

1 Department of Conservation, Geologic Energy Management Division
2 Doug Ito
3 STATE OIL AND GAS SUPERVISOR
4 715 P Street, MS 19-06 (Legal Office)
5 Sacramento, California 95814
6 Telephone (916) 323-6733
7

8 **STATE OF CALIFORNIA**
9 **NATURAL RESOURCES AGENCY**
10 **DEPARTMENT OF CONSERVATION**
11 **GEOLOGIC ENERGY MANAGEMENT DIVISION**
12

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14 **ORDER TO PLUG AND ABANDON WELLS, DECOMMISSION ATTENDANT FACILITIES, AND RESTORE**
15 **WELL SITES**
16 **NO. 1653**
17

18 **Operator: Temblor Petroleum Company LLC (T0475)**
19 **Field: N/A***
20 **Central District, Fresno County**
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28 *Not located within the administrative boundaries of an oil field.

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 pay idle well fees for any idle well is conclusive evidence of desertion (PRC, § 3206.1, subds. (d) and (e).) Credible evidence of desertion exists when an operator: (1) fails to conduct casing pressure test and/or clean out tag within 24 months of a well becoming an idle well, in accordance with Regulations section 1772.1, subdivision (a)(2)(3); (2) fails to conduct fluid level testing within 24 months of a well becoming an idle well, in accordance with Regulations section 1772.1, subdivision (a)(1); (3) fails to remediate any idle well, in accordance with Regulations section 1772.1, subdivision (b); and (4) fails to submit annual production reports, in accordance with Regulations section 3406. Under PRC § 3237, subdivision (a)(3)(C) a rebuttable presumption of desertion arises when an operator fails to comply with an order of the supervisor.

Based on CalGEM's records, Temblor Petroleum Company, LLC (**Operator**) is the "operator" (as defined in PRC section 3009) of the wells and production facilities identified on **Attachment A**, incorporated herein (**the Wells**). The Wells are located within a health protection zone (HPZ) defined as areas within 3,200 feet of a sensitive receptor. Operator 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 site for the Wells. CalGEM records indicate that, under applicable provisions of PRC section 3206.1, Operator was required to pay idle well fees for notices issued in 2021, 2022, 2023, 2024, 2025 and 2026, and Operator has not done so. Operator has failed to comply with an Order of the Supervisor (Order No. 1257) creating a rebuttable presumption of desertion. Operator's failure to pay idle well fees, failure to conduct

1 casing pressure test, failure to remediate the Wells after unsuccessful casing pressure testing,
2 and failure to conduct fluid level testing, are conclusive evidence of desertion. Operator's
3 failure to submit annual production reports is credible evidence of desertion. Therefore, the
4 Supervisor has determined that the Wells and the Facilities are deserted.

5 Pursuant to PRC sections 3106, 3206.1, 3224, 3226, 3237, and as set forth below, the
6 Supervisor is ordering Operator to plug and abandon the Wells, to decommission the Facilities,
7 and to restore the well sites for the Wells, consistent with all applicable requirements, including
8 PRC sections 3208, 3228, 3229, and 3230 ; Regulations sections 1722, 1723 through 1723.8, 1724
9 through 1724.1, 1760, 1775, and 1776; and the conditions included in any permit or approval
10 CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform
11 remedial work and testing as necessary to prevent damage to life, health, property, and
12 natural resources.

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

15 **II. Conclusive Evidence of Desertion**

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

19 **A. Failure to Pay Idle Well Fees (PRC, § 3206, subds. (a) and (c))**

20 "The failure to file the [Idle Well] fee required under this section shall be conclusive
21 evidence of desertion of the well, permitting the supervisor to order the well abandoned
22 pursuant to Section 3237." (PRC, § 3206, subd. (c).) As the operator of the Wells, under the
23 process for idle well management set forth in PRC section 3206, subdivision (a), Operator did
24 not submit an Idle Well Management Plan in lieu of paying idle well fees. Operator was
25 therefore required to pay an idle well fee for each of its idle wells that were idle in calendar
26 years 2020 through 2025. (**Attachments C, D, E, F, G, and H** incorporated herein.) As of the date
27 of this order, Operator has not paid its idle well fees due in 2021, 2022, 2023, 2024, 2025, and
28 2026 (idle well fees are due for wells idle in the previous year). Operator's failure to pay the

1 required idle well fees for the Wells is conclusive evidence of desertion. (PRC, § 3206, subd.
2 (c).)

3 **B. Failure to comply with the requirements of the (PRC, § 3206.1 subd. (e))**

4 PRC section 3206.1, subdivision (e), provides that failure to comply with any
5 requirements of the regulations implementing this section (e.g., Regulations, §§ 1772.1, subds.
6 (a)(1) and (b), 1772.1.4, subds. (a) and (b)) shall be conclusive evidence of desertion,
7 permitting the Supervisor to order such wells abandoned pursuant to PRC section 3237.
8 Operator's failure to comply with the Regulations, as stated below, is conclusive evidence of
9 desertion.

10 **i. Failure to Conduct Fluid Level Testing (Regulations, § 1772.1, subd. (a)(1))**

11 Within 24 months of a well becoming an idle well, Operator shall conduct a fluid-level
12 test for all idle wells, pursuant to Regulations section 1772.1, subdivision (a)(1). Operator failed
13 to comply with fluid level testing requirements for the Idle Wells. CalGEM issued a Notice of
14 Violation on April 3, 2024. (**Attachment I**, incorporated herein.) The fluid level tests for each well
15 were due by June 3, 2024. To date, CalGEM has not received any evidence indicating that
16 Operator conducted the fluid level testing for any of the Wells. As a result, Operator has failed
17 to comply with the requirements of Regulations section 1772.1, subdivision (a)(1). Operator's
18 failure to comply with fluid level testing requirements for the Wells is conclusive evidence of
19 desertion. (PRC, § 3206.1, subd. (e).)

20 **ii. Failure to Conduct Idle Well Casing Pressure Test (Regulations, § 1772.1,**
21 **subd. (a)(2))**

22 Regulations section 1772.1, subdivision (a)(2), provides that within 24 months of a well
23 becoming an idle well, the Operator shall conduct a casing pressure test on the well
24 according to the parameters of the Regulation. Here, casing pressure testing was required by
25 April 1, 2023. (**Attachment J**, incorporated herein.) To date, CalGEM has not received
26 evidence of casing pressure testing for the Idle Wells. Therefore, Operator has failed to comply
27 with the requirements of Regulations section 1772.1, subdivision (a)(2).
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1 **iii. Failure To Remediate After Failing to Successfully Complete Idle Well Testing**
2 **(Regulations, § 1772.1, subd. (b))**

3 Regulations section 1772.1, subdivision (b) provides that operators shall remediate idle
4 wells after failing to successfully perform idle well testing. Within 12 months of failing to conduct
5 a successful casing pressure test pursuant to Regulations section 1772.1, subdivision (a)(2),
6 Operator was required to do one of the following: (1) bring the Wells into compliance, (2)
7 partially plug and abandon the Wells in accordance with Regulations section 1752, (3) plug
8 and abandon the Wells in accordance with PRC section 3208, or (4) schedule the Wells for
9 plugging and abandonment under an approved Idle Well Management Plan or an approved
10 Testing Waiver Plan. (Regulations, § 1772.1, subd. (b).) The remediation for each of the Wells
11 was due April 1, 2023. CalGEM issued a Notice of Violation on September 3, 2024 (**Attachment**
12 **K**, incorporated herein.) To date, Operator has not remediated any of the Wells. As a result,
13 Operator has failed to comply with the requirements of Regulations section 1772.1, subdivision
14 (b). Operator's failure to comply with Idle well remediation requirements for the Wells after
15 failing to successfully complete idle well testing is conclusive evidence of desertion. (PRC, §
16 3206.1, subd. (e).)

17 **III. Rebuttable Presumption of Desertion**

18 A rebuttable presumption of desertion arises if an operator has failed to comply with an
19 order of the supervisor. (PRC, § 3237 subd. (a)(3)(C).) On or about March 17, 2022, the
20 Supervisor issued Order 1257 to Operator to plug and abandon two of its idle wells. Order No.
21 1257 became final, and Operator has not complied with that Order to-date, constituting a
22 rebuttable presumption that the wells are deserted.

23 **IV. Credible Evidence of Desertion**

24 Credible evidence of desertion includes, but is not limited to, the operational history of
25 the well or production facility, the response or lack of response of the operator to inquiries and
26 requests from the supervisor or district deputy, *the extent of compliance by the operator with*
27 *the requirements of PRC and Regulations*, and other actions of the operator with regard to the
28 well or production facility. (PRC, § 3237, subd. (a)(2), italics added.)

1 Or via electronic mail: OfficeofAppeals@conservation.ca.gov

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

5 If Operator does not file a timely written notice of appeal, or if the order is affirmed
6 following an appeal, this order will become a final order and CalGEM may contract for
7 performance of the work, pursuant to PRC section 3226, if, within 30 days of this order,
8 Operator has not, in good faith, commenced the work ordered. Any costs incurred by
9 CalGEM to obtain compliance with this order (which may include penalties and interest) will
10 constitute a lien against Operator's real or personal property per PRC section 3423. (PRC, §
11 3356.)

12 **VII. Consequences of Non-Compliance**

13 Failure to comply with Section V (Operator's Required Actions) of this order could
14 subject Operator to further enforcement action, including additional civil penalties, as
15 appropriate. PRC section 3236 makes it a misdemeanor for any person who violates, fails,
16 neglects, or refuses to comply with any of the provisions of the oil and gas conservation laws
17 commencing at PRC section 3000. PRC section 3359 makes it a misdemeanor to fail or
18 neglect to comply with an order of the Supervisor. Each day's further failure, refusal, or
19 neglect is a separate and distinct offense. (PRC, §3359).

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22 DATED: 7/1/2026

Doug Ito

Doug Ito
State Oil and Gas Supervisor