

1 DOUGLAS A. GOSLING, SBN 253057
YOUNG WOOLDRIDGE, LLP
2 1800 30th Street, Fourth Floor
Bakersfield, CA 93301
3 Telephone: (661) 327-9661
Facsimile: (661) 327-0720
4 dgosling@youngwooldridge.com

5 Attorneys for Petitioner
6 LONGBOW, LLC

7 STATE OF CALIFORNIA

8 STATE WATER RESOURCES CONTROL BOARD

9 In re Matter of May 15, 2015 Order of the
10 Central Valley Regional Quality Control Board
Directing Longbow, LLC to Submit
11 Information and Take Other Actions

File No.:

**PETITION FOR REVIEW OF REGIONAL
BOARD ORDER AND HEARING ON
PETITION**

12
13 Longbow, LLC (“Longbow” or “Petitioner”) hereby timely files this Petition for Review
14 and Request for Hearing requesting review of the May 15, 2015 Order pursuant to California Water
15 Code Section 13267 (“Order”) issued by the Central Valley Regional Water Quality Control Board
16 (“Regional Board”)¹. Longbow desires to work toward a resolution of the contested issues and
17 anticipates the parties can amicably resolve the inadvertent identification of the producing wells
18 subject to this Order with the Regional Board. Petitioner hereby reserves the right to amend this
19 Petition for Review with additional information and legal points and authorities if a resolution of
20 the issues being challenged cannot be achieved with the Regional Board.

21 Pursuant to California Water Code (“CWC”) section 13320, and California Code of
22 Regulations section 2050, Longbow alleges as follows:

23 **A. Petition For Review**

24 **1. Name, Address, Telephone Number and Email Address of the Petitioner.**

25 Longbow, LLC
26 1701 Westwind Drive, Suite 126
Bakersfield, CA 93301
27 (661) 631-1717

28
¹ A copy of the Order is provided as Exhibit I.

1 Please direct notices and other communications to:

2
3 Doug Gosling
4 Young Wooldridge, LLP
5 1800 30th Street, Fourth Floor
6 Bakersfield, CA 93301
7 (661) 377-7137
8 dgosling@youngwooldridge.com

9
10 **2. The Action or Inaction of the Regional Water Board Being Petitioned, Including a**
11 **Copy of the Action Being Challenged.**

12 The Regional Board took action on May 15, 2015 and issued an Order to Petitioner stating that
13 Petitioner had been identified as the operator of *injection wells* identified as API Nos. 02948513,
14 02950363, and 10720136. (*Emphasis added.*) The Regional Board noted that the California Division
15 of Oil, Gas, and Geothermal Resources (“DOGGR”) informed the Regional Board that the *injection*
16 *wells* subject to the Order are *injecting* fluids produced by oil and gas extraction activities into an
17 aquifer that may not have been properly designated under various federal laws. The Order demands,
18 “for each *injection well* subject to this Order” the preparation of technical reports containing detailed
19 information. (*See Order.*) The wells in question are in fact *production wells* (not injection wells).
20 Petitioner immediately contacted the Regional Board as directed in the Order to inform it that its
21 action of identifying it as the owner of *injection wells* was incorrect and not current and requested it
22 rescind and set aside the Order—the Regional Board has failed to act on Petitioner’s request.

23 **3. The Date the Regional Board Acted.**

24 The Regional Board’s Order² was dated May 15, 2015.

25 **4. A Statement of the Reasons the Action was Inappropriate or Improper.**

26 The Regional Board’s Order is based on its authority under Section 13267 to require
27 specifically described persons to “furnish...technical or monitoring program reports which the
28 regional board requires” in connection with its “investigation of the quality of waters within its
region.” (CWC § 13267(b)(1).) That authority is subject to the express mandatory limitation,

² The Order sent Certified Mail No. 7014 3490 0001 7023 3033 arrived at USPS Facility on May 15, 2015, 9:23 pm in Fresno, California 93706 and was delivered to Petitioner on May 18, 2015 at 10:40 am in Bakersfield, California 93301. See <https://tools.usps.com/go/TrackConfirmAction.action?iRef=fullpage&tLc=1&text28777=&tLabels=7014+3490+000170233033%2C00033913.000>

1 however, that “the burden, including costs, of these reports shall bear a reasonable relationship to
2 the need for the report and the benefits to be obtained from the reports.” (CWC § 13267(b)(1).)

3 First, the Order is based upon factual assumptions that are demonstrably incorrect.
4 Therefore, there is no need for the demanded activity nor any appreciable benefit to be obtained.

5 Second, contrary to the specific requirements of Section 13267, the burden, including costs,
6 of the activity mandated by the Order bears no reasonable relationship either to the need for such
7 activity or any benefit to be obtained by it.

8 Finally, contrary to the specific requirements of Section 13267, the Order directs actions
9 expressly and explicitly related to *injection* activities. As further explained below, Petitioner is
10 always willing and open to comply with the Regional Board, but the wells in question are actually
11 production wells. The Order demanded Petitioner contact and advise the Regional Board if it is
12 unable to comply with the Order. After receipt of the Order on May 18, 2015, Petitioner
13 immediately responded on May 21, 2015 with documentation evidencing that the wells subject to
14 the Order were in fact *production wells*, not injection wells and that the Regional Board was
15 provided inaccurate information—to date Petitioner has not received a response to its
16 communication and request to rescind the inappropriate Order.

17 **5. How the Petitioner is Aggrieved.**

18 The activity mandated by the Order is irreconcilable and contradictory in light of the accurate
19 identification of the *producing* wells. It also serves no substantial purpose and there is no substantial
20 benefit. The Order also assumes erroneous factual assumptions based upon inaccurate information
21 obtained from DOGGR—information that is not current as demonstrated by a current search of
22 DOGGR’s records (*See Exhibits 3, 4 & 5.*) and the information submitted by Petitioners to the
23 Regional Board on May 21, 2015. (*See Exhibit 2.*) The circumstances surrounding the Order issued
24 to Petitioner demonstrates the process is arbitrary and capricious. The Order notes that any failure
25 “to furnish the required report, or the submission of a substantially incomplete report or false
26 information, is a misdemeanor, and may result in additional enforcement actions, including issuance
27 of an Administrative Civil Liability Complaint pursuant to California Water Code section 13268.
28 Liability may be imposed pursuant to California Water Code section 13268 in an amount not to

1 exceed one thousand dollars (\$1,000) for each day in which the violation occurs.” The Order
2 threatens any failure “to comply with these requirements may constitute a misdemeanor under Water
3 Code section 13265 or a felony under Water Code section 13387, and may also subject Longbow,
4 LLC to judicial or administrative civil liabilities.” The Order has already imposed unnecessary
5 monetary and management burdens upon Petitioner. The Order has exposed Petitioner to substantial
6 legal penalties, associated damages related to the value and use of Petitioner’s property, and potential
7 future unknown impacts to its business disruption. The Order finally creates an unwarranted stigma
8 about Petitioner without any justification.

9 **6. The Action the Petitioner Requests the State Board Take.**

10 Petitioner requests that the Regional Board’s Order be rescinded and set aside and that the
11 Regional Board be directed to take no further action with respect to the subject matter of its Order
12 until it has first reviewed the information and material that was provided by Petitioner in response
13 to the Regional Board’s Order and reasonably determines from that review that further action is in
14 fact required. Petitioner further requests a hearing on this Petition.

15 **7. A Statement of Points and Authorities of Legal Issues Raised in the Petition.**

16 a. The Regional Board’s Order Fails to Comply With the Specific Requirements of
17 Section 13267.

18 Section 13267 authorizes the Regional Board to conduct an investigation into the quality of
19 waters of the state for certain purposes, and in connection with such an investigation to
20 “require...any person who has discharged, discharges, or is suspected of having discharged or
21 discharging, or who proposes to discharge waste within its region..., [to] furnish, under penalty of
22 perjury, technical or monitoring program reports which the regional board requires.” Section 13267
23 expressly limits the Regional Board’s authority in that regard by requiring that “[t]he burden,
24 including costs, of these reports shall bear a reasonable relationship to the need for the report and
25 the benefits to be obtained from the reports.” Because the burden upon Petitioner of complying with
26 the Order greatly outweighs any need for the demanded report, and any benefit which might be
27 obtained from it, the Order violates the specific mandatory limitation provided in Section 13267.

28 Petitioner is not discharging into the subject wells because they are *production* wells. The
Order is based upon information provided by DOGGR to the Regional Board that is not current or

1 accurate creating this unnecessary action and proceeding. (See Exhibits 2-5.) Petitioner has
2 submitted information to DOGGR and the Regional Board to address the misinformation and have
3 this Order rescinded and is currently waiting for a response—but due to the 30-day deadline per
4 CWC section 13320 and others, Petitioner is compelled to file this petition for review of the Order
5 to preserve its rights and pursue resolution of this Order as soon as possible.

6 b. Summary of Facts

7 At the time of the Order, the three *producing oil wells* subject to this Order were and are
8 currently producing oil and are permitted by DOGGR for oil and gas extraction/production—they
9 are not injection wells as the Order indicates. (See Exhibits 3-5; Decl. Califf ¶3.)

10 c. Order and Responses

11 After receiving the Order on May 18, 2015, Petitioner immediately contacted the Regional
12 Board as directed in the Order on May 21, 2015 about the Order and the inaccurate identification of
13 its *producing oil wells*. (Decl. Califf ¶4.) The Regional Board has not yet responded to Petitioner's
14 correspondence and requests to rescind the inappropriate Order and update its information. (Ibid.)
15 Thus, per CWC 13320, the 30-day deadline to file a petition for review is June 18, 2015, but out of
16 an abundance of caution, Petitioner is compelled to file this petition on June 15, 2015 to preserve its
17 rights and obtain resolution of this unnecessary and incorrect Order. Petitioner believes the parties
18 can amicably resolve the inadvertent identification of the producing wells and anticipates an informal
19 correction of the information can be made without a formal hearing. (Decl. Califf ¶5.)

20 d. The Regional Board's Action do Not Serve a Beneficial Purpose.

21 The Order is based upon factual assumptions that are demonstrably incorrect. Therefore,
22 there is no need for the demanded activity nor any appreciable benefit to be obtained. As noted
23 above, Petitioner is not discharging into the subject wells. The information provided by DOGGR to
24 the Regional Board is not current or accurate creating this unnecessary action and proceeding. The
25 Order directs actions expressly and explicitly related to *injection* activities. Petitioner is always
26 ready to comply with the Regional Board, but the wells in question are *production wells—thus*
27 Petitioner is unable to effectively respond to the Regional Board's requests. Petitioner immediately
28 submitted information to DOGGR and the Regional Board to address the misinformation and have
this Order rescinded and is currently waiting for a response.

1 **8. Statement that copies of the Petition have been sent to the Regional Board.**

2 A copy of this Petition for Review was sent by email per section 2050(b), to the Regional
3 Board, on June 15, 2015, to the attention of Mr. Clay L. Rodgers, Assistant Executive Officer.

4 **9. Explanation of Why Petitioner Could Not Raise These Objections Before the**
5 **Regional Board.**

6 The Order was issued to Petitioner without any formal procedure or notice and opportunity
7 to comment on the record. Petitioner had no knowledge that the Order was to be issued prior to
8 receiving it. Petitioner raised the substantive concerns with the Regional Board after the Order was
9 issued in its May 21, 2015 correspondence. The Regional Board has yet to respond to Petitioner's
10 request and submissions of accurate and current information.

11 **10. A Copy of the Request to the Regional Board for Preparation of the Administrative**
12 **Record.**

13 Petitioner has also requested that the Regional Board prepare the administrative record. (See
14 Exhibit 6.)

15 **11. Petitioner Request for an Evidentiary Hearing.**

16 For reasons set forth above, and because Petitioner did not have notice or an opportunity to
17 provide information and comments on the record before the Order was issued, Petitioner requests
18 that the State Board conduct a full evidentiary hearing to consider this Petition in accordance with
19 Title 23, California Code of Regulations section 2052. Additionally, because Petitioner was not
20 provided an opportunity to submit evidence prior to the Order being issued, it hereby reserves the
21 right to provide additional documentation and evidence at any such hearing.

22 YOUNG WOOLDRIDGE, LLP

23 

24 Date: June 15, 2015

25 By:

26 DOUGLAS A. GOSLING
27 Attorneys for Petitioner,
28 LONGBOW, LLC

1
2
3 **DECLARATION OF BRAD CALIFF**

4 I, BRAD CALIFF, declare as follows:

5 1. I am the President of Longbow, LLC. I make this Declaration in Support of the Petition
6 for Review by Longbow, LLC of the May 15, 2015 Order issued by the Central Valley Regional
7 Water Quality Control Board. The following matters are within my own personal knowledge, and if
8 called as a witness, I could testify competently thereto;

9 2. I am personally familiar with the facts surrounding this pleading except as to matters
10 stated on information and belief. As to statements provided on information and belief, I believe them
11 to be true based on due inquiry and the information available to me at the time of this Declaration;

12 3. At the time the Order was issued, the three producing oil wells subject to the Order
13 were and are currently producing oil and are permitted by the California Division of Oil, Gas, and
14 Geothermal Resources for oil and gas extraction/production—they are not injection wells;

15 4. After receiving the Order on May 18, 2015, as directed we immediately contacted the
16 Regional Board on May 21, 2015 to notify it about the inaccurate identification of producing oil
17 wells. The Regional Board has not yet responded to our correspondence and requests to rescind the
18 Order and update its information;

19 5. We would like to amicably resolve the inadvertent identification of the producing wells
20 with the Regional Board and anticipate an informal correction of the information about the wells
21 without a formal hearing, but per the 30-day deadline to file a petition for review, Petitioner is
22 compelled to file this petition to preserve its rights and obtain resolution of this unnecessary and
23 incorrect Order.

24 I declare under penalty of perjury under the laws of the State of California that the foregoing
25 is true and correct on June 12, 2015.

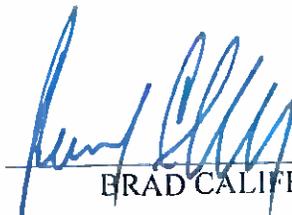
26
27
28

BRAD CALIFF

EXHIBIT 1



Central Valley Regional Water Quality Control Board

15 May 2015

CERTIFIED MAIL
7014 3490 0001 7023 3033

Brad C. Califf, Agent
Longbow, LLC
1701 Westwind Dr., Suite 101
Bakersfield, CA 93301

ORDER PURSUANT TO CALIFORNIA WATER CODE SECTION 13267. You are legally obligated to respond to this Order. Read this Order carefully.

Longbow, LLC is the operator of injection wells identified as American Petroleum Institute (API) numbers 02948513, 02950363, and 10720136 (hereinafter "injection wells subject to this Order"). The California Division of Oil, Gas, and Geothermal Resources (Division) has informed the Central Valley Regional Water Quality Control Board (Central Valley Water Board) that the injection wells subject to this Order have been injecting fluids produced by oil or gas extraction activities into an aquifer that may not have been properly designated as an exempt aquifer under the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.). The aquifer may be suitable for drinking water supply and other beneficial uses.

As described further below, for each injection well subject to this Order, Longbow, LLC is required to submit technical reports containing information about (1) the injection well, (2) the fluid that has been injected, (3) the quality of the groundwater within the zone(s) where fluids have been injected, and (4) nearby water supply wells. The issuance of this Order has been coordinated with the Division.

The Central Valley Water Board's authority to require technical reports derives from section 13267 of the California Water Code, which specifies, in part, that:

(a) A regional board...in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.

(b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region...that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

The Central Valley Water Board is concerned about the potential threat to human health and potential impacts to water quality posed by the discharge of waste associated with the injection of fluids into aquifers that may be suitable for drinking water supply and other beneficial uses. The technical information and reports required by this Order are necessary to assess the potential threat to human health and potential impacts to water quality. The need to understand the potential threat to human health and potential impacts to water quality justifies the need for the information and reports required by this Order. Based on the nature and possible consequences of the discharges of waste, the burden of providing the required information, including reporting costs, bears a reasonable relationship to the need for the report, and the benefits to be obtained. Longbow, LLC is required to submit this information and reports because it is the operator of the injection wells subject to this Order. If Longbow, LLC and its predecessors in interest have never injected fluids into the injection wells subject to this Order, please advise Central Valley Water Board staff of this in writing as soon as possible.

Under the authority of California Water Code section 13267, the Central Valley Water Board hereby orders Longbow, LLC to:

19. **By 3 June 2015** submit a work plan that adequately describes the procedures to collect a representative groundwater sample from the injection zone(s) for each injection well subject to this Order. If a representative sample cannot feasibly be collected from one or more of the injection zones for any of the injection wells subject to this Order within the required timeframe (e.g., due to constraints posed by the design of the injection well), submit a technical report demonstrating that collection of a representative sample from those injection zones is not feasible within the required timeframe, and proposing an alternative sampling procedure and expeditious time schedule for obtaining a representative sample of groundwater from those injection zones. Alternative sampling procedures and time schedules are subject to approval by the Assistant Executive Officer of the Central Valley Water Board.
20. **By 3 August 2015**, submit a technical report that contains all of the following information:
 - a. The analyses of each of the groundwater samples from the injection zone(s) for each injection well subject to this Order, in accordance with the water quality analysis and reporting requirements contained in Attachment A to this Order.
 - b. If fluids have been injected into any of the injection wells subject to this Order, an analysis of a representative sample of those fluids in accordance with the water quality analysis and reporting requirements contained in Attachment A to this Order.
 - c. All available historical chemical analyses of the fluids injected into each injection well subject to this Order.
 - d. All previously obtained analytical data for groundwater samples collected from any injection zones within one (1) mile of each of the injection wells subject to this Order.
 - e. A list and location map of all water supply wells within one mile of each injection well subject to this Order.
 - f. Information for each identified water supply well, including the well owner name and contact information; type of well (i.e., domestic, irrigation, industrial, etc.); whether any of the water is used for domestic purposes; status (i.e., active, idle, etc.); well construction; borehole geophysical logs; and all analytical results for any water sample(s) collected from each water supply well. Notify Central Valley Water Board staff within 24 hours upon

determination that any water supply well information cannot be obtained from the California Department of Water Resources because it is confidential.

- g. For each injection well subject to this Order, the following information for items A-O shall be submitted in a spreadsheet, labeled with the capital letters indicated. The information for items P-R shall be submitted as attachments:
- A. The name of the owner and/or operator of the injection well;
 - B. API number for the injection well;
 - C. Injection well name and number
 - D. Name of the field in which the injection well is located;
 - E. County in the which the injection well is located;
 - F. Latitude and Longitude (decimal degrees) of well head location;
 - G. Latitude and Longitude Datum, indicate "1" for North American Datum of 1983 or "2" for North American Datum of 1927;
 - H. Injection well total depth (feet);
 - I. Top injection depth (feet);
 - J. Formation/Zone name at top injection depth;
 - K. Bottom injection depth (feet);
 - L. Formation/Zone name at bottom injection depth;
 - M. Date injection started in the well (Day/Month/Year, xx/xx/xxxx);
 - N. Total injection volume in barrels by calendar year (to present day);
 - O. Attach well construction diagram including all perforations, annular material, and seals;
 - P. Attach a description of all sources of fluid injected;
 - Q. Attach all data maintained in compliance with California Code of Regulations, title 14, section 1724.10, subdivision (h).
 - R. Attach documentation associated with each mechanical integrity test undertaken to comply with California Code of Regulations, title 14, section 1724.10, subdivision (j).

All required work plans and technical information must be submitted in an electronic format compatible with the State's GeoTracker system following the requirements of California Code of Regulations, title 23, section 3893 (available at http://www.waterboards.ca.gov/ust/electronic_submittal/docs/text_regs.pdf). A unique case identifier (Global ID) is assigned for each well subject to this Order contained in Attachment B.

Based on the information submitted in the work plan and/or technical report, additional information or action may be required.

Additionally, please submit a hard copy to the attention of:

Ron Holcomb
Central Valley Water Board
1685 E Street
Fresno, CA 93706

All information is to be copied to the Division, to the attention of:

Steven R. Bohlen, State Oil and Gas Supervisor
Department of Conservation, DOGGR
801 K Street
Sacramento, CA 95814-3500

Submissions pursuant to this Order need to include the following statement signed by an authorized representative of Longbow, LLC:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The failure to furnish the required report, or the submission of a substantially incomplete report or false information, is a misdemeanor, and may result in additional enforcement actions, including issuance of an Administrative Civil Liability Complaint pursuant to California Water Code section 13268. Liability may be imposed pursuant to California Water Code section 13268 in an amount not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Any person aggrieved by this Order of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320. The State Water Board must receive the petition by 5:00 p.m., within 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations, and instructions applicable to filing petitions, are at

http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml, or will be provided upon request.

Be advised that sections 13260 and 13264 of the California Water Code require any person who proposes to discharge waste that could affect waters of the state to submit a Report of Waste Discharge for any new discharge or change in the character, volume, or location of an existing discharge. Fluids produced by oil or gas extraction activities that can no longer be disposed of in the injection wells subject to this Order cannot be discharged to land or waters of the state prior to the issuance of Waste Discharge Requirements, and cannot be discharged to waters of the United States prior to the issuance of an National Pollutant Discharge Elimination System (NPDES) Permit. Failure to comply with these requirements may constitute a misdemeanor under Water Code section 13265 or a felony under Water Code section 13387, and may also subject Longbow, LLC to judicial or administrative civil liabilities.

Brad C. Califf
Longbow, LLC

- 5 -

15 May 2015

Any questions regarding this matter should be directed to me at (559) 445-5116 or at Clay.Rodgers@waterboards.ca.gov.



Clay L. Rodgers
Assistant Executive Officer

Enclosure:

Attachment A - Water Quality Sampling, Analysis and Reporting

Attachment B – GeoTracker Upload Instructions and Assigned Global Identification Number(s)

ATTACHMENT A
Water Quality Sampling, Analysis, and Reporting

Water Quality Sampling

All groundwater sampling is to be performed by a qualified person. A qualified person is any person with the knowledge and training in proper sampling methods, chain of custody, and quality assurance/quality control protocols. Any person conducting groundwater sampling, other than personnel from a certified laboratory, shall consult with the certified laboratory to ensure that the sampler understands and follows the proper sampling collection procedures and protocols. All procedures to sample groundwater supply wells shall be consistent with US EPA Science and Ecosystem Support Division Operating Procedure for Groundwater Sampling (March 2013) (available at <http://www.epa.gov/region4/sesd/fbqstp/Groundwater-Sampling.pdf>).

Water Quality Analysis

Groundwater samples collected from wells and injection zones shall be analyzed by a laboratory certified by the Environmental Laboratory Accreditation Program, using current applicable EPA-approved analytical methods. The methods of analysis and the detection limits used shall be appropriate for the expected concentrations. The analytical method having the lowest method detection limit (MDL) shall be selected from among those methods that would provide valid results in light of any matrix effects or interferences. Analyze samples for the following:

- A. Total dissolved solids
- B. Metals listed in California Code of Regulations, title 22, section 66261.24, subdivision (a)(2)(A)
- C. Benzene, toluene, ethylbenzene, and xylenes
- D. Total petroleum hydrocarbons for crude oil
- E. Polynuclear aromatic hydrocarbons (including acenaphthene, acenaphthylene, anthracene, benzo[a]anthracene, benzo[b]fluoranthene, benzo[k]fluoranthene, benzo[a]pyrene, benzo[g,h,i]perylene, chrysene, dibenzo[a,h]anthracene, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, naphthalene, phenanthrene, and pyrene)
- F. Radionuclides listed under California Code of Regulations, title 22, Table 64442, which includes Gross Alpha particle activity (excluding radon and uranium), Uranium, Radium-226, and Radium-228.
- G. Methane
- H. Major and minor cations (including sodium, potassium, magnesium, and calcium)
- I. Major and minor anions (including nitrate, chloride, sulfate, alkalinity, and bromide)
- J. Trace elements (including lithium, strontium, boron, iron, and manganese)

Water Quality Reporting

Work plans, and technical reports and associated data shall be uploaded in an electronic format compatible with the State's GeoTracker system.

Technical Report that includes

- Site plan with the location(s) of the wells sampled
- Description of field sampling procedures
- Copies of analytical laboratory reports, including quality assurance/quality control procedures and analytical test methods.
- Waste management and disposal procedures
- Table(s) of analytical results organized by well number (including API number).
- A list and location map of all the water supply wells located within a one mile radius of the injection well(s)

All GeoTracker uploads should consist of a GeoReport, GeoMap(s), and an EDF of laboratory data, if applicable.

ATTACHMENT B
GeoTracker Upload Instructions and Assigned Global Identification Number(s)

Work plans, and technical reports and associated data shall be uploaded in an electronic format compatible with the State's GeoTracker system. To begin the process:

- Log in or create a password
- Claim your site(s) (i.e. global ID)
- Add field point name(s)
- Upload the following:
 - Work plan/Technical report and associated data (GeoReport)
 - *laboratory report (EDF)
 - *Site Maps (GeoMAP)

For more information, please contact the GeoTracker Help Desk at Geotracker@waterboards.ca.gov or (866) 480-1028.

Injection Well	Assigned Global ID number
02948513	T10000006872
02950363	T10000006873
10720136	T10000006874

*GeoTracker submittal may not be required for all document types.

EXHIBIT 2

Longbow, LLC

1701 Westwind Drive, Suite 126
Bakersfield, CA 93301

May 21, 2015

Central Valley Water Quality Control Board
1685 E Street, Fresno, CA 93706

RE: Certified mail 7014 3490 0001 3033
13267 Order dated May 15, 2015
API # 02948513
API # 02950363
API # 10720136

Attn: Clay Rogers
Assistant Executive Officer

Dear Mr. Rogers:

Longbow is in receipt of the subject order dated May 15, 2015 regarding three of **Longbow's Producing Oil Wells**. (See letter attached for reference.) Unfortunately, it appears that the Central Valley Regional Water Quality Board received incorrect information regarding the three subject wells and is incorrectly referring to them as injection wells. When it was brought to the attention of the California Division of Oil, Gas, and Geothermal Resources (DOG) that these wells were incorrectly listed on the original list of "532" wells, I was advised that these wells were "green lined" and as such should not have been on the original list. I was therefore shocked to receive the subject 13267 order regarding Longbow's "injection wells" which are in fact oil production wells. As the order is specific to "each injection well subject to this order" we are unable to effectively respond to the Regional Board's requests.

In light of the current facts related to these producing wells, Longbow respectfully requests to have the incorrect Order rescinded due to the monetary damage that will occur from having an incorrect order in the public domain. Longbow also requests the Regional Board confirm receipt of this correspondence and respond via letter rescinding the Order and set forth a brief summary detailing the excusable mistake in listing these producing wells as injection wells.

Listed below is a brief history of the three wells. Documentation of all of the activities throughout the years were fully permitted and is available on the DOG website. I have attached the DOG records of the three wells to this letter for your convenience.

API # 107-20136 Community # 11

History: Drilled and completed as an oil producer in May 1979. Produced 7765 Barrels of oil and 1,538,610 barrels of water to 08/89

Idle well: 09/89 to 11/01

Disposal well: 11/01 – 11/13. Disposed of approx. 3,348,265 barrels of produced water.

Producing Oil well 09/13 to present. Produced approx. 200 barrels of oil and 3,183 barrels of water since conversion.

Picture attached

API # 029-50363: Judkins # 1-7

History: Drilled and completed as an oil producer in 2/74. Cyclic Steam and Oil Producer to 07/12. Produced approx. 115,606 Barrels of oil and 3,164,825 barrels of water to 07/12

Disposal well: 09/12 to 08/14. Disposed of approx. 1,784,591 Barrels of produced water.

Producing Oil well: 11/14 to present. Produced approx. 100 barrels of oil and 21,252 barrels of water since conversion

Picture attached

API # 029-50363: Judkins # 2-7

History: Drilled and completed as an oil producer in April 1975. Cyclic Steam and oil Producer Dec 1982. Produced 6933 Barrels of oil and 145,324 barrels of water to 12/82

Steam Injection well : 1/83 to 06/91. Steam volume of 748,153 Barrels

Idle well: 07/91 to 12/06.

Disposal well: 1/07 to 03/13. Disposed of approx. 6,263,849 barrels of produced water.

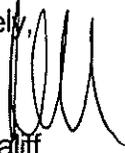
Oil Producing well: 11/14 to present. Produced approx. 100 barrels of oil and 21,252 barrels of water since conversion.

Picture attached.

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. As far as the production figures and records obtained from the DOG, I can only verify the numbers and records submitted to the DOG while these properties were operated by Longbow, LLC.

Please call me at 661-631-1717 if you need any additional information.

Sincerely,



Brad Califf

President and Managing Member
Longbow LLC

Attachments:

Well Pictures
DOG Well History Documents
DOG Production Databases

EXHIBIT 3

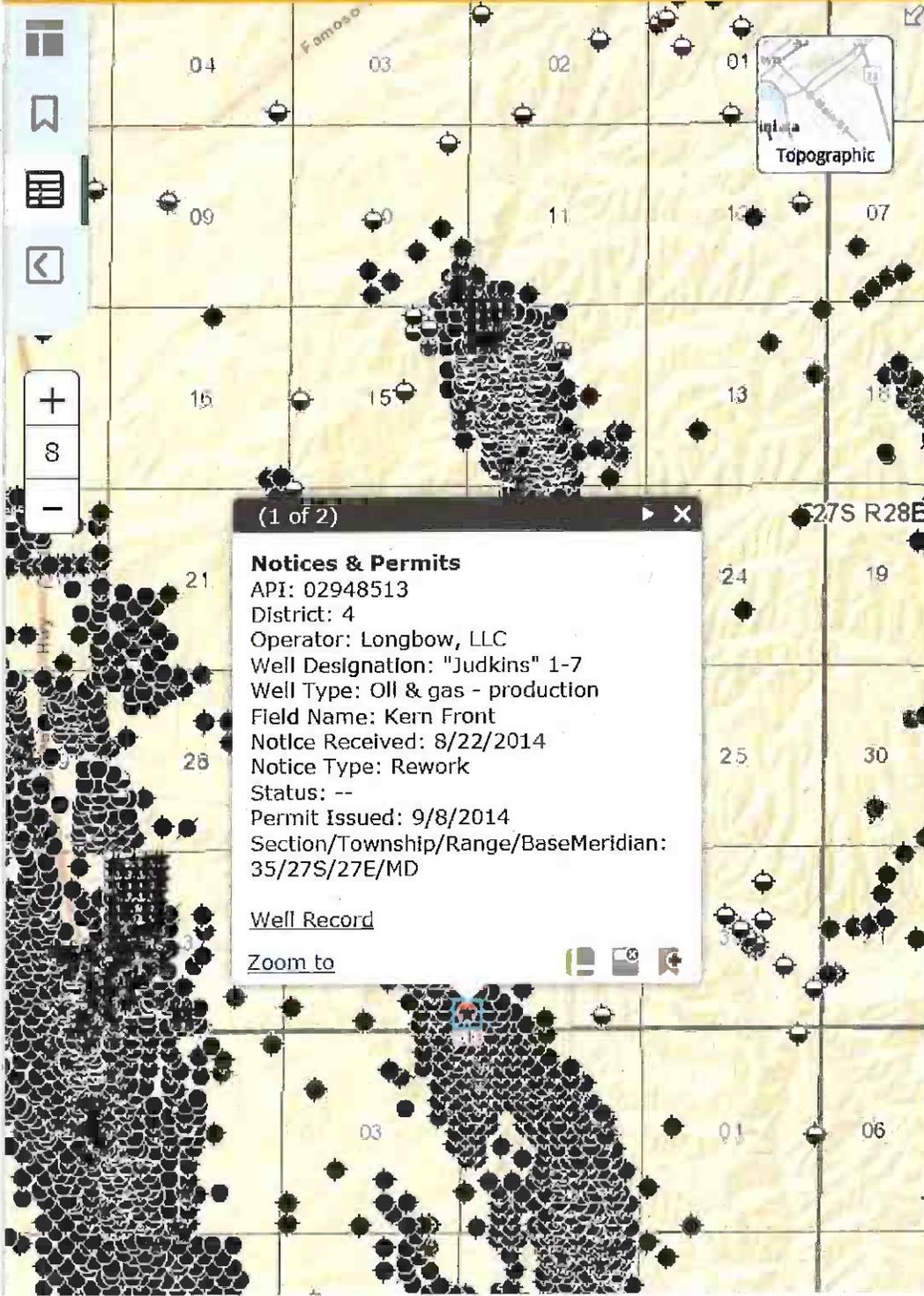


EXHIBIT 4



Department of Conservation

[Accessibility](#) | [Disclaimer](#) | [About](#)

Lat: 35.5383, Long: -119.0564



8



T27S R27E

T27S R28E

DOGGR Wells

API: 02950363
District: 4
Operator: Longbow, LLC
Well Number: 2-7
Lease Name: Judkins
Well Status: Active
Well Type: Oil & gas - production

[Production Information](#)

[Well Record](#)

[Zoom to](#)



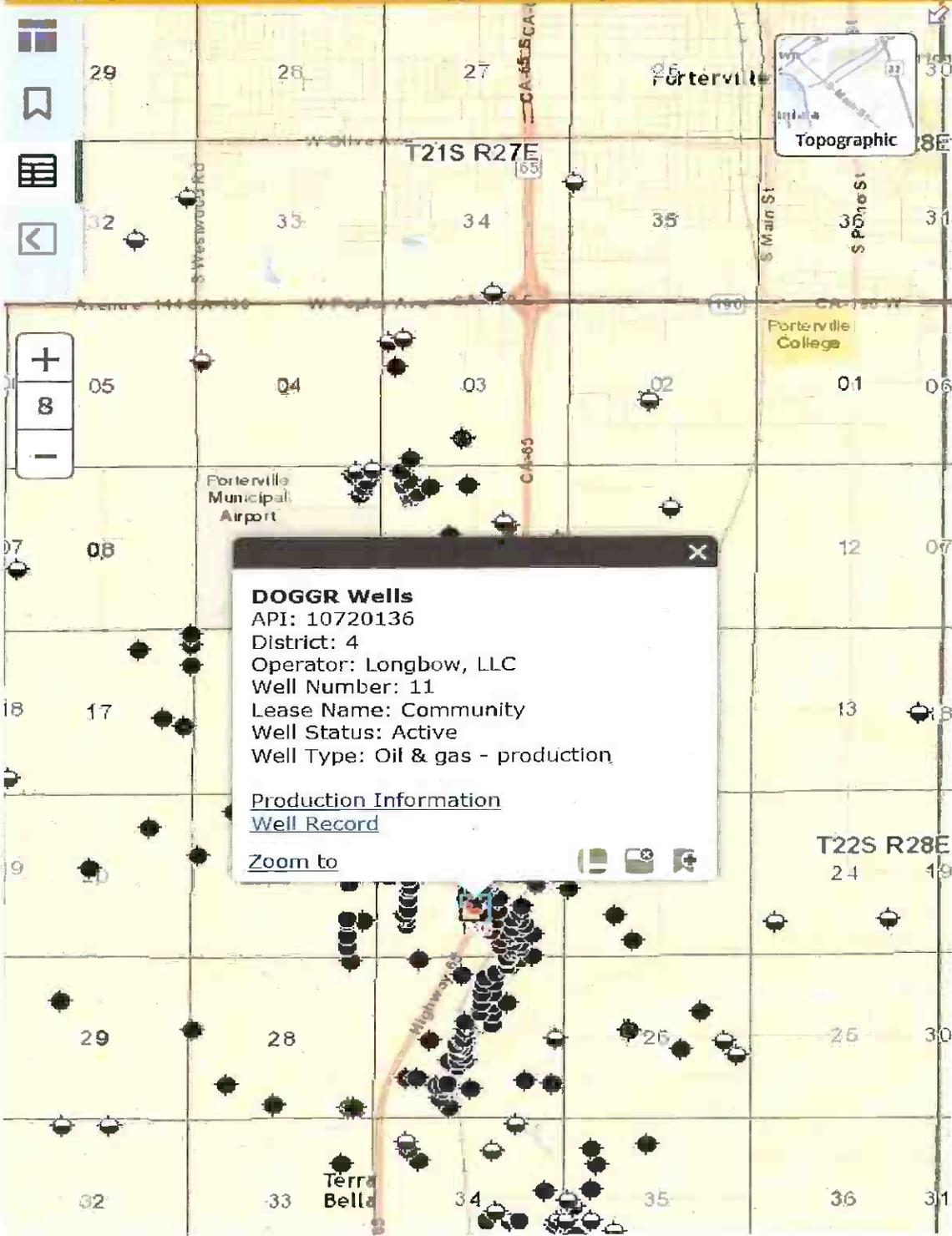
EXHIBIT 5



Department of Conservation

Accessibility | Disclaimer | About

Lat: 35.5626, Long: -119.0696



DOGGR Wells
API: 10720136
District: 4
Operator: Longbow, LLC
Well Number: 11
Lease Name: Community
Well Status: Active
Well Type: Oil & gas - production

[Production Information](#)
[Well Record](#)

Zoom to

EXHIBIT 6



A Limited Liability Partnership • Est. 1939

DOUGLAS GOSLING

June 15, 2015

VIA EMAIL

Clay L. Rodgers
Assistant Executive Officer
Central Valley Regional Water Quality Control Board
1685 E. Street
Fresno, CA 93706

Re: Petition for Review and Request to Prepare Administrative Record of May 15, 2015 Order Issued to Longbow, LLC

Dear Mr. Rodgers:

Attached herein is a copy of the Petition for Review and Request for Hearing filed by Longbow, LLC regarding the Order Pursuant to California Water Code Section 13267 issued by the Regional Board to Longbow on May 15, 2015 regarding *injection* wells. Longbow is filing this Petition to protect its rights but believes the parties can amicably resolve the inadvertent identification of the *producing* wells and anticipates an informal correction of the information about the wells without a formal hearing. But per the 30-day deadline to file a petition for review, Petitioner is compelled to file this petition to preserve its rights and obtain resolution of the incorrect Order.

As part of the Petition for Review process, Longbow is required to request that the Regional Board prepare the administrative record. This letter serves that purpose. However, because Longbow believes this matter can be informally resolved, Longbow believes that work on the administrative record can and should be postponed unless and until such time as required—if this request is incompatible per your office policy, please prepare the record as required. Longbow looks forward to continuing to work with the Regional Board to satisfy its information needs while at the same time addressing the concerns raised in the Petition. If you have any questions, please contact me at (661) 327-9661.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Douglas A. Gosling', is written over a horizontal line.

DOUGLAS A. GOSLING

Enclosures

1800 30th Street, 4th Floor • Bakersfield, CA 93301
661.327.9661 • Fax 327.0720 • WWW.YOUNGWOOLDRIDGE.COM

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA,**
3 **COUNTY OF KERN**

4 I, KRISTEN L. MOEN, declare: I am and was at the times of the service hereunder mentioned,
5 over the age of eighteen (18) years, and not a party to the within cause. My business address is The
6 Law Office of Young Wooldridge, 1800 30th Street, Fourth Floor, Bakersfield, CA 93301.

7 On June 15, 2015, I caused to be served the below listed document(s) entitled as **PETITION**
8 **FOR REVIEW OF REGIONAL BOARD ORDER AND HEARING ON PETITION** on the
9 interested parties in this action, as listed below:

10 State Water Resources Control Board *Via Electronic Service*
11 Office of Chief Counsel
12 Jeanette L. Bashaw, Legal Analyst
13 P.O. Box 100
14 Sacramento, CA 95812-0100
15 Email: adrianna.crowl@waterboards.ca.gov
16 Email: waterqualitypetitions@waterboards.ca.gov

17 Central Valley Regional Water Quality Control Board *Via Electronic Service*
18 Clay L. Rodgers, Assistant Executive Officer
19 1685 E Street
20 Fresno, CA 93706
21 Email: crodgers@waterboards.ca.gov

22 [X] (BY ELECTRONIC SERVICE) on the date indicated below, pursuant to C.C.P. Section
23 1010.6; 1013(g), I caused such document to be electronically delivered to the recipient via
24 electronic service.

25 [X] (STATE) I declare under penalty of perjury under the laws of the State of California that the
26 above is true and correct.

27 Executed on June 15, 2015, at Bakersfield, California.

28 
KRISTEN L. MOEN