

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 **AMENDED ORDER TO PLUG AND ABANDON AND REABANDON WELLS, DECOMMISSION**  
15 **ATTENDANT FACILITIES, AND RESTORE WELL SITES**  
16 **NO. 1434A**  
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18 **Operators: William K. Barker and Tiger Oil Company**  
Oil Field: Coalinga  
19 Central District, Fresno County  
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## Introduction

On September 12, 2024, the Supervisor issued order No. 1434, listing Coast Range Oil Company as a responsible operator. The Supervisor is now amending Order No. 1434 to remove Coast Range Oil Company as a responsible operator for the reasons described below.

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).) The Supervisor may further order the reabandonment of any previously abandoned well if the Supervisor has reason to question the integrity of the previous abandonment, or if the well is not accessible or visible. (PRC section 3208.1, subd. (a).)

Based on CalGEM's records, Coast Range Oil Company is the "operator" (as defined in PRC section 3009) of the wells identified on **Attachment A**, incorporated herein (**the Wells**). However, based upon information and belief, Coast Range Oil Company is the mineral rights owner of the Wells and has not or did not retain a right to control the well operations that exceeds the scope of an interest customarily reserved in a lease or other conveyance in event of a default. (PRC, § 3237, (c)(3).) As such, based upon CalGEM's records, W.K. Barker and Tiger Oil Company (Operators) (as defined in PRC section 3009) are responsible (as specified in PRC section 3237, subdivision (c)(1)) for the plugging and abandonment or reabandonment 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 section 3206, Operators were required to timely pay idle well fees for a portion of the Wells for years 2021 through 2023, and that Operator has not done so. This failure to timely pay idle well fees is conclusive evidence of desertion, based upon which the Supervisor has determined that the

Wells and the Facilities are deserted. Further, as described below, and on Attachment A, based upon information and belief, the Supervisor has reason to question the integrity of the previous abandonment of a portion of the Wells.

Therefore, pursuant to PRC sections 3106, 3206, 3208.1, 3224, 3226, and 3237, and as set forth below, the Supervisor is ordering Operators to plug and abandon or reabandon the Wells, to decommission the Facilities, and to restore the well sites for the Wells, consistent with all applicable requirements, including PRC sections 3208, 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.

#### **I. 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 an "idle well" 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), Operators did not submit an Idle Well Management Plan in lieu of paying idle well fees. Operators were therefore required to pay an idle well fee for each of its idle wells that were idle in 2021 by May 1, 2022, as provided in the 2022 Idle Well Fee Invoice prepared by CalGEM; idle in 2022 by May 1, 2023, as provided in the 2023 Idle Well Fee Invoice prepared by CalGEM; and idle in 2023 by May 1, 2024, as provided in the 2024 Idle Well Fee Invoice prepared by CalGEM. (PRC, § 3206, subds. (a) and (a)(2)(B)(v).) (**Attachments C, D, and E** incorporated herein.) Failure to send the idle well notices does not affect the validity or amount of the fee owed. (PRC, § 3417.5, subd. (b).) As of the date of this order, Operator has not paid its idle well fees for its Wells idle in 2021, 2022, and 2023.

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

## **II. Reasons to Question Integrity of Previous Abandonment**

The Supervisor has reason to question the integrity of the previous abandonment of a portion of the Wells, because those Wells have not been abandoned to current standards. The Wells, which were not abandoned to current standards, may leak because the materials used to abandon the well (e.g. mud or wooden plugs) or the lack of plugs in the wells do not provide the integrity necessary for a proper abandonment.

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

For the reasons stated herein, CalGEM has determined that the Wells and the Facilities are deserted. Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, **IT IS HEREBY ORDERED** that Operator plug and abandon the Wells, decommission the Facilities, and restore the well sites for the Wells consistent with all applicable requirements of PRC sections 3208, 3208.1, 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 CalGEM may issue pursuant to PRC section 3229. Until that work is complete, Operator is ordered to perform remedial work and testing on the Wells and the Facilities as necessary to prevent damage to life, health, property, and natural resources.

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

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

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

Or via electronic mail:

[OfficeofAppeals@conservation.ca.gov](mailto: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.)

#### **V. 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: 9/23/2024

*Doug Ito*  
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 Doug Ito  
 State Oil and Gas Supervisor