

Bishop Creek Water Association
Monthly Meeting Summary
October 9th, 2018

1. Opening and Introductions

The BCWA meeting was opened at 7:01 p.m. Trustees in attendance included: Henry Means, Don Kunze, Merry Armstrong and Adam Perez. Trustee Gene Coufal was absent. Watermaster Matt Durkee was present.

2. Acceptance of the August 14th and September 11th, 2018 Monthly Meeting Summaries

The monthly summaries for August 14, 2018 and September 11, 2018 were approved unanimously.

3. Financial Report

The financial reports for August and September 2018 were approved unanimously.

4. Eastern Sierra Runoff and Bishop Creek Flow/Storage Report

SCE has been maintaining Bishop Creek flows consistent with Chandler Decree.

5. Old Business

- a) Low Flow at vaults on Matlick Ditch at O'Reilly's Auto Parts: The BCWA received an impractical estimate from the Bishop Tribe to clean the ditch which eliminated that option as a solution. Gene has met with operational personnel from DWP to try to find a way to provide more flow to the lower end of the ditch. LADWP is implementing a method to put more water in the ditch.
- b) Problem with a blocked ditch between Highland and Sunset Rd W/O Barlow: No resolution to the issue to date. Don and Matt are following up on the issue.
- c) Yaney Ditch Diversion Structure Repair/Replacement at: Nothing new to report.
- d) Flooding E/o Crosby St: Item deferred until next meeting.
- e) New Landscaping at 200 S Mountain View Rd in McLaren: Item was deferred to next meeting.
- f) Ditch Diversion Box Repair/Rebuild Work: Item deferred until next meeting.
- g) Collection of Past Due Assessments: Item deferred until next meeting.

6. Water and Arbitration Committee

Nothing reported

7. Watermaster Report

Throughout the month Matt received 37 calls and 2 texts. If leaves become a problem through the Fall, give Matt a call.

8. New Business

- a) Other: Gillette Property; Flows are being tampered with 2-3 times per day. In order to prevent the illegal diversion a permanent locking structure will need to be installed. The board discussed following up further with Gene and then calling the property owner, writing a letter and calling law enforcement if needed. Matt is having to deal with the issue. Then Board discussed having an onsite meeting.
- b) Other: Member asked to have maps available at meetings. Adam will handle.
- c) Other: New pond at 858 S. Barlow Ln.; Under Article II flow cannot be changed to accommodate the new pond. Board approved with the understanding that flow will not be changed or interrupted. A statement of approval will be issued.
- d) Other: Marty Williams presented an issue on the 4X Ditch. A residence that is being used as an Air B&B is illegally diverting water and drying up the ditch. Don will meet with Marty to investigate.

9. Next Meeting

The next meeting of the Bishop Creek Water Association will be on Tuesday, November 13th, 2018 at 7 pm at the Los Angeles Department and Water Power Office Building at 300 Mandich St.

10. Adjournment

The meeting was adjourned at 8:19 p.m.

Respectfully Submitted,



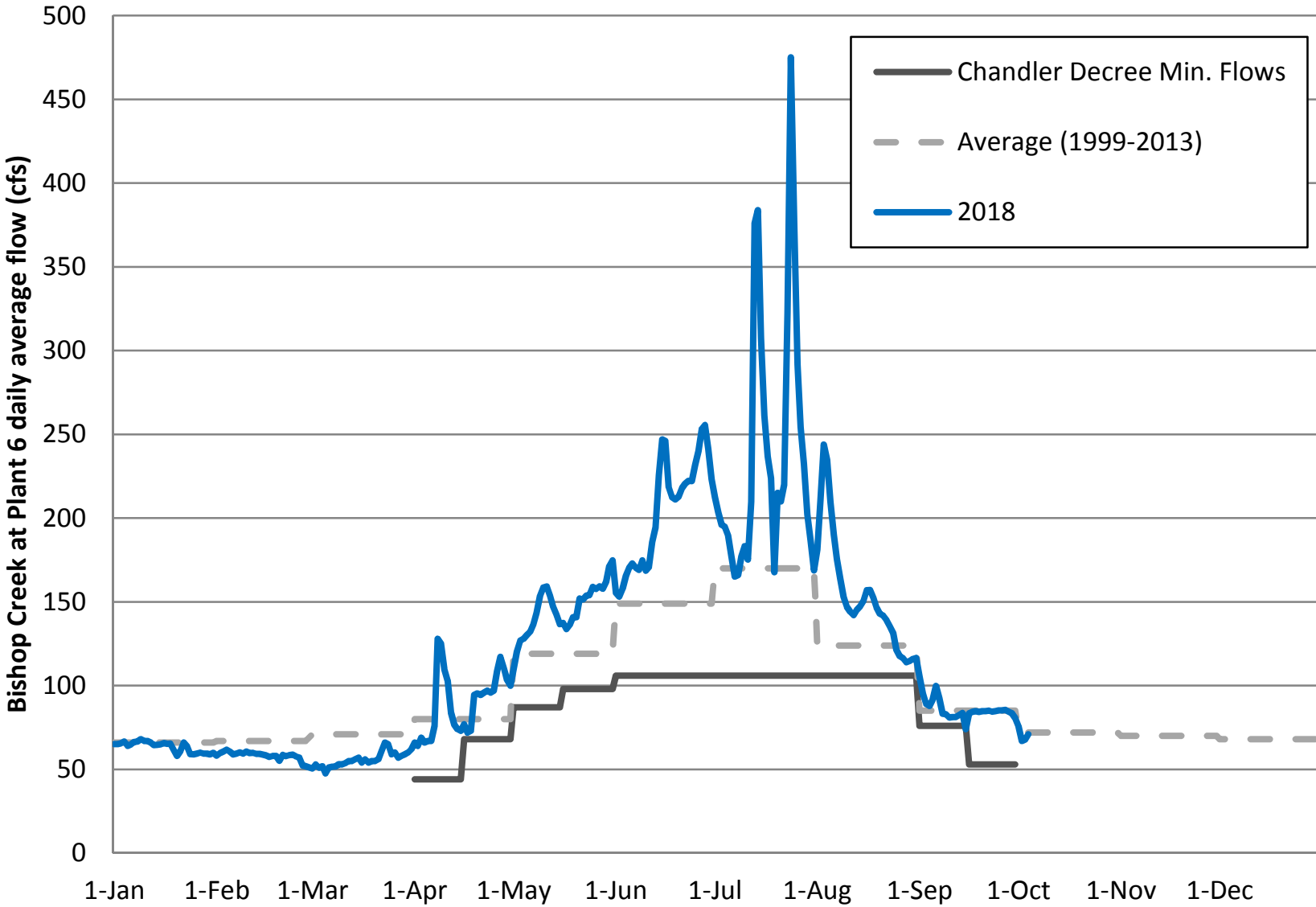
Adam Perez
Secretary
Bishop Creek Water Association

**BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH**

SEPTEMBER 2018

CHECKING ACCOUNT BALANCE - August 31, 2018		\$	2,307.00
DEPOSITS:		\$	-
Customer Deposits			
Insurance Refund			
Transfer from Bank of America			<u>10,000.00</u>
TOTAL DEPOSITS			10,000.00
CHECKS WRITTEN:		\$	
Water Master Pay - 840.42 X 2			1,680.84
Truck Allowance - 200.00 X 2			400.00
Assistant Water Master Pay			-
Telephone			46.22
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
Customer Collection Fees - Checks Voided			-
Alex Printing			-
High Country Lumber			12.92
State Fund - Worker's Comp Insurance			-
Holland & Allred - Quarterly Accounting			-
Eastern Sierra Sprinkler			-
US Post Office - Box Rental			-
Transfer to Union Bank			-
TOTAL CHECKS WRITTEN			<u>(2,139.98)</u>
UNION CHECKING ACCOUNT - September 30, 2018		\$	10,167.02
BANK OF AMERICA CHECKING			31,239.72
UNION BANK SAVINGS			<u>1,000.00</u>
TOTAL BANK BALANCES		\$	42,406.74

Bishop Creek Flows at Plant 6



Hi Gene,

Aug. 12, 2018

I'm writing again to reach out to you in hopes of resolving the ditch-water issue. As boss of a huge organization for decades you surely had to be the Tough Guy at times. Please try putting on a different hat... I bet there's a chance for some understanding.

In the past four months I have received three "annual water assessment" bills. I paid the one sent in May. This is a waste of time, paper, and postage. The charges imposed-- for service I did not receive, plus punitive "late fees"-- are unfair and unreasonable. When a resident doesn't receive any water for two years, asks questions and is ignored, and is treated harshly, that is not "service". [I should also note that during this whole ordeal I witnessed blatant false statements from the administration...]

I read your letter but disagree with your reasoning. My situation was out of the ordinary-- an anomaly-- and a compromise would by no means be "setting a harmful precedent"! In case you forgot, the BCWA board is supposed to be working FOR its members not against them. Instead of trying to work with me on this predicament I was ignored, and then the Board proceeded to instill punishment and ill treatment. (it is really unfortunate to see you sticking up for Mr. Loveland [and others] when you know that was verbal harassment; several people at that meeting concurred).

Having the last property on a small, side-spur ditch means I always get less water than everyone else. Still, for almost two decades I paid the full fee for less water. Then, I got NO water... for two years! It wasn't the drought, it was a problem that BCWA was unable to mitigate. So, the victim must suffer *doubly*? The Association is supposed to be a "team" working together to provide water to the teammates. If, for some reason, certain teammates are left out there should be compensation. In any other organization if a problem arises the leaders (or members) come up with a compromise. The most common is a refund or waiving a charge. If someone has been affected adversely, charging a fee would just add insult to injury. But, BCWA is different. They have a board that isn't willing to compromise, even if a person has been harmed. Despite getting no water while everyone else got lots of it, (not to mention my years of "overpaying"), BCWA will not accept that this was an unusual situation worthy of a compromise (a tiny one at that!). Why can't you see this???

Regrettably, some on the Board feel it necessary to exhibit their contempt, further punishing the victim. Even the woman who collects the assessments treats me with scorn. I lost landscaping, spent hours trying to communicate with BCWA, and had to put up with harassment (and still do). Yet, the Board, with their tens of thousands of dollars in the bank (to which I contributed!), continues to demand \$44, plus the punitive, unreasonable "late fees", for service that wasn't delivered. It is shameful.

(this harms the entire membership)
 BCWA is wasting time, paper, and postage by continually sending me (unfair) bills that I am not going to pay. And... you might put some thought into the final outcome of all this. If we go to court a thoughtful judge might see this as it is: an unusual situation that's NOT like the others. The judge might decide this issue should have been handled with fairness and compromise. But, even if the case goes the other way, BCWA will put out a lot of wasted time. Worse, it will be tarnished with the reputation of treating members harshly and unfairly, and ignoring them when they need help. You can create anger and animosity, or you can be fair.

C'mon, Gene! I am not the Bad Guy here. Don't punish the victim!

Derik



Bishop Creek Water Association

P. O. Box 1273
 Bishop, CA 93515-1273

Annual Water Assessment

Parcel #	Billing Date	Due Date
11-280-55	7/6/2018	8/5/2018

Amount Due	Amount Enclosed
\$55.80	

David Olson
 276 Wildrose Lane
 Bishop, CA 93514

Return this portion of statement with your payment.

Be sure to include parcel # on your check.

**Bishop Creek Water Association
 Water Master 760-920-7981
 P.O. Box 1273, Bishop, CA 93515-1273**

A 10% penalty will be added if not paid within 60 days from billing date.

Member agrees to comply with the rules and regulations of the Association, to reasonably manage Bishop Creek water flowing on Member's property (including, but not limited to, removing weeds, leaves, trash and debris from, and reasonably maintaining ditches and pipes conveying Bishop Creek Water located on Member's property) and to change no settings on any boxes, headgates or diversion works owned by the Association which may regulate Bishop Creek Water, whether or not located on Member's property.

Date	January 01 to December 31, 2018			Amount	Balance
12/31/2017	Balance forward				51.80
05/01/2018	Water Assessment Fee - Surface/Ground Water on Property			40.00	91.80
05/16/2018	PMT #90-7446. 1085			-40.00	51.80
07/01/2018	INV #FC 598. Finance Charge			4.00	55.80
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
0.00	0.00	0.00	0.00	55.80	\$55.80



Sept 1, 2018

Gene Coufal
Bishop Creek Water Association
Post Office Box 1273

Dear Mr. Coufal,

I am in receipt of a letter from the Bishop Creek Association dated August 7, 2018 regarding the improvements we have accomplished on our property located at 200 S. Mountain View Rd. in West Bishop and the concerns the Association have.

I am happy to repair the closure so that we can secure it at the junction of the water flow to the pond that is of concern.

Soon after receiving your letter, I did speak to the Watermaster, Mr. Matt Durkee, We discussed the type of closing mechanism that might be appropriate. I will be addressing that closure devise the next time we are up in Bishop later this month and will provide a means to secure the closure devise and contact Mr. Durkee when completed.

As you know, there was a concern that the way we designed the expanded pond would divert more water away from the upper street level supply. I wanted to reassure you that the exact same amount is still diverted as it was originally designed in 1959. In addition, the flood irrigation that was used in the past is no longer functioning; therefore we are actually diverting less water than was diverted in more than a half century. We have actually improved the flow downstream to properties below us.

Thank you for your courtesy and efforts regarding this matter.

Sincerely,

Thomas A. Nielsen

