

Bishop Creek Water Association
Board Meeting Agenda
January 12, 2021
7:00 pm
Meeting to be held via video conference

1. Opening and Introduction
2. Acceptance of the December 8, 2020 Monthly Board Mtg Summary
3. Approval of the December Financial Report
4. Bishop Creek Precipitation, Flow, and Storage Report
5. Old Business
 - a. Culvert Blockage at 210 S Mountain View Rd.
 - b. Restriction in Nelligan Ditch at Norberg/Scott/O'Brien
 - c. Inyo County Road Department policy regarding street culverts
 - d. Restriction in 4X Ditch @ East end of Sunrise Dr.
 - e. Bishop Plaza maintenance and cleaning responsibility
 - f. Membership Reconciliation (mapping)
 - g. Collection of Past Due Assessments
 - h. Ditch Diversion Box Repair/Rebuild Project
 - i. Bishop Tribe BCWA Membership?
6. Water & Arbitration Committee Report
7. Watermaster Report
 - a. Mtg with Chris T (Miles)
 - b. Other
8. New Business
 - a. Draft 2021 Budget
 - b. Nominating Committee
 - c. Other (By Board or Members in Good Standing)
9. Next Meetings: Annual - January 25,2021, at 7:00 p.m. via Zoom
Monthly Board – March 9, 2021 at 7:00 p.m.
10. Adjournment

**Bishop Creek Water Association
Monthly Board Meeting Summary
December 8, 2020**

1. Opening and Introduction

BWCA meeting called to order 7:00 pm. Trustees in attendance: Gene Coufal, Mark Frumkin, Merry Armstrong, Don Kunze & Eric Tillemans. Watermaster Matt Durkee was present. Also present was Angela Scott.

Gene report that he was interviewed by Ken Harrison of KIBS/KBOV radio station regarding the history, responsibilities, and the operations of the BCWA.

2. Acceptance of the November 10, 2020 Monthly Board Meeting Summary

The November 10, 2020 Monthly Meeting Summary was accepted as written.

3. Approval of the November Financial Reports

The November Financial Report was approved unanimously.

4. Bishop Creek Precipitation, Flow, and Storage Report

SCE is maintaining winter flow of approximately 60 cfs due to the very dry year so far.

5. Old Business

- a. **Restriction in Nelligan Ditch at Norberg/Scott/O'Brien:** The Board met with Mr. Lampi, Attorney for Dee Norberg, at Norberg residence to discuss the situation. Gene reported that he sent historic photos via email to Mr. Lampi. Gene contacted Mr. Lampi, who said that he is consulting with a few other people and would get back to the BCWA. A response has not yet been received.
- b. **Inyo County Road Department policy regarding street culverts:** Payment per agreement has been submitted. No additional communication has been received from Inyo County Road Department regarding the invoice. Gene Coufal met with DWP to discuss the street culvert issues. DWP has scheduled a meeting with Inyo County Road Department regarding plugged and replacement of deteriorated street culverts.
- c. **Restriction in 4X Ditch @ East end of Sunrise Dr.:** Gene Coufal presented a drafted a letter to the property owner. The letter will be mailed soon.
- d. **Bishop Plaza maintenance and cleaning responsibility:** The maintenance and cleaning responsibility for Bishop Plaza is waiting on results of DWP surveyors review of street ownership issue.
- e. **Membership Reconciliation (mapping):** Gene Coufal reviewed and discussed with Matt Durkee the mapping work. Matt is making additional modifications.
- f. **Collection of Past Due Assessments:** Nothing new to report. Waiting on completion of mapping and membership reconciliation.

- g. **Ditch Diversion Box Repair/Rebuild Work (Phase II/III):** Nothing new to report. Focus of work has been on mapping and membership reconciliation.
- h. **Is the Bishop Tribe a BCWA Member:** Nothing new to report. This issue is being reviewed by LADWP attorneys.

6. Water & Arbitration Committee Report
Nothing new to report.

7. Watermaster Report

- a. **Mtg with Chris Thompson (Miles):** No mtg yet due to Covid-19 issues.
- b. **Nelligan Ditch Diversion Pipeline:** The Nelligan Ditch diversion pipeline at south Norberg property line is being lifted by tree root. The tree root is coming from a tree on the property to the south (Donna/Warren). A dispute is ongoing with Dee Norberg. Don Kunze will forward the Master Gardener information to Matt Durkee regarding working with the tree root. Matt Durkee will monitor situation for distribution of flow.

8. New Business

- a. **Culvert Blockage at 210 South Mountain View Rd:** This situation is complicated because the ditch/culvert after leaves the O'Brien property is in the street (shoulder) before returning back onto the private property. Inyo County Road Department is unwilling to take responsibility for the culvert in the street (see attached). Motion was made and approved unanimously to have the culvert cleaned of the blockage at 210 S. Mountain Rd. if the property owner, Terry O'Brien, agrees to install a grate with a 1" max spacing in front of the culvert or install a new ditch on his property.
- b. **2021 Annual Budget:** Mark Frumkin needs information for the 2021 yearly budget. Merry Armstrong will send the 2020-year information to Mark Frumkin. Gene Coufal will look at projects for the 2021 year.

9. Next Monthly Board Meeting - January 12, 2020, @ 7:00 p.m. via Zoom

10. Adjournment
8:19 pm

Respectfully Submitted,



Eric Tillemans

Secretary
Bishop Creek Water Association

BISHOP CREEK WATER ASSOCIATION FINANCIAL REPORT FOR THE MONTH

NOVEMBER 2020

	\$	11,367.60
CHECKING ACCOUNT BALANCE		<u>44,959.12</u>
SAVINGS ACCOUNT BALANCE		
TOTAL BANK BALANCES - October 31, 2020		56,326.72

DEPOSITS:	\$	-
Customer Deposits - Into Checking		-
Customer Deposits - Into Savings		-
Misc Refund		2.75
Interest Income		-
Transfer from Savings		<u>-</u>
		2.75

TOTAL DEPOSITS

CHECKS WRITTEN:	\$	1,726.52
Water Master Pay - 863.26 X 2		400.00
Truck Allowance - 200.00 X 2		-
Assistant Water Master Pay		75.86
Telephone		-
Payroll Taxes - IRS		-
Payroll Taxes - State		-
Payroll Taxes - IRS Unemployment		-
Alex Printing		30.00
Union Bank Service Charge		-
Cal Rural Water Assoc Ins		-
State Fund - Worker's Comp Insurance		-
Holland & Allred - Quarterly Accounting		639.00
Inyo Road Dept - Labor		-
Brown's		-
Transfer to Savings		<u>-</u>
TOTAL CHECKS WRITTEN		<u>(2,871.38)</u>

UNION CHECKING ACCOUNT

\$ 8,496.22

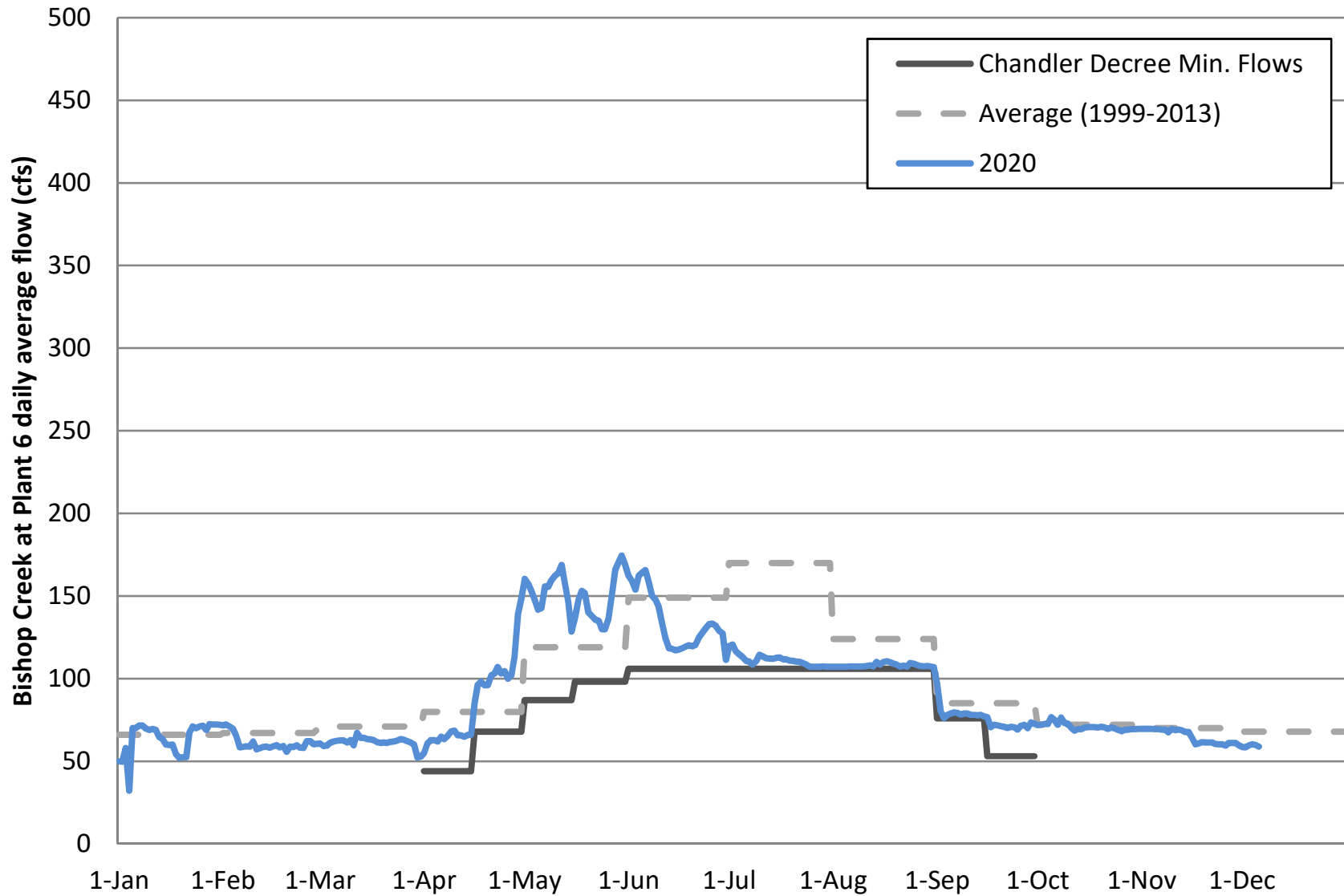
UNION BANK SAVINGS

44,961.87

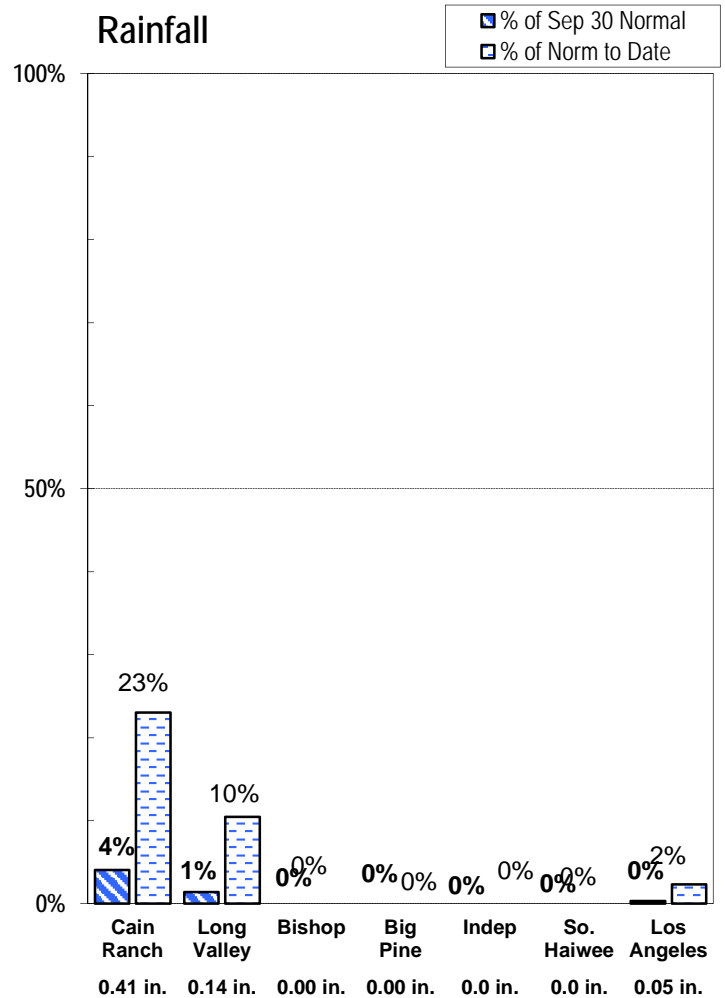
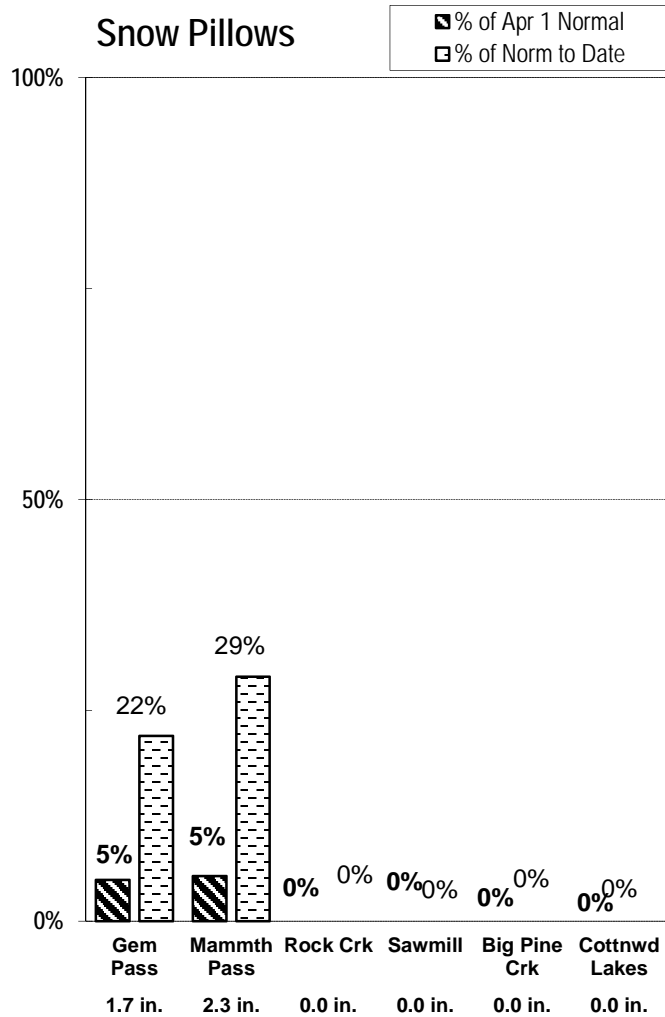
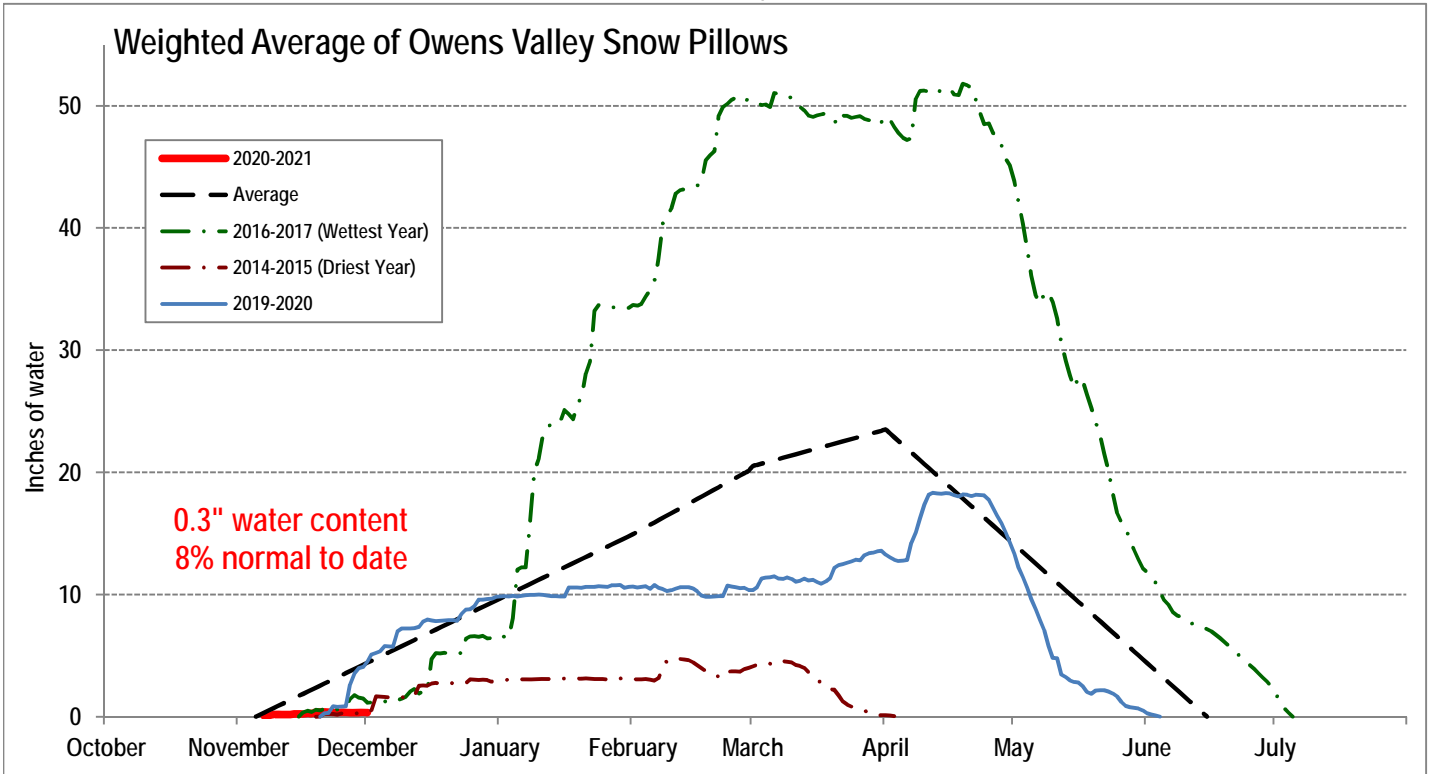
TOTAL BANK BALANCES - November 30, 2020

\$ 53,458.09

Bishop Creek Flows at Plant 6



EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS December 1, 2020



Measurement as Inches Water Content; Precipitation totals are cumulative for water year beginning Oct 1

Nov. 22, 2020
286 So. Mountain View Rd.
Bishop, CA

To the O'Briens:

As you know, your ditch is stopped up and not flowing to Jerry Core's or my property! We are not getting any water and this has been for over 2 weeks!! You are responsible for taking care of the water flow/ditch in front of your house.

I know the water master has contacted you with NO results. Have you read the member's agreement to comply with the rules and regulations of the Bishop Creek Water Association?

I have not had such a severe problem with NO WATER in my creek for 46 years! You must take care of this!!! I see you have a lot of water going down the side of your house but Jerry Core and I have NONE !

Also, during this past summer, my creek and pond have been getting lower and lower with very little water. Every time you flood your yard, it cuts mine off for the day or two!! Maybe you should be more considerate of the people down the creek from you!! Or perhaps you should start watering your front yard in a different manner.

I will be sending a copy of this letter to Bishop Creek Water Association so they will know the problem!!

Please contact Jerry and I and let us know what you plan to do about your water problem which has become OUR water problem!! This is not acceptable!!

Enclosed are the rules and regulations for the water association.

Your neighbor,



Carol Taylor,
760-873-7610

Cc: Board members, Bishop Creek Water Association

286 South Mountain View Rd.
Nov. 22, 2020

*Called Carol
on 12/7/20
@ 12:30*

Bishop Creek Water Association,

I would appreciate someone contacting me regarding this problem with the O'Briens at 210 South Mountain View Rd. My Creek is down to the mud now due to their portion of the creek (which goes through a tube) is stopped up with leaves and I guess they are refusing to do anything about it!!

Thank you,



Carol Taylor
760-873-7610
Cell 760-937-3995

From: Christopher A. Cash ccash@inyocounty.us
Subject: 210 S. Mountain View property
Date: Dec 2, 2020 at 2:35:34 PM
To: bishopcreekwaterassoc@yahoo.com,
p_marmstrong@msn.com, nc3e@aol.com

Gene,

Inyo County has received several calls regarding a plugged BCWA culvert in the shoulder in front of 210 South Mountain View. The culvert is part of some diversion structure that feeds the Core and Fendon properties to the north of 210 South Mountain View.

After receiving several blockage complaints from Mr. O'Brian, the property owner at 210 S. Mountain View, Inyo County contacted your Water Master, Mr. Durkey. Mr. Durkey has claimed that the culvert is not the responsibility of BCWA and belongs to Inyo County.

I can assure you the culvert in question is not a County culvert and the County has no responsibility or liability for its operation and maintenance, or any impacts or ramifications to the other BCWA members that are not receiving their water from your system.

Regards,

Chris Cash

Deputy Director / Road Superintendent

Inyo County Public Works

P.O. Drawer Q

Independence, CA. 93526

[\(760\) 878-0201](tel:(760)878-0201)

ccash@inyocounty.us

BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH

DECEMBER 2020

CHECKING ACCOUNT BALANCE	\$ 8,496.22
SAVINGS ACCOUNT BALANCE	<u>44,961.87</u>

TOTAL BANK BALANCES - November 30, 2020	53,458.09
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DEPOSITS:

Customer Deposits - Into Checking	\$ 908.38
Customer Deposits - Into Savings	-
Misc Refund	-
Interest Income	3.33
Transfer from Savings	<u>-</u>

TOTAL DEPOSITS	911.71
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CHECKS WRITTEN:

Water Master Pay - 647.44 + 215.82 X 2	\$ 1,726.52
Truck Allowance - 200.00 X 2	400.00
Assistant Water Master Pay	-
Telephone	75.99
Payroll Taxes - IRS	-
Payroll Taxes - State	-
Payroll Taxes - IRS Unemployment	-
Alex Printing	-
Union Bank Service Charge - (Refunded)	(30.00)
Cal Rural Water Assoc Ins	-
State Fund - Worker's Comp Insurance	-
Holland & Allred - Quarterly Accounting	-
ESCSD - Hydro Flush	225.00
Brown's	-
Transfer to Savings	<u>-</u>

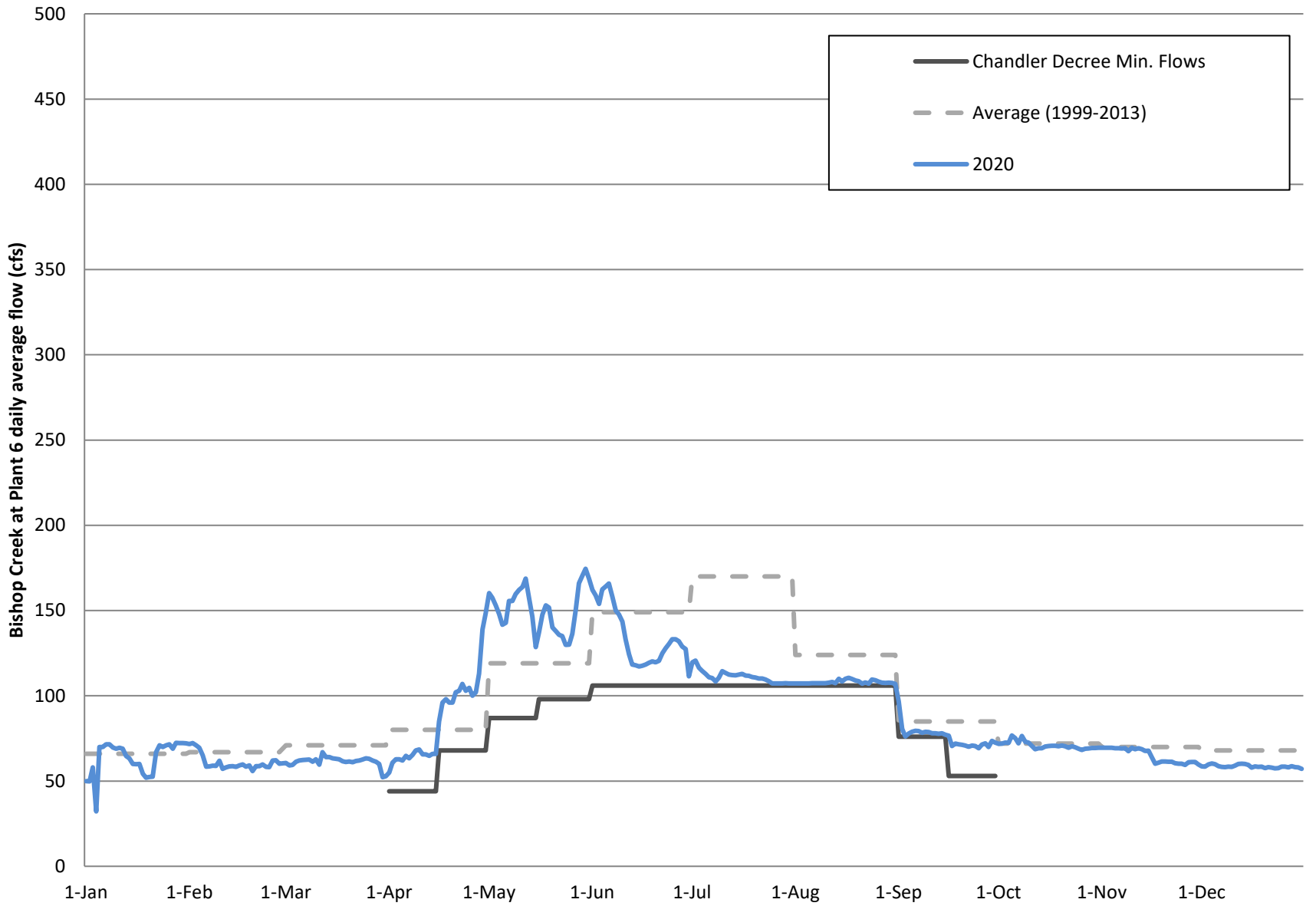
TOTAL CHECKS WRITTEN	<u>(2,397.51)</u>
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UNION CHECKING ACCOUNT	\$ 7,007.09
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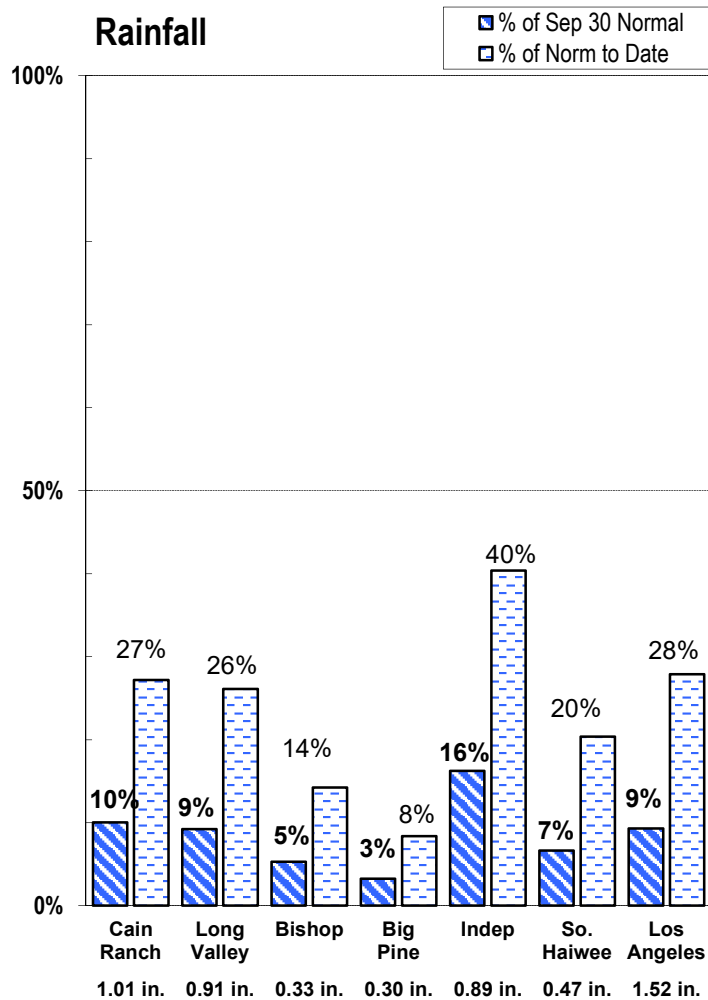
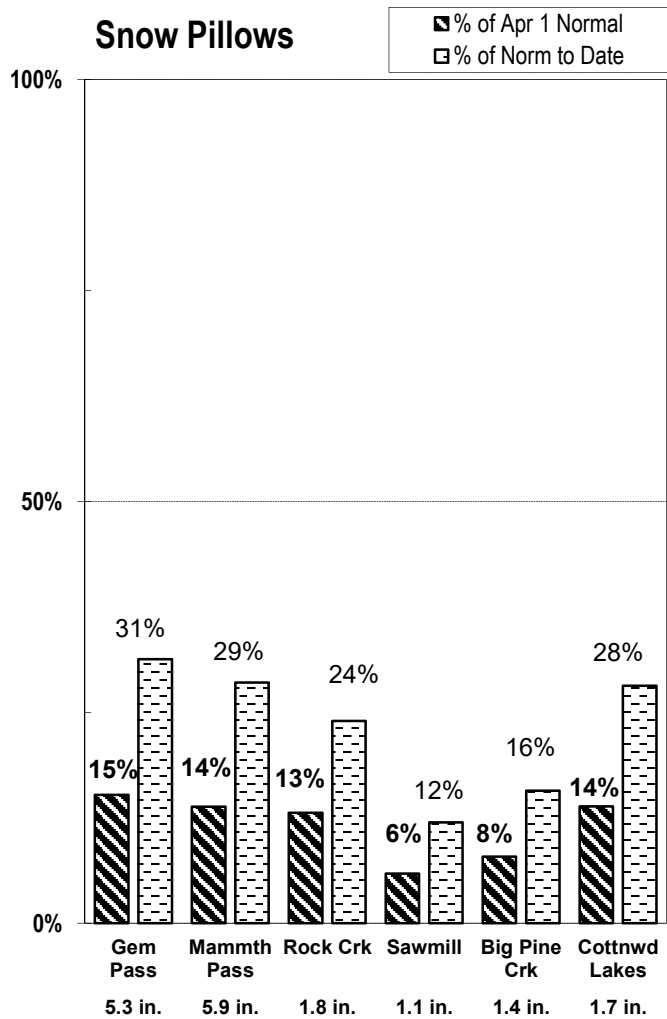
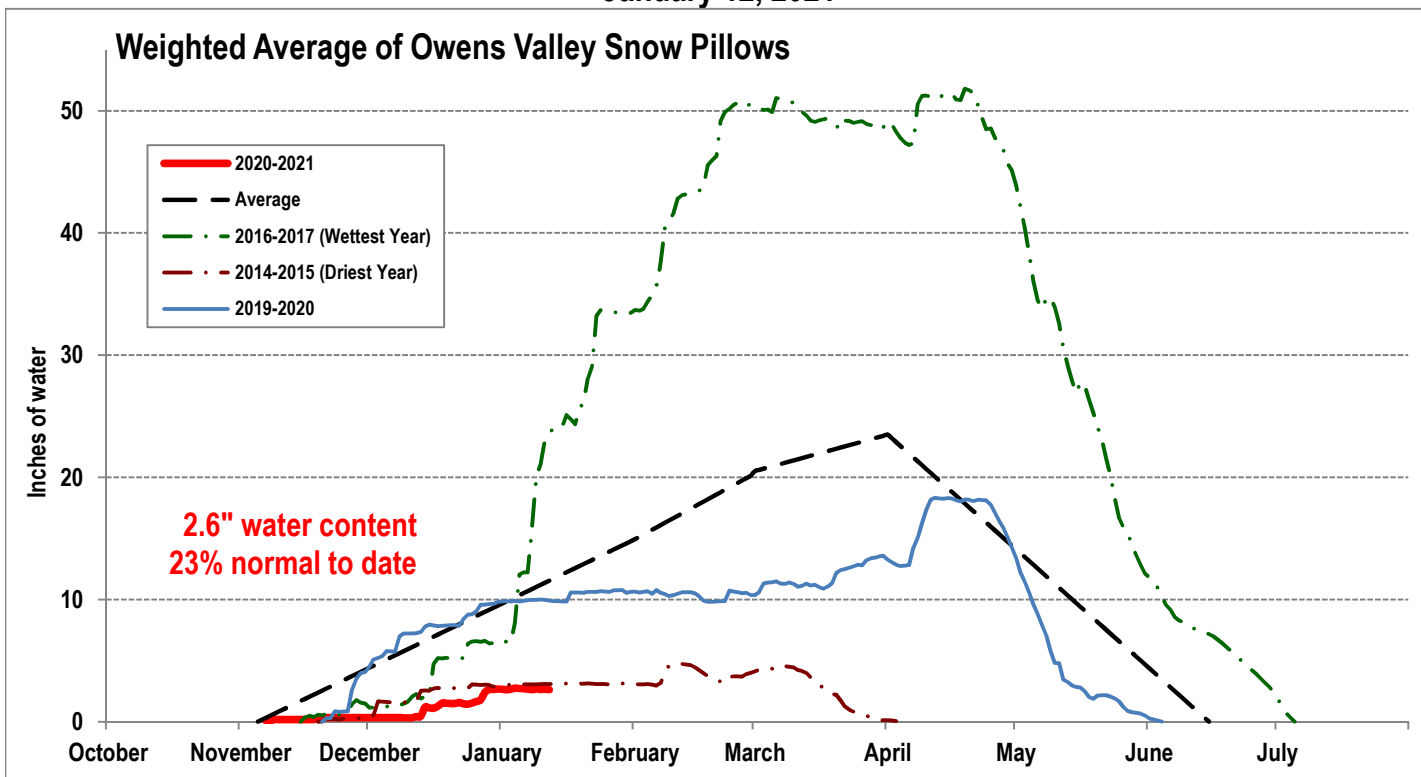
UNION BANK SAVINGS	<u>44,965.20</u>
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TOTAL BANK BALANCES - December 31, 2020	\$ 51,972.29
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Bishop Creek Flows at Plant 6



EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS January 12, 2021



Measurement as Inches Water Content; Precipitation totals are cumulative for water year beginning Oct 1

9:51 AM
01/11/21

**Bishop Creek Water Association
Customer Balance List
January 11, 2021**

<u>Balance Total</u>	<u>Company</u>	<u>Account No.</u>
217.14		11-040-10
44.00		11-192-44
136.00		11-320-56
44.00		11-530-03
176.00		11-020-07
176.00		11-120-09
48.00		11-340-13
-40.00		08-151-05
474.63		11-280-74
4.00		11-470-28
176.00		11-320-62
132.00		11-420-10
88.00		11-120-52
637.81		11-370-04
3.00		11-110-11
-60.00		11-110-41
88.00		11-020-29
4.00		11-330-04
942.01		11-320-36
-100.00		11-180-35
4.00		10-290-01
88.00		11-490-14
132.00		11-420-03
88.00		11-120-40
176.00		11-110-39
44.00		11-192-16
40.00		11-430-24
-40.00		11-280-43
942.01		11-320-40
-10.00		11-320-39
40.00		11-191-01
-40.00		11-192-45
44.00		11-020-46
88.00		11-500-09
88.00		11-500-10
282.04		11-110-14
-10.00		11-050-35
217.14		11-090-25
44.00		11-170-06
282.04		11-480-07
132.00		11-110-10
-25.00		11-192-30
-300.00		11-280-21
48.00		11-460-20
254.80		11-250-14
-4.00		11-170-19
-6.00		11-280-77
48.00		11-320-05
176.00		11-090-33

9:51 AM
01/11/21

**Bishop Creek Water Association
Customer Balance List
January 11, 2021**

<u>Balance Total</u>	<u>Company</u>	<u>Account No.</u>
217.14		11-330-43
128.00		11-510-22A
88.00		10-290-13
-2.60		11-020-43
88.00		11-500-21
88.00		11-020-42
88.00		11-330-42
-3.00		11-090-08
419.54		11-120-04
217.14		11-060-22
44.00		11-090-43
217.14		08-140-20
217.14		08-140-37
132.00		11-080-36
711.09		11-320-67
59.80		11-280-55
4.00		11-270-19
40.00		11-280-12
176.00		11-280-71
88.00		08-140-32
364.54		11-080-40
4.00		11-280-44
176.00		11-070-48
254.54		01-230-03
143.14		11-110-60
282.04		11-192-06
88.00		11-060-42
-34.00		11-480-11
88.00		01-171-14
143.14		10-314-02
88.00		08-112-02
-40.00		11-020-30
125.00		11-060-04
44.00		11-180-07
44.00		11-192-37
88.00		11-420-16
269.54		11-180-44
-40.00		11-320-19
392.04		11-191-02
44.00		11-470-18
-40.00		11-330-20
217.14		11-280-58
44.00		01-230-27
88.00		11-290-55
4.00		11-192-01
44.00		11-120-34
92.00		08-140-41
124.00		08-112-13D
25.40		11-060-34

BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

HAND
DELIVERED
12/9/20
by *[Signature]*
December 9, 2020

Mr. Terry O'Brien
210 So. Mountain View Rd.
Bishop, CA 93514

Subject: Plugged Culvert at 210 So. Mountain View Road

Dear Mr. Terry O'Brien,

This letter is a follow up to the meeting today, December 9, 2020, at 11:00 am at your 210 So. Mountain View property between yourself and Gene Coufal. The purpose of this letter is to document the agreement made between you and the Bishop Creek Water Association (BCWA) regarding the plugged culvert in the front of your property.

Recognizing the ambiguity of property ownership where the subject culvert lies, the BCWA will pay and attempt to have the culvert cleared, in exchange you will install a grate, with 1-inch maximum opening between bars, at the culvert inlet. You will secure the grate so that it cannot be removed or tampered with by anyone other than the BCWA Watermaster. You will be responsible for the maintenance and any repair or replacement of the grate.

We look forward to your cooperation in this matter. If you have any questions or there is a need for further discussion, please contact me at (760) 873-6209.

Sincerely,

[Signature of Gene Coufal]
Board of Trustees

Gene Coufal - President

Merry Armstrong

Don Kunze

Mark Frumkin

Eric Tillemans

Cc: BCWA Board Members
BCWA Watermaster

BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

December 10, 2020

Ms. Moriah Martinez
2751 Underwood Ln
Bishop CA 93514

Dear Ms. Martinez,

Subject: Restriction of Flow in the 4X Ditch at 2239 Sunrise Drive

This letter is a follow-up to the Bishop Creek Water Association's (BCWA) letters of July 31, 2019 and August 17, 2020. In those letters we explained how the accumulation of sediment and debris in the 4X Ditch on your property at 2239 Sunrise Dr (parcel 011-500-21) impedes the ability to flow water in the 4X Ditch. The ditch alignment on your property creates a bottleneck for the entire 4X Ditch. The BCWA Articles and By-laws, previously provided to you, requires that this situation be rectified. As you were previously informed, the BCWA Articles and By-Laws provide that:

"Each member shall keep his ditches free and clear of debris (sand, silt, rocks, grass, weeds, and trash) so that water, including waste water, may move for the beneficial use of members below." (Article IX, Section 4). And

"In the event the equitable distribution of water is impeded or interfered with causing flooding, wastage or other detriment to the flow of water of water to occur by reason of the refusal, inability or neglect of any member or members to remedy the same, the association may, after due notice, have the remedial work performed and the responsible member or members shall be billed therefor, at the cost of the work." (Article IX, Section 5).

Currently, ditch flow is being restricted at your property so that upstream and downstream BCWA members are not receiving an equitable distribution of Bishop Creek water. It is important that this situation be resolved. As the owner of the subject property it is your responsibility to maintain a clean clear ditch to convey water, and if it is not done the BCWA will be required to have the work completed and bill you for it.

The BCWA Board prefers not to interfere with ditches on private property and as such, that you as the property owner make the appropriate modifications needed to the ditch system on your property. The BCWA Board understands that the contractor you were planning to use to do the work is no longer available and you have been unable to finding a replacement. The BCWA Board has identified a landscape contractor who is familiar with the problem and is willing to discuss it with you. Note that there is a ditch easement on the front portion of your property that may need to be utilized to fix the situation (see the attached parcel map). The contractor, Kevin Grevenkamp of Kamp Enterprises, can be reached at (760) 920-9294. Kamp Enterprises has done several jobs for the BCWA and comes highly recommended.

BISHOP CREEK WATER ASSOCIATION
Founded in 1897

BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

The Board wants to know your intentions. To avoid any further action, we request that at a minimum we receive a communication from you on the plan to correct the problem by January 15, 2021.

We look forward to your response. If you have any questions or there is a need for further discussion, please contact me at (760) 873-6209.

Sincerely,



Board of Trustees

Gene Coufal - President

Merry Armstrong

Don Kunze

Mark Frumkin

Eric Tillemans

Attachment

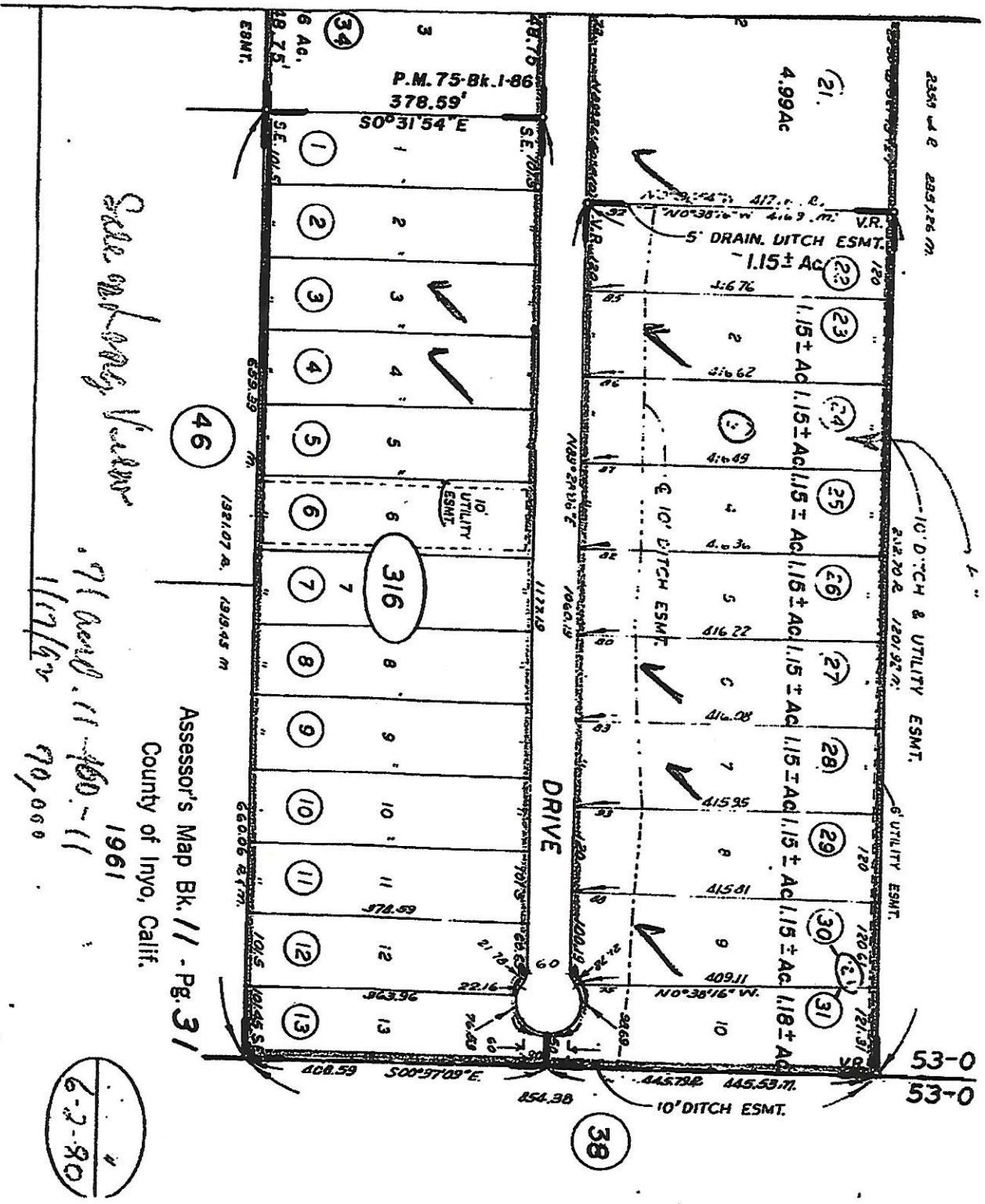
Cc: Matt Durkee,

BCWA Board Members

BCWA Watermaster

BISHOP CREEK WATER ASSOCIATION

Founded in 1897



Sale of Long Valley

91 Ac. 11-100-11
 1/17/92 90,000

6-2-80

Assessor's Map Bk. // - Pg. 31

County of Inyo, Calif.

1961