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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 FACILITY, AND RESTORE WELL SITE**  
16 **NO. 1647**

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19 **Operator: F. H. Rowley (02844)**  
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, § 3206.1, subds. (d) and (e).) In addition, a rebuttable presumption of desertion arises if an operator fails to designate an agent as required by PRC section 3200 or an operator removes a well's production facilities or injection equipment from the well site for at least two years. (PRC, § 3237, subds. (a)(3)(B) & (D).)

Based on CalGEM's limited records, at all relevant times, F. H. Rowley (**Operator**) has been the "operator" (as defined in PRC section 3009) of the idle well (**Well**) described in **Attachment A**, incorporated herein. CalGEM records indicate that, under applicable provisions of PRC section 3206, Operator was required to timely pay idle well fees for the Well for the years 2019, 2020, 2021, 2022, 2023, 2024, 2025, and 2026, 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 Operator (1) failed to designate an agent as required by PRC section 3200 and (2) removed production facilities or injection equipment from the well site for at least 2 years. 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 the Facility, and the restoration of the well site for the Well.

Therefore, pursuant to PRC sections 3106, 3206, 3206.1, 3224, 3226, and 3237, the Supervisor is ordering Operator to plug and abandon the Well, decommission the Facility, and restore the well site for the Well, consistent with all applicable requirements, including PRC

1 sections 3206, 3208, 3228, 3229, and 3230; Regulations sections 1722, 1723 *et seq.*, 1724, 1724.1,  
2 1760, subdivision (m), 1775, and 1776; and the conditions included in any permit or approval  
3 CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform  
4 remedial work and testing as necessary to prevent damage to life, health, property, and  
5 natural resources.

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

## 8 **II. Conclusive Evidence of Desertion**

9 Conclusive evidence of desertion includes, but is not limited to, failure to comply with  
10 the idle well management process established in PRC section 3206. (PRC, § 3206, subd. (c).)

11 Based on CalGEM's limited records, at all times relevant to this Order, Operator was the  
12 "operator" of the Well, as defined in PRC section 3009. At all times relevant to this Order, the  
13 Well was an "idle well" as defined in PRC section 3008, subdivision (d).

14 As the operator of the Well, following the process for idle well management set forth in  
15 PRC section 3206, subdivision (a), Operator was required to submit an Idle Well Management  
16 Plan (IWMP) or pay idle well fees for the Well. As Operator did not submit an IWMP in lieu of  
17 paying idle well fees, Operator was required to pay idle well fees for the Well that was idle for  
18 the calendar years 2018 by May 1, 2019, 2019 by May 1, 2020, 2020 by May 1, 2021, 2021 by  
19 May 1, 2022, 2022 by May 1, 2023, 2023 by May 1, 2024, 2024 by May 1, 2025, and 2025 by May  
20 1, 2026, as provided in the 2019, 2020, 2021, 2022, 2023, 204, 2025, and 2026 Idle Well Fee  
21 Invoices 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 for the years 2018, 2019, 2020, 2021, 2022, 2023, 2024,  
24 2025, and 2026. Operator's failure to pay the required idle well fees for the Well is conclusive  
25 evidence of desertion. (PRC, § 3206, subd. (c).) Further, Operator did not submit records of  
26 required testing (under PRC, § 3206.1) for any of the idle years listed above, which is also  
27 conclusive evidence of desertion under PRC § 3206.1(e).  
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1 the Supervisor mails the Order. To file an appeal, a written notice of appeal may be sent via  
2 U.S. mail to:

3 Department of Conservation  
4 Director's Office of Appeals  
5 715 P Street, MS 19-06 (Legal Office, Chief Counsel)  
6 Sacramento, California 95814

7 Or via electronic mail to:

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

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

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

## 18 **VI. Consequences of Non-Compliance**

19 Failure to comply with Section IV (Operator's Required Actions) of this Order could  
20 subject Operator to further enforcement action. PRC section 3236 makes it a misdemeanor for  
21 any person who violates, fails, neglects, or refuses to comply with any of the provisions of the  
22 oil and gas conservation laws commencing at PRC section 3000. PRC sections 3236.2 and  
23 3236.3 authorizes the Supervisor to refer for civil penalties and injunctive relief for failure to  
24 comply with an order or for violation of any provision in Chapter 1 of Division 3 of the PRC or  
25 any regulation that implements those statutes. PRC section 3236.5 authorizes the Supervisor to  
26 impose a civil penalty on a person who violates any provision in Chapter 1 of Division 3 of the  
27 PRC or any regulation that implements those statutes, and the Supervisor may in the future  
28 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

1 the decommissioning of a production facility if an operator has failed to comply with an order  
2 of the Supervisor within the time provided by the order or has failed to challenge the order on  
3 a timely basis. PRC section 3359 makes it a misdemeanor to fail or neglect to comply with an  
4 order of the Supervisor. Each day's further failure, refusal, or neglect is a separate and distinct  
5 offense. (PRC, § 3359.) By issuance of this Order, the Supervisor does not waive the right to take  
6 further enforcement actions.

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DATED: 6/18/2026

Doug Ito  
Doug Ito  
State Oil and Gas Supervisor