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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 WELL, DECOMMISSION**
15 **ATTENDANT FACILITIES, AND RESTORE WELL SITE**
16 **NO. 1641**

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19 **Operator: Otis G. Andrews & Sons**
20 **Southern District**
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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 or production facility. (PRC, § 3237, subd. (a).) An operator's failure to timely pay required annual idle well fees is conclusive evidence of desertion. (PRC, § 3206, subd. (c).) In addition, a rebuttable presumption of desertion arises if an operator fails to designate an agent as required by PRC section 3200. (PRC, § 3237, subd. (a)(3)(D).)

Based on CalGEM's records, at all relevant times, Otis G. Andrews & Sons (**Operator**) has been the "operator" (as defined in PRC section 3009) of the well (**Well**) described in **Attachment A**, incorporated herein. At all times relevant to this Order, the Well was an "idle well" as defined in PRC section 3008, subdivision (d). CalGEM records indicate that, under applicable provisions of PRC section 3206, Operator was required to timely pay idle well fees for the Well that was idle for the calendar years 2018, 2019, 2020, 2021, 2022, 2023, 2024, and 2025, and Operator has not done so. This failure to timely pay idle well fees provides conclusive evidence of desertion.

In addition, CalGEM's records indicate there is no designated agent for Operator as required by PRC section 3200. Failure to designate an agent is rebuttable evidence of desertion under PRC section 3237, subdivision (a)(3)(D). Based on the conclusive evidence of desertion and rebuttable presumption of desertion, described below, the Supervisor has determined the Well is deserted.

As a result, Operator is responsible (as specified in PRC section 3237, subdivision (c)(1)) for the plugging and abandonment of the Well, the decommissioning of associated facilities, and the restoration of the well site for the Well.

1 Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, the Supervisor is
2 ordering Operator to plug and abandon the Well, decommission associated facilities, and
3 restore the well site for the Well, consistent with all applicable requirements, including PRC
4 sections 3208, 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724
5 through 1724.1, 1760, 1775, and 1776; and the conditions included in any permit or approval
6 CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform
7 remedial work and testing as necessary to prevent damage to life, health, property, and
8 natural resources.

9 **Attachment B**, incorporated herein, contains a list of definitions and authorities that are
10 applicable to this Order.

11 **II. Evidence of Desertion**

12 **A. Conclusive Evidence of Desertion**

13 PRC section 3206, subdivision (c), provides that failure to file the required idle well fees
14 shall be conclusive evidence of desertion of the Well, permitting the Supervisor to order the
15 Well plugged and abandoned pursuant to PRC section 3237.

16 As the operator of the Well, following the process for idle well management set forth in
17 PRC section 3206, subdivision (a), Operator was required to submit an Idle Well Management
18 Plan (**IWMP**) or pay idle well fees for the Well. As Operator did not submit an IWMP in lieu of
19 paying idle well fees, Operator was required to pay idle well fees for the years the Well was
20 idle, as provided in the 2019, 2020, 2021, 2022, 2023, 2024, 2025, and 2026 idle well fee invoices
21 prepared by CalGEM. (PRC, § 3206, subd. (a)) (**Attachments C, D, E, F, G, H, I, and J**
22 incorporated herein.) As of the date of this Order, Operator has neither filed an IWMP nor paid
23 idle well fees for the Well, which was idle during calendar years 2018, 2019, 2020, 2021, 2022,
24 2023, 2024, and 2025. Operator's failure to pay the required idle well fees for the Well is
25 conclusive evidence of desertion. (PRC, § 3206, subd. (c).)

26 **B. Rebuttable Evidence of Desertion**

27 A rebuttable presumption of desertion arises if an operator fails to designate an agent
28 as required by PRC section 3200. (PRC, § 3237, subd. (a)(3)(D).)

1 CalGEM does not have any records of an agent on file for Operator. Operator's failure
2 to provide and maintain on file with CalGEM accurate contact information for a designated
3 person who resides in California to accept service of notices, orders, and other important
4 communications, as required by PRC section 3200, creates a rebuttable presumption that the
5 Well is deserted. (PRC, § 3237, subd. (a)(3)(D).)

6 **III. Operator's Required Actions**

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

16 **IV. Operator's Appeal Rights**

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

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

27 Or via electronic mail to:

28 OfficeofAppeals@conservation.ca.gov

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

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

10 **V. Consequences of Non-Compliance**

11 Failure to comply with Section III (Operator's Required Actions) of this Order could
12 subject Operator to further enforcement action. PRC section 3236 makes it a misdemeanor for
13 any person who violates, fails, neglects, or refuses to comply with any of the provisions of the
14 oil and gas conservation laws commencing at PRC section 3000. PRC sections 3236.2 and
15 3236.3 authorizes the Supervisor to refer for civil penalties and injunctive relief for failure to
16 comply with an order or for violation of any provision in Chapter 1 of Division 3 of the PRC or
17 any regulation that implements those statutes. PRC section 3236.5 authorizes the Supervisor to
18 impose a civil penalty on a person who violates any provision in Chapter 1 of Division 3 of the
19 PRC or any regulation that implements those statutes, and the Supervisor may in the future
20 impose further civil penalties based on the facts and omissions underlying this Order. PRC
21 section 3237 authorizes the Supervisor to order the plugging and abandonment of a well or
22 the decommissioning of a production facility if an operator has failed to comply with an order
23 of the Supervisor within the time provided by the order or has failed to challenge the order on
24 a timely basis. PRC section 3359 makes it a misdemeanor to fail or neglect to comply with an
25 order of the Supervisor. Each day's further failure, refusal, or neglect is a separate and distinct
26 offense. (PRC, § 3359.) By issuance of this Order, the Supervisor does not waive the right to take
27 further enforcement actions.

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DATED: 6/11/2026

Doug Ito
Doug Ito
State Oil and Gas Supervisor