1, 1760, 1775, and 1776; and the conditions included in any permit CalGEM may issue
14 pursuant to PRC section 3229. Until that work is complete, Operator is ordered to perform
15 remedial work and testing on the Wells and the Facilities as necessary to prevent damage to
16 life, health, property, and natural resources.

17 **VI. Operator's Appeal Rights**

18 Operator may appeal this Order by filing a timely written notice of appeal with the
19 Director as described in Article 6 (Appeals and Review) of Division 3 of the PRC, commencing
20 with PRC section 3350. (PRC, §§ 3225, subd. (d); 3236.5, subd. (c); 3237, subd. (b).) If this Order
21 is mailed to you, the Director must receive the appeal within (15) days from the date the
22 Supervisor mails the Order. To file an appeal, a written notice of appeal may be sent via U.S.
23 mail to:

24 Department of Conservation
25 Director's Office of Appeals
26 715 P Street, MS 19-06 (Legal Office, Chief Counsel)
27 Sacramento, California 95814

28 Or via electronic mail:

OfficeofAppeals@conservation.ca.gov

If Operator files a timely written notice of appeal, Operator will be informed of the appeal hearing date, time, and place. Following the hearing, Operator will receive a written decision that affirms, sets aside, or modifies the appealed order.

If Operator does not file a timely written notice of appeal, or if the order is affirmed following an appeal, this order will become a final order and CalGEM may contract for performance of the work, pursuant to PRC section 3226, if, within 30 days of this order, Operator has not, in good faith, commenced the work ordered. Any costs incurred by CalGEM to obtain compliance with this order (which may include penalties and interest) will constitute a lien against Operator's real or personal property per PRC section 3423. (PRC, § 3356.)

VII. Consequences of Non-Compliance

Failure to comply with Section V (Operator's Required Actions) of this order could subject Operator to further enforcement action. PRC section 3236 makes it a misdemeanor for any person who violates, fails, neglects, or refuses to comply with any of the provisions of the oil and gas conservation laws commencing at PRC section 3000. PRC sections 3236.2 and 3236.3 authorizes the Supervisor to refer for civil penalties and injunctive relief for failure to comply with an order or for violation of any provision in Chapter 1 of Division 3 of the PRC or any regulation that implements those statutes. PRC section 3236.5 authorizes the Supervisor to impose a civil penalty on a person who violates any provision in Chapter 1 of Division 3 of the PRC or any regulation that implements those statutes, and the Supervisor may in the future impose further civil penalties based on the facts and omissions underlying this order. PRC section 3237 authorizes the Supervisor to order the plugging and abandonment of a well or the decommissioning of a production facility if an operator has failed to comply with an order of the Supervisor within the time provided by the order or has failed to challenge the order on a timely basis. PRC section 3359 makes it a misdemeanor to fail or neglect to comply with an order of the Supervisor. Each day's further failure, refusal, or neglect is a separate and distinct offense. (PRC, § 3359.) By issuance of this Order, the Supervisor does not waive the right to

take further enforcement actions. PRC sections 3236.2 and 3236.3 authorizes the Supervisor to seek civil penalties and injunctive relief for failure to comply with an order or for violation of any provision in Chapter 1 of Division 3 of the PRC or any regulation that implements those statutes.

DATED: 12/4/2025

Lindsey Miller

Lindsey Miller
CalGEM Enforcement Chief, on
behalf of the State Oil and Gas
Supervisor