

1 Department of Conservation, Geologic Energy Management Division
2 Uduak-Joe Ntuk
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**

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14 **ORDER TO PLUG AND ABANDON WELL, DECOMMISSION ATTENDANT FACILITIES,**
15 **AND RESTORE WELL SITE**
16 **NO. 1277**

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18 **Operator: J.D. Hunt (H6125)**
19 **Field: Lone Tree Creek Gas**
20 **Northern District, San Joaquin County**
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1 **I. Introduction**

2 The State Oil and Gas Supervisor (**Supervisor**), acting through the Geologic Energy
3 Management Division (**CalGEM**), and under the authority of Division 3 of the Public Resources
4 Code (**PRC**; commencing with PRC section 3000) and California Code of Regulations, title 14
5 (**Regulations**), may order the plugging and abandonment of a well or the decommissioning of
6 a production facility that has been deserted, whether or not any damage is occurring, or
7 threatened, by reason of that deserted well. (PRC, § 3237, subd. (a).) An operator's failure to
8 timely pay required annual fees for any idle well is conclusive evidence of desertion. (PRC, §
9 3206, subds. (a) and (c).)

10 Based on CalGEM's records, J.D. Hunt (**Operator**) is the "operator" (as defined in PRC
11 section 3009) of the well identified on **Attachment A**, incorporated herein (**the Well**), and is
12 responsible (as specified in PRC section 3237, subdivision (c)(1)) for the plugging and
13 abandonment of the Well, the decommissioning of the production facilities attendant to the
14 Well (**the Facilities**), and the restoration of the well site. CalGEM's records indicate that, under
15 applicable provisions of PRC section 3206, Operator was required to timely pay idle well fees
16 for the Well in years 2019, 2020, and 2021, and Operator has not done so. This failure to timely
17 pay idle well fees is conclusive evidence of desertion, based upon which the Supervisor has
18 determined that the Well and the Facilities are deserted.

19 Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, and as set forth
20 below, the Supervisor is ordering Operator to plug and abandon the Well, to decommission
21 the Facilities, and to restore the well site, consistent with all applicable requirements, including
22 PRC sections 3208, 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724
23 through 1724.1, 1760, 1775, and 1776; and the conditions included in any permit or approval
24 CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform
25 remedial work and testing as necessary to prevent damage to life, health, property, and
26 natural resources.

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1 **II. Definitions**

2 **PRC section 3008, subdivision (a)**, defines "well" to mean, among other things, "any oil
3 or gas well or well for the discovery of oil or gas; any well on lands producing or reasonably
4 presumed to contain oil or gas."

5 **PRC section 3008, subdivision (d)**, defines "idle well" as any well that for a period of 24
6 consecutive months has not either produced oil or natural gas, produced water to be used in
7 production stimulation, or been used for enhanced oil recovery, reservoir pressure
8 management, or injection. For the purpose of determining whether a well is an idle well,
9 production or injection is subject to verification by the division. An idle well continues to be an
10 idle well until it has been properly abandoned in accordance with Section 3208 or it has been
11 shown to the division's satisfaction that, since the well became an idle well, the well has for a
12 continuous six-month period either maintained production of oil or natural gas, maintained
13 production of water used in production stimulation, or been used for enhanced oil recovery,
14 reservoir pressure management, or injection. An idle well does not include an active
15 observation well."

16 **PRC section 3009**, defines "operator" to mean "a person who, by virtue of ownership, or
17 under the authority of a lease or any other agreement, has the right to drill, operate, maintain,
18 or control a well or production facility."

19 **Regulations section 1760, subdivision (r)**, defines "production facility" to mean "any
20 equipment attendant to oil and gas production...including, but not limited to, tanks, flowlines,
21 headers, gathering lines, wellheads, heater treaters, pumps, valves, compressors, injection
22 equipment, production safety systems, separators, manifolds, and pipelines that are not under
23 the jurisdiction of the State Fire Marshal pursuant to Section 51010 of the Government Code,
24 excluding fire suppressant equipment."

25 **III. State Oil and Gas Supervisor Authority**

26 **PRC section 3013** states that the oil and gas conservation laws (commencing with PRC
27 section 3000) "shall be liberally construed to meet its purposes" and grants the Supervisor "all
28 powers" that may be necessary to carry out those purposes.

1 **PRC section 3106, subdivision (a)**, authorizes the Supervisor to “supervise the drilling,
2 operation, maintenance, and abandonment of wells and the operation, maintenance, and
3 removal or abandonment of tanks and facilities attendant to oil and gas production ... so as
4 to prevent, as far as possible, damage to life, health, property, and natural resources[.]”

5 **PRC section 3206, subdivision (a)**, requires “[t]he operator of any idle well shall do either
6 of the following:

7 1. No later than May 1 of each year, for each idle well that was an idle well at any time in
8 the last calendar year, file with the supervisor an annual fee equal to the sum of the
9 following amounts:

10 A. One hundred fifty dollars (\$150) for each idle well that has been an idle well
11 for three years or longer, but less than eight years.

12 B. Three hundred dollars (\$300) for each idle well that has been an idle well for
13 eight years or longer, but less than 15 years.

14 C. Seven hundred fifty dollars (\$750) for each idle well that has been an idle well
15 for 15 years or longer, but less than 20 years.

16 D. One thousand five hundred dollars (\$1,500) for each idle well that has been
17 an idle well for 20 years or longer.

18 2. File a plan with the supervisor to provide for the management and elimination of all
19 long-term idle wells.”

20 **PRC section 3206, subdivision (c)**, provides “Failure to file, for any well, the fee required
21 under this section shall be conclusive evidence of desertion of the well, permitting the
22 supervisor to order the abandoned pursuant to Section 3237.”

23 **PRC section 3224** mandates that the Supervisor “order such tests or remedial work as in
24 his judgment are necessary to prevent damage to life, health, property, and natural resources;
25 to protect oil and gas deposits from damage by underground water; or to prevent the escape
26 of water into underground formations, or to prevent the infiltration of detrimental substances
27 into underground or surface water suitable for irrigation or domestic purposes, to the best
28 interests of the neighboring property owners and the public.”

1 of its idle wells that were idle in calendar year 2018 by May 1, 2019, as provided in the 2019 Idle
2 Well Fee Invoice prepared by CalGEM; idle in calendar year 2019 by May 1, 2020, as provided
3 in the 2020 Idle Well Fee Invoice prepared by CalGEM; and idle in calendar year 2020 by May
4 1, 2021, as provided in the 2021 Idle Well Fee Invoice prepared by CalGEM. (PRC, § 3206,
5 subds. (a) & (a)(2)(B)(v).) (**Attachments B, C, and D** incorporated herein.) As of the date of this
6 order, Operator has not paid its idle well fees for 2019, 2020, 2021 (resulting from the idle status
7 of the Well in calendar years 2018, 2019, and 2020).

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

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

11 For the reasons stated herein, CalGEM has determined that the Well and the Facilities
12 are deserted. Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, **IT IS HEREBY**
13 **ORDERED** that Operator plug and abandon the Well, decommission the Facilities, and restore
14 the well site consistent with all applicable requirements of PRC sections 3208, 3224, 3228, 3229,
15 and 3230; Regulations sections 1722, 1723 through 1723.8, 1724 through 1724.1, 1760, 1775, and
16 1776; and the conditions included in any permit CalGEM may issue pursuant to PRC section
17 3229. Until that work is complete, Operator is ordered to perform remedial work and testing on
18 the Well and the Facilities as necessary to prevent damage to life, health, property, and
19 natural resources.

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

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

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

1 Or via electronic mail:

2 CalGEMAppeals@conservation.ca.gov

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

6 If Operator does not file a timely written notice of appeal, or if the order is affirmed
7 following an appeal, this order will become a final order and CalGEM may contract for
8 performance of the work, pursuant to PRC section 3226, if, within 30 days of this order,
9 Operator has not, in good faith, commenced the work ordered. Any costs incurred by
10 CalGEM to obtain compliance with this order (which may include penalties and interest) will
11 constitute a lien against Operator's real or personal property per PRC section 3423. (PRC, §
12 3356.)

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

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

21
22
23 DATED: July 15, 2022



24 _____
Uduak-Joe Ntuk
State Oil and Gas Supervisor

1 Service List

2 J.D. Hunt
3 4437 Heather Ridge Lane
4 Redding, CA 96001

4 J.D. Hunt
5 PO Box 492516
6 Redding, CA 96049-2516

7 *Via Email*

8 J.D. Hunt
9 bensfords@gmail.com

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Attachment A

Operator Name:		J. D. Hunt			
Operator Code:		H6125			
API	Well #	District	County/City	Field Name	Lease Name
0407720307	Vieira 1	Northern	San Joaquin County	Lone Tree Creek Gas	Vieira

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Attachment B

(2019 Idle Well Fee Invoice)

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April 5, 2019

J. D. Hunt H6125
P.O. Box 492516
Redding, CA, 96049

2019 IDLE WELL FEE INVOICE

INVOICE NUMBER: H6125-2019

IF YOU ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY THIS INFORMATION IS FOR NOTICE AND INFORMATIONAL PURPOSES ONLY AND IS NOT AN ATTEMPT TO COLLECT A DEBT

In accordance with Public Resources Code (PRC) section 3206, **no later than May 1 of each year**, as the operator of an idle well you must either:

1. File an annual fee for each of your idle wells that was an idle well at any time in the previous calendar year; or
2. File an Idle Well Management Plan for the management and elimination of your long-term idle wells.

Idle-Well Fee Calculation

Annual idle-well fees are calculated according to the number of years an idle well has been idle, as follows:

- One hundred fifty dollars (\$150) for each idle well that has been an idle well for three years or longer, but less than eight years.
- Three hundred dollars (\$300) for each idle well that has been an idle well for eight years or longer, but less than 15 years.
- Seven hundred fifty dollars (\$750) for each idle well that has been an idle well for 15 years or longer, but less than 20 years.
- One thousand five hundred dollars (\$1,500) for each idle well that has been an idle well for 20 years or longer.

If you are complying with PRC section 3206 by paying annual idle-well fees, Division records indicate that your total idle-well fees due May 1, 2019 are as follows:

For wells idle 3 years, but less than 8 years:	0	\$ 0
For wells idle 8 years, but less than 15 years:	1	\$ 300
For wells idle 15 years, but less than 20 years:	0	\$ 0
For wells idle 20 years or longer:	0	\$ 0
Total Fees Owed:		\$ 300

Idle Well Management Plan

If you are complying with PRC section 3206 by filing an Idle Well Management Plan, the plan must be filed with the Division by May 1, 2019. Please download the form from the Idle Well webpage (https://www.conservation.ca.gov/dog/idle_well) or contact the Idle Well Program at (916) 445-9686 or DOGGRIdleWells@conservation.ca.gov. Follow the instructions on the form for submission.

If you filed an Idle Well Management Plan in 2018 and at the annual review were determined to be in compliance, the renewal of your plan must be filed by May 1, 2019. The form can be downloaded from the Idle Well webpage (https://www.conservation.ca.gov/dog/idle_well). Follow the instructions on the form for submission.

In accordance with PRC section 3206, you must select to pay idle-well fees or file an Idle Well Management Plan no later than May 1, 2019. Failure to pay idle well fees or file an Idle Well Management Plan will subject you to enforcement actions. Failure to pay idle well fees for any well, is conclusive evidence of desertion and the Division may order the plugging and abandonment of such wells. Failure to file idle well fees could subject you to further enforcement actions including issuance of a civil penalty.

If you need additional information, have questions regarding your idle well fees or inventory, or believe this information is in error, please contact the Idle Well Program at (916) 445-9686 or DOGGRIdleWells@conservation.ca.gov.

A copy of the idle well inventory is available via the Idle Well webpage (https://www.conservation.ca.gov/dog/idle_well).

Attachment C

(2020 Idle Well Fee Invoice)

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April 15, 2020

ATTN: JD Hunt
J. D. Hunt H6125
P.O. Box 492516
Redding, CA 96049

2020 IDLE WELL FEE INVOICE

INVOICE NUMBER: H6125-2020

IF YOU ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY THIS INFORMATION IS FOR NOTICE AND INFORMATIONAL PURPOSES ONLY AND IS NOT AN ATTEMPT TO COLLECT A DEBT

In accordance with Public Resources Code (PRC) section 3206, **no later than May 1 of each year**, as the operator of an idle well you must either:

1. File an annual fee for each of your idle wells that was an idle well at any time in the previous calendar year; or
2. File an Idle Well Management Plan for the management and elimination of your long-term idle wells.

Idle Well Fee Calculation

Annual idle well fees are calculated according to the number of years an idle well has been idle, as follows:

- One hundred fifty dollars (\$150) for each idle well that has been an idle well for three years or longer, but less than eight years.
- Three hundred dollars (\$300) for each idle well that has been an idle well for eight years or longer, but less than 15 years.
- Seven hundred fifty dollars (\$750) for each idle well that has been an idle well for 15 years or longer, but less than 20 years.
- One thousand five hundred dollars (\$1,500) for each idle well that has been an idle well for 20 years or longer.

If you are complying with PRC section 3206 by paying annual idle well fees, California Geologic Energy Management Division (CalGEM) records indicate that your total idle well fees due May 1, 2020 are as follows:

For wells idle 3 years, but less than 8 years:	0	\$ 0
For wells idle 8 years, but less than 15 years:	1	\$ 300
For wells idle 15 years, but less than 20 years:	0	\$ 0
For wells idle 20 years or longer:	0	\$ 0
Total Fees Owed:		\$ 300

Annual idle well fees must be postmarked by **May 1, 2020**. Please mail your fees to the follow address:

**The California Geologic Energy Management Division
801 K Street, MS 18-00
Sacramento, CA 95814**

Please make idle well fee check(s) payable to: Department of Conservation and indicate the invoice number and "For idle well fees".

Idle Well Management Plan

If you are complying with PRC section 3206 by filing an Idle Well Management Plan, the plan must be filed with CalGEM by May 1, 2020. Please download the form from the Idle Well Program-Operator webpage (https://www.conservation.ca.gov/calgem/idle_well/Pages/idle-well-operators.aspx) or contact the Idle Well Program at (916) 445-9686 or CalGEMIdleWells@conservation.ca.gov. Follow the instructions on the form for submission and use the WellSTAR 'Idle Well Form'.

If you filed an Idle Well Management Plan in 2019 and were determined to be in compliance at the annual review, you must renew your plan by May 1, 2020. Plans are renewed by submitting a completed Idle Well Management Plan form by May 1, 2020.

In accordance with PRC section 3206, you must select to pay idle well fees or file an Idle Well Management Plan no later than May 1, 2020. Failure to pay idle well fees or file

an Idle Well Management Plan will subject you to enforcement actions. Failure to pay idle well fees for any well, is conclusive evidence of desertion and CalGEM may order the plugging and abandonment of such wells. Failure to file idle well fees could subject you to further enforcement actions including issuance of a civil penalty.

If you need additional information, have questions regarding your idle well fees or inventory, or believe this information is in error, please contact the Idle Well Program at (916) 445-9686 or CalGEMIdleWells@conservation.ca.gov

A copy of the idle well inventory is available via the Idle Well Program-Operator webpage (https://www.conservation.ca.gov/calgem/idle_well/Pages/idle-well-operators.aspx).

Attachment D

(2021 Idle Well Fee Invoice)

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April 7, 2021

ATTN: Agent
J. D. Hunt, H6125
PO Box 492516
Redding, CA 96049-2516

2021 IDLE WELL FEE INVOICE

INVOICE NUMBER: H6125-2021

IF YOU ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY THIS INFORMATION IS FOR NOTICE AND INFORMATIONAL PURPOSES ONLY AND IS NOT AN ATTEMPT TO COLLECT A DEBT

In accordance with Public Resources Code (PRC) section 3206, **no later than May 1 of each year**, as the operator of an idle well you must either:

1. File an annual fee for each of your idle wells that was an idle well at any time in the previous calendar year; or
2. File an Idle Well Management Plan for the management and elimination of your long-term idle wells.

Idle Well Fee Calculation

Annual idle well fees are calculated according to the number of years an idle well has been idle, as follows:

- One hundred fifty dollars (\$150) for each idle well that has been an idle well for three years or longer, but less than eight years.
- Three hundred dollars (\$300) for each idle well that has been an idle well for eight years or longer, but less than 15 years.
- Seven hundred fifty dollars (\$750) for each idle well that has been an idle well for 15 years or longer, but less than 20 years.
- One thousand five hundred dollars (\$1,500) for each idle well that has been an idle well for 20 years or longer.

If you are complying with PRC section 3206 by paying annual idle well fees, California Geologic Energy Management Division (CalGEM) records indicate that your total idle well fees due May 1, 2020 are as follows:

For wells idle 3 years, but less than 8 years:	0	\$ 0
For wells idle 8 years, but less than 15 years:	1	\$ 300
For wells idle 15 years, but less than 20 years:	0	\$ 0
For wells idle 20 years or longer:	0	\$ 0

Total Fees Owed: \$ 300

Annual idle well fees must be postmarked by **May 1, 2020**. Please mail your fees to the follow address:

**The California Geologic Energy Management Division
801 K Street, MS 18-00
Sacramento, CA 95814**

Please make idle well fee check(s) payable to: Department of Conservation and indicate the invoice number and "For idle well fees".

Idle Well Management Plan

If you are complying with PRC section 3206 by filing an Idle Well Management Plan, the plan must be filed with CalGEM by May 1, 2021. Please download the form from the Idle Well Program-Operator webpage (https://www.conservation.ca.gov/calgem/idle_well/Pages/idle-well-operators.aspx) or contact the Idle Well Program at (916) 445-9686 or CalGEMIdleWells@conservation.ca.gov. Follow the instructions on the form for submission and use the WellSTAR 'Idle Well Form'.

If you filed an Idle Well Management Plan in 2019 and were determined to be in compliance at the annual review, you must renew your plan by May 1, 2021. Plans are renewed by submitting a completed Idle Well Management Plan form by May 1, 2021.

In accordance with PRC section 3206, you must select to pay idle well fees or file an Idle Well Management Plan no later than May 1, 2021. Failure to pay idle well fees or file an Idle Well Management Plan will subject you to enforcement actions. Failure to pay idle well fees for any well, is conclusive evidence of desertion and CalGEM may order

the plugging and abandonment of such wells. Failure to file idle well fees could subject you to further enforcement actions including issuance of a civil penalty.

If you need additional information, have questions regarding your idle well fees or inventory, or believe this information is in error, please contact the Idle Well Program at (916) 445-9686 or CalGEMIdleWells@conservation.ca.gov

A copy of the idle well inventory is available via the Idle Well Program-Operator webpage (https://www.conservation.ca.gov/calgem/idle_well/Pages/idle-well-operators.aspx).

**NOTICE OF APPEAL TO THE
DIRECTOR OF THE DEPARTMENT OF CONSERVATION**

Use of this form is optional. You may use this form to prepare a Notice of Appeal from the enclosed Order. The style and content of this form are only suggestions. You may file a written notice of appeal in a different format.

Mail the completed form to the address at the bottom of this page.

Box 1: Statement of Intent to Appeal (Review the text in this box to confirm that the operator information Order No. 1277 are accurate. Make any necessary corrections directly on the form.)
Operator, J.D. Hunt, hereby appeals from State Oil and Gas Supervisor Order No. 1277
Box 2: Basis of Appeal (Explain the reasons why you are appealing the order. Make your explanation as clear and complete as you can. If you need more space to write your explanation, attach additional pages. Label any attached additional pages with "Notice of Appeal re: Order No. 1277")
The reasons for this appeal are as follows: _____ _____ _____ _____ <input type="checkbox"/> (Attach additional pages as necessary.)
Box 3: Contact Information for Operator Representative (Provide contact information for the preferred operator representative with whom the Appeals Officer and Supervisor's legal counsel may communicate regarding the appeal.)
Name: _____ Physical Mail: (Address) _____ (City, State, Zip) _____ Phone: (_____) _____ - _____ Email: _____ <input type="checkbox"/> I agree to document service using the email address above.
Box 4: Certification of Authority

Mail or E-mail this Notice of Appeal to the following the following address, as appropriate:

Department of Conservation, Director's Office of Appeals
715 P Street, MS 1906 (Legal Office, Chief Counsel)
Sacramento, CA 95814-3530
CalGEMAppeals@conservation.ca.gov

rev. 5/14/2020

(Verify that all information on or attached to the form is correct, then sign and date the certification where indicated.)

I am the operator named in Box 1, above, or I have authority to act on behalf of that operator for purposes of preparing and filing this Notice of Appeal.

Signature: _____

Date: _____

Printed Name: _____

Affiliation with operator: _____

(e.g., self, owner, president, legal counsel, etc.)

Mail or E-mail this Notice of Appeal to the following the following address, as appropriate:

Department of Conservation, Director's Office of Appeals
715 P Street, MS 1906 (Legal Office, Chief Counsel)
Sacramento, CA 95814-3530
CalGEMAppeals@conservation.ca.gov

rev. 5/14/2020

1 **PROOF OF SERVICE BY CERTIFIED U.S. MAIL**

2 I declare that I am employed in the County of Sacramento, California. I am over the
3 age of 18 and not a party to the within captioned cause. My business address is 715 P Street,
MS 1803, Sacramento, California 95814. On July 15, 2022, I served the following document(s):

4 **ORDER TO PLUG AND ABANDON WELL, DECOMMISSION ATTENDANT FACILITIES,**
5 **AND RESTORE WELL SITE**
6 **NO. 1277**

7 by enclosing them in an envelope and placing the envelope for collection and mailing by
8 certified U.S. mail on the date and at the below listed address(es) following our ordinary
9 business practices. I am readily familiar with this business's practice for collecting and
processing correspondence for mailing. On the same day that correspondence is placed
for collection and mailing, it is deposited in the ordinary course of business with the United
States Postal Service in a sealed envelope with postage fully prepaid.

10 I served the documents on the person or persons below, as follows:

11 J.D. Hunt 12 4437 Heather Ridge Lane 13 Redding, CA 96001 14 Certified Mail Receipt Number: 7022 0410 0001 8036 0257	J.D. Hunt PO Box 492516 Redding, CA 96049-2516 Certified Mail Receipt Number: 7022 0410 0001 8036 0271
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15 I declare under penalty of perjury of the laws of the State of California that the
16 foregoing is true and correct, and that this declaration was executed on July 15, 2022, at
Sacramento, CA.

17 
18 _____
19 Rachael A. Tadlock