

**Bishop Creek Water Association  
Meeting Summary  
August 11, 2020**

**1. Opening and Introduction**

BWCA meeting called to order 7:03pm. Meeting was conducted via Zoom and was made available to membership. Trustees in attendance: Merry Armstrong, Gene Coufal, Don Kunze, Mark Frumkin, & Eric Tillemans. Watermaster Matt Durkee present. Gene provided 4 letters/notes received from members.

**2. Acceptance of the July 14, 2020 Monthly Board Meeting Summary**

The July 14<sup>h</sup>, 2020 Monthly Meeting Summary was accepted as written.

**3. Approval of the July Financial Reports**

The July Financial Report was approved unanimously.

**4. Appointment of the Finance, and the Water & Arbitration Committees**

Committee to be formed next meeting. Susan Kunze agreed to be on committee. Gene expressed that Board members can also be on the committee. Merry mentioned that she may have a few other prospects; she will ask around before next meeting.

**5. Bishop Creek Precipitation, Flow, and Storage Report**

Bishop Creek flows decreased to Chandler Decree specified minimum flows. SCE feels confident they can meet minimum Chandler Decree flow requirements. Some question of South Lake maintenance disturbing flows, but no information at this time.

**6. Old Business**

- a. Restriction in Nelligan Ditch at Norberg/O'Brian/Scott:  
Letter is going to D. Norberg requesting her participation in process of structure/ditch repair. Gene believes Norberg may take BCWA to court if the BCWA completes the necessary work, but members seem to agree that Norberg has applied mis-judgement on water rights. It is agreed that all members need to maintain conveyance, yet an ongoing discussion of 'capacity vs. preferred-use' remains. Don Kunze questioned the probability of higher flows being routinely run down the Nelligan Ditch. Matt mentioned how he had to decrease flows this past year because of calls from Norberg.
- b. Inyo County Road department policy regarding street culverts:  
No response to the BCWA's March 2, 2020 letter has been received from Inyo County.
- c. Restriction in 4X Ditch @ East end of Sunrise Dr.:  
A letter is being finalized, with invitation to meeting or resolve problem.
- d. Flow Obstruction at end of Sunset Dr.:  
Problem is that water is not leaving property as it has historically, it is topping the ditch, flooding LADWP land to the north. Eric mentioned DWP has been too busy

to evaluate, yet Gene stressed importance to resolve. This has been a problem in the past. Gene has received complaints from the downstream lease. A letter to the landowner is being finalized.

- e. Membership Reconciliation (Articles & By-Laws Article IX, Section 2):  
Eric provided APN maps to be used for the project. They were provided to Matt to determine how much time it will take to create detailed maps of ditches, structures and uses that document currently conditions. Gene asked if this work is to be a part of the watermaster's normal activities and schedule, or is this an "add-on" project? Gene proposed motion: ½ months' pay for Matt to get maps updated. Don 2<sup>nd</sup> motion. Unanimously approved.
- f. Collection of Past Due Assessments:  
Pending and put on hold, until Membership Reconciliation work (item 'e') is completed.
- g. Ditch Diversion Box Repair/Rebuild Work (Phase II/III):  
Nothing new. Fall timeline.
- h. Bishop Plaza maintenance and cleaning responsibility:  
Nothing new.
- i. Bishop Tribe BCWA Membership? (LADWP):  
Nothing new to report.

#### **7. Water & Arbitration Committee Report**

Nothing new to report.

#### **8. Watermaster Report**

- a. Highlands/Cherry Lane Water - Some work is being completed by local maintenance worker. Cherry Lane is still not receiving water. Matt will push this work with landowner as members are being deprived of water.
- b. Flow on west side of Vista Rd - Flowing "ok", better recently. Will still need improvements. Matt will keep an eye on this situation.
- c. Meeting w Chris T (Miles) - Still no meeting yet.
- d. Other - 27-calls, 24-texts, "normal" month

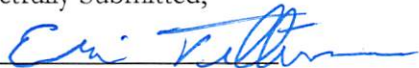
#### **9. New Business**

- a. Other (By Board or Members in Good Standing)  
No new business

10. **Next Monthly Board Meeting** - September 8, 2020, 7:00 p.m. via Zoom

11. **Adjournment** - 7:53 pm

Respectfully Submitted,



Eric Tillemans

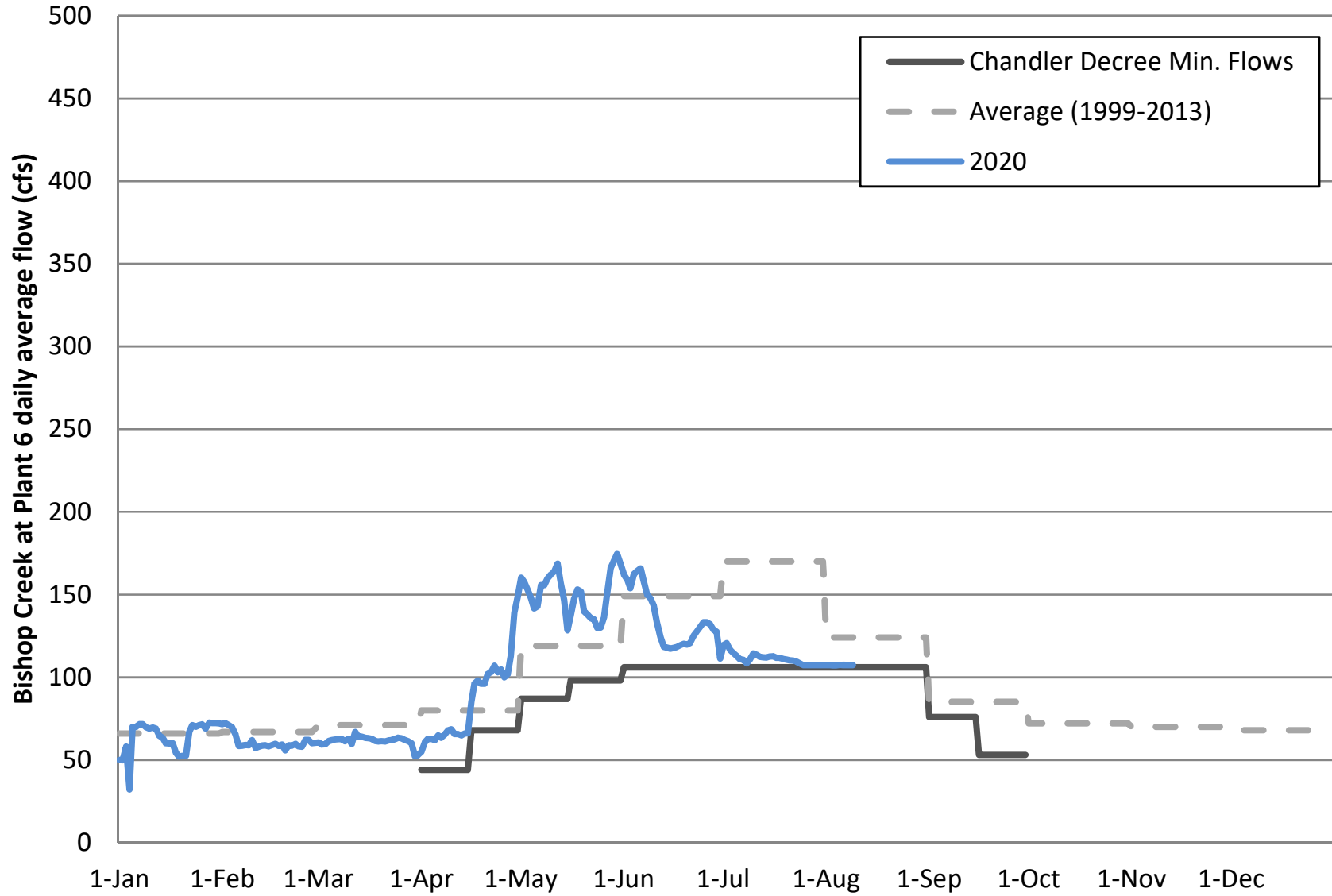
Secretary - Bishop Creek Water Association

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

**JULY 2020**

CHECKING ACCOUNT BALANCE		\$	10,300.75
SAVINGS ACCOUNT BALANCE			<u>39,514.36</u>
TOTAL BANK BALANCES - June 30, 2020			49,815.11
<b>DEPOSITS:</b>			
Customer Deposits - Into Checking	\$	18,772.00	
Customer Deposits - Into Savings		1,639.64	
Misc Refund		-	
Interest Income		2.68	
Transfer from Savings		-	
TOTAL DEPOSITS			<u>20,414.32</u>
<b>CHECKS WRITTEN:</b>			
Water Master Pay - 863.26 X 2	\$	1,726.52	
Truck Allowance - 200.00 X 2		400.00	
Assistant Water Master Pay		-	
Telephone		75.74	
Payroll Taxes - IRS		863.69	
Payroll Taxes - State		78.94	
Payroll Taxes - IRS Unemployment		-	
Alex Printing		-	
US Post Office		118.00	
Cal Rural Water Assoc Ins		-	
State Fund - Worker's Comp Insurance		500.50	
Holland & Allred - Quarterly Accounting		-	
Mountain Studio - Webpage		443.00	
Brown's		19.38	
Transfer to Savings		-	
TOTAL CHECKS WRITTEN			<u>(4,225.77)</u>
UNION CHECKING ACCOUNT	\$		24,846.98
UNION BANK SAVINGS			<u>41,156.68</u>
TOTAL BANK BALANCES - July 31, 2020	\$		66,003.66

# Bishop Creek Flows at Plant 6



Derik Olson *(aka David)*  
276 Wildrose Lane  
Bishop, CA 93514

Bishop Creek Water Association  
PO Box 1273  
Bishop, CA 93515-1273

May 28, 2020

To Whom It May Concern:

Enclosed is my payment for the 2020-2021 Annual Water Assessment. It is disappointing to see the additional charges (with no explanation) once again on my bill. The continual sending of these by Bishop Creek Water Association (BCWA) is reaching the level of harassment. If you can't see the unfairness of the billing, go ahead and keep it on the books... just stop sending it out.

It has become obvious that trying to reason with an authoritative board stocked with longtime bosses is worthless. People in power rarely concede or agree with their subjects, and they get angry when an underling complains or speaks out. It's a phenomenon that's widely known, and is on display here. Despite a more-than-abundant reserve fund... almost \$50,000... BCWA is still obsessed with squeezing \$40 from a victim.

Please note: During the drought, after many months of no water, I got a postcard from BCWA explaining that ditch water was being apportioned, and I could sign up for notices and updates. I signed up but never got a single notice. My subsequent emails were unanswered. I got no apportionment, and for more than a year my ditch remained dry. I continually asked for help, information, and explanations, but was ignored. After two years my ditch was still dry while every other ditch around me was full. At a meeting I was (falsely) told that the problem was due to the drought. Except for one withheld payment I have paid every year for two decades. But, BCWA continues to demand I pay for a mishap that took them two years to fix, causing an unprecedented disruption of service. On top of that they impose "punishment" in the form of late fees. Astonishingly, I was also verbally attacked and abused by BCWA at a public meeting. Shameful.

BCWA had to deal with a malfunction they were unable to fix for years— an isolated incident affecting one short ditch, with mine being the last property on that ditch. I was hit the hardest. I lost a beautiful, mature birch tree and other landscaping. When BCWA ran into an unusual, unique problem that was causing an unprecedented disruption in service, why would they not reach out and inform the affected person(s)? Why would they refuse to offer an explanation? And, why would they demand money from a person who was adversely affected under these extreme, abnormal circumstances? It's disgraceful— fees should have unquestionably been waived.

Bishop is a giving community where people work together and help each other. I even donated my time trying to help BCWA rewrite its bylaws. It is discouraging that BCWA believes in the Iron Fist approach instead of being helpful and trying to work as a team. Not only did the agency refuse to offer help, they lashed out with anger, malice, and superiority. I can't imagine acting like that. This is what happens when you have a board with no boss and no oversight.

I believe there have been improvements within BCWA, and hopefully things will continue to get better. We are a small community and are experiencing rough times, so I ask that you reconsider this situation in terms of fairness and decency, and stop the unfair billing. Adding more discomfort is just wrong. Thank you in advance for doing the right thing.

Sincerely,

A handwritten signature in cursive script that reads "Derik Olson".

Derik Olson

cc. Inyo County Grand Jury



June 12, 2020

Dear BCWA Board Members,

I just wanted to send a note letting you know how wonderful it is to not have to worry about having water for my garden. After 12+ years of constant turmoil its almost too good to be true.

I would like to thank Matt Durkee and all his predecessors <sup>essors</sup> (esp. Miles and Wayne Stone) for their sometimes almost superhuman efforts to keep water flowing to my property. I'll never forget when poor Wayne got shocked by Norberg's electric fence, but he took it in stride. Thank you, Joan Sijel

