

Bishop Creek Water Association
Monthly Board Meeting Agenda
April 13, 2021
7:00 pm
Meeting Conducted via Zoom

1. Opening and Introduction
2. Acceptance of the March 9, 2021 Monthly Board Mtg Summary
3. Approval of the March Financial Report
4. Election of Board Treasurer
5. Appointment of Water and Arbitration, and Finance Committee Chairpersons
6. Bishop Creek Precipitation, Flow, and Storage Report
7. Old Business
 - a. Restriction in Nelligan Ditch at Norberg/Scott/O'Brien
 - b. Inyo County Road Department policy regarding street culverts
 - c. Membership Reconciliation (mapping)
 - d. Collection of Past Due Assessments
 - e. Ditch Diversion Box Repair/Rebuild Project
 - f. Bishop Plaza maintenance and cleaning responsibility
 - g. Bishop Tribe BCWA Membership?
 - h. Flow at Reinhackle Ditch Diversion Structures at Grah/Lozito
 - i. Watermaster Cell Phone Service Plan
8. Water & Arbitration Committee Report
9. Watermaster Report
 - a. Mtg with Chris T (Miles)
 - b. Other
10. New Business
 - a. Other (By Board or Members in Good Standing)
11. Next Monthly Board Meeting– May 11, 2021 at 7:00 p.m. via Zoom
12. Adjournment

Bishop Creek Water Association
Monthly Board Meeting Summary
March 9, 2021
Meeting Conducted via Zoom

1. Opening and Introduction

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

2. Acceptance of the January 25, 2021 Annual Meeting Summary

The January 25, 2021 Annual Meeting Summary was accepted as written.

3. Approval of the January and February Financial Reports

The January and February Financial Reports were approved unanimously.

4. Election of 2021 Board Officers:

The board unanimously elected Gene as President and Eric as Secretary. Because of Merry's absence it was decided to wait until next months meeting to fill the remaining positions. Also, this will give the trustees time to review the Water and Arbitration Committees role/function according to the Bishop Creek Water Association (BCWA) Bylaws with the hope to better define the Water and Arbitration Committees role moving forward. Gene explained that he felt the Water and Arbitration Committee has been limited in its role/responsibilities, and how upon a review of the Bylaws he interprets the role of the Water and Arbitration Committee as twofold: 1) evaluate property membership and ownership in the BCWA; and 2) assist in the fair and equitable distribution of Bishop Creek water.

5. Appointment of Finance, and Water and Arbitration Committee Chairpersons

Postponed until next month. See 4 above.

6. Bishop Creek Precipitation, Flow, and Storage Report

SCE has maintaining a winter flow of approximately 40 cfs due to the extremely dry year to date. This flow rate is below the previously thought minimum flow rate of 45 cfs needed to keep ditches wet but so far, the Watermaster Matt Durkee has been able to maintain adequate flow conditions within the ditch system of the BCWA at 40 cfs. By releasing this lower flow rate of 40 cfs more water will be available in storage to assist SCE in meeting upcoming Chandler Decree requirements.

The Eastern Sierra Snowpack is at 46% of normal to date and DWP plans to allow SCE to carry over storage with the goal of making more water available for the 2021 irrigation season.

7. Old Business

a. Culvert Blockage at 210 S Mountain View Rd.

The culvert entrance grate requires frequent checking and clearing. Due to the property owner's health issues Trustees Mark Frumkin and Merry Armstrong volunteered periodically check the culvert entrance. Also, Matt Durkee will continue to check on the culvert during his patrols. This issue will be taken off the agenda for now and revisited in the future if needed.

b. Restriction in Nelligan Ditch at Norberg/Scott/O'Brien

Gene inquired from Mrs. Nordberg's attorney Mr. Bill Lampi if a proposal was forthcoming, and he is waiting for a response.

c. Inyo County Road Department policy regarding street culverts

Any progress on this issue has been put on hold while the Inyo County moves into their new office building. Eric reported that a follow-up meeting is planned for May to development of a more formal understanding regarding Inyo County's role in culvert problems after the County has moved into its new facility. Chris Cash, of Inyo County's Road Department spoken with Eric Tillemans and verbally agreement that Inyo County will assist with any culvert problems that may arise in the interim while Inyo County move into the building.

Gene reported that he received a communication from the Eastern Sierra Community Service District regarding the plugging of the culvert crossing Barlow at Sunset Rd to Sunset Dr. during the snowstorm earlier this year. Because it was an emergency the Board was going to waive the fee for unplugging the culvert by District personnel and provided a copy of California Water Code 7034, which they believe applies to water conveyance culverts (attached).

d. Restriction in 4X Ditch @ 2239 Sunrise Dr.

Gene informed the Board that Randy Short, working for the property owner M. Martinez, has hired Kamp ENT (Kevin Grevenkamp) to clean out and maintain the 4X ditch on the property and make some culvert improvements to increase the capacity of the ditch. If this does not adequately improve the capacity of the 4X Ditch other incremental steps will be taken. Matt Durkee will monitor the progress and keep the board informed. This item will be removed from the agenda for now.

e. Membership Reconciliation (mapping)

The marked-up maps are with LADWP. Eric thought the revised maps will be completed by next month's Board meeting.

f. Collection of Past Due Assessments

Nothing new to report. Waiting on completion of mapping and membership reconciliation.

g. Ditch Diversion Box Repair/Rebuild Project

Nothing new to report. Focus of work has been on mapping and membership reconciliation.

h. Bishop Plaza maintenance and cleaning responsibility

It appears that based on research that the ownership is somewhere between the County of Inyo and the parcel owners/leases and that the responsibility will not be resolved without a problem occurring. This is unfortunate, as it does not appear resolvable currently short of incurring legal expenses.

i. Bishop Tribe BCWA Membership?

Nothing new to report.

8. Water & Arbitration Committee Report

No new business to address.

9. Watermaster Report

January: 28 phone calls, 18 text messages

February: 19 phone calls, 10 text messages, 4 board member calls

Needs to investigate getting a Covid vaccine as part of the critical worker category.

10. New Business

- a. **David Grah-** Sent an email regarding flow management in the Reinhackle Ditch (attached). Gene will talk with Mr. Grah.

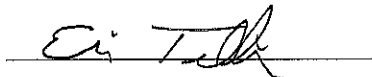
- b. **Track Phone for Watermaster** – Derrick Olsen talked with Gene. He is still unhappy about having to pay membership assessment during the 2014 drought period. He also suggested that the BCWA should investigate the use of a Trak phone as it is much cheaper and just as good as an AT&T contract. Once the current contract is expired, we will need to research and compare the rates of Trak phones, AT&T, and Verizon plans and service coverage area.
- c. **Water through Highlands to Cherry Lane:** The flows are low currently and the ditches need to be cleaned when the irrigation season starts, and flows increase to provide better conditions to clean the ditches. Watermaster Matt Durkee will monitor the conditions when flows increase and report back to the BCWA board. Ronny Yribarren volunteered a backhoe if needed to clean the ditch @ Cherry Lane.
- d. **Watermaster Evaluation**
The Board has been pleased with Matt's work performance and made the following comments/observations about Matt's work: great work ethic, conscientious, no complaints about the Watermaster, he responds quickly to phone calls addressing issues and made people feel heard. Gene proposed a \$25.00 a month raise to Matt's gross pay – this was unanimously approved by the Board.
- e. **Other (By Board or Members in Good Standing)**
Gene reported that we received an invoice from the CRWRMA Insurance, it will go up for the year starting April 1st,2021 to \$4917 (an increase of \$233). We budgeted \$4700.

11. Next Monthly Board Meeting– April 13, 2021 at 7:00 p.m. via Zoom

12. Adjournment

At 8:22pm

Respectfully Submitted,



Eric Tillemans

Secretary

Bishop Creek Water Association

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

FEBRUARY 2021

CHECKING ACCOUNT BALANCE	\$	3,841.74
SAVINGS ACCOUNT BALANCE		<u>44,968.04</u>

TOTAL BANK BALANCES - January 31, 2021		48,809.78
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DEPOSITS:

Customer Deposits - Into Checking	\$	428.00
Customer Deposits - Into Savings		-
Misc Refund		-
Interest Income		3.00
Transfer from Savings		<u>-</u>

TOTAL DEPOSITS		431.00
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CHECKS WRITTEN:

Water Master Pay -	861.37 X 2	\$	1,722.74
Truck Allowance -	200.00 X 2		400.00
Assistant Water Master Pay			-
Telephone			76.03
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
Alex Printing			-
Union Bank Service Charge - (Refunded)			-
Cal Rural Water Assoc Ins			-
State Fund - Worker's Comp Insurance			600.89
Holland & Allred - Quarterly Accounting			-
Eric Tilleman - Zoom Services			74.95
Brown's			-
Transfer to Savings			<u>-</u>

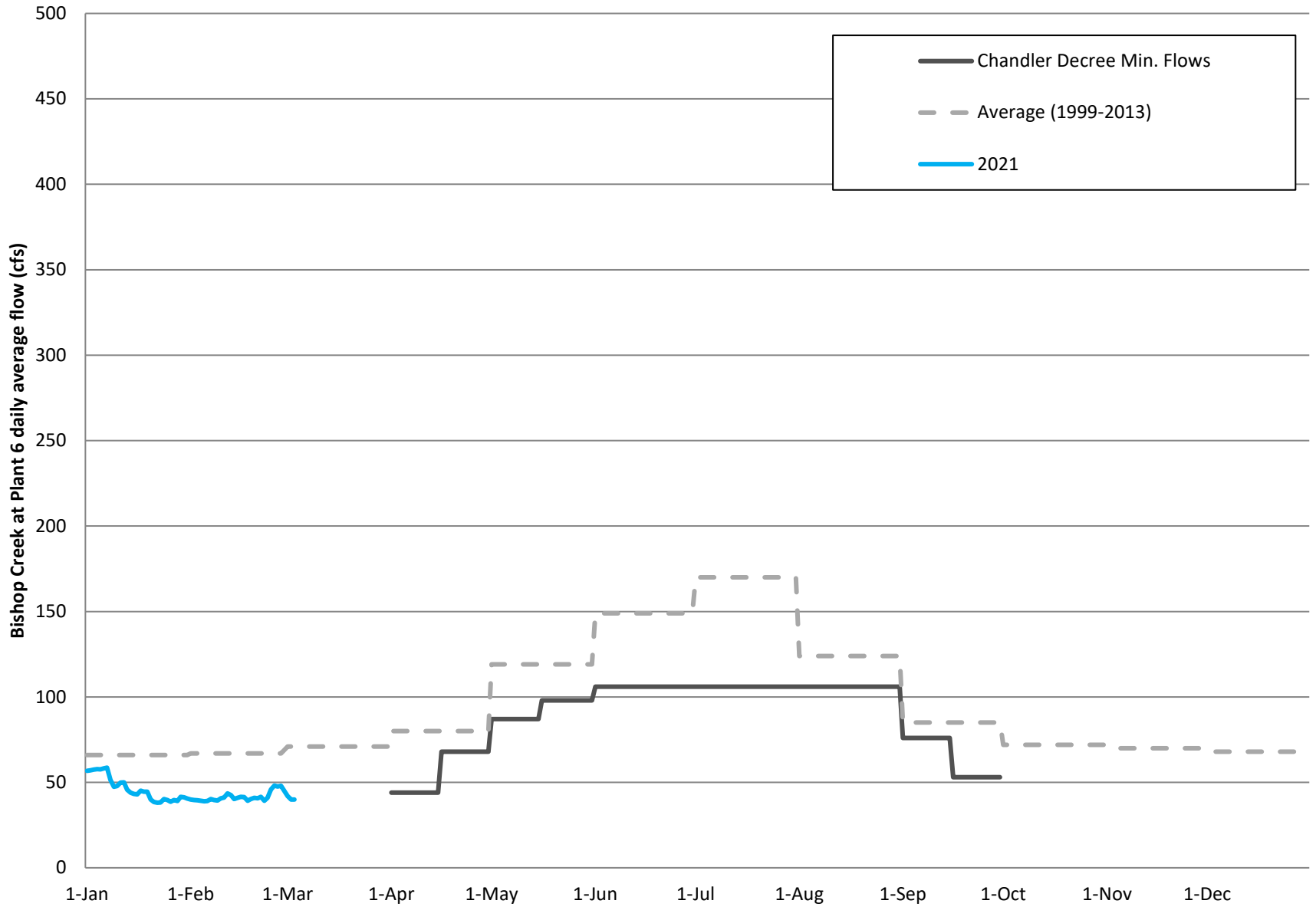
TOTAL CHECKS WRITTEN		<u>(2,874.61)</u>
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UNION CHECKING ACCOUNT	\$	1,395.13
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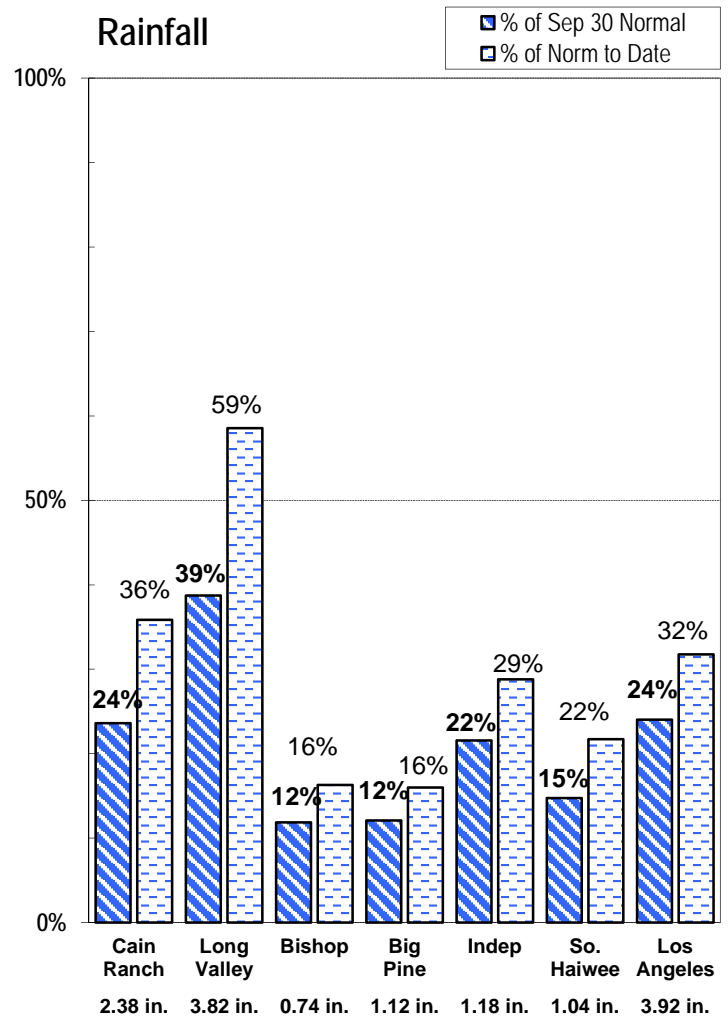
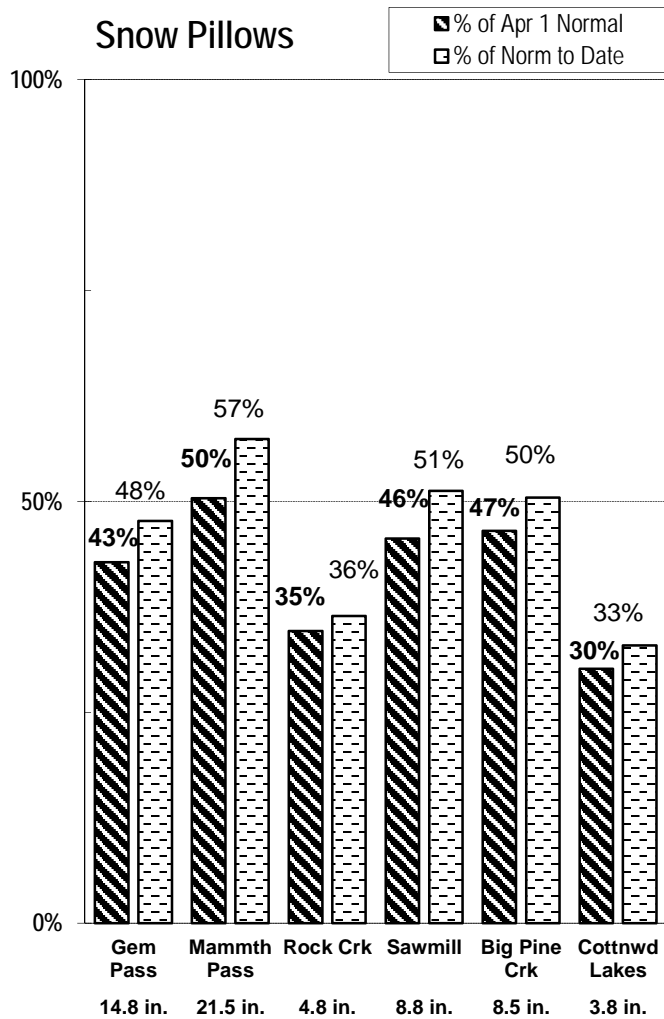
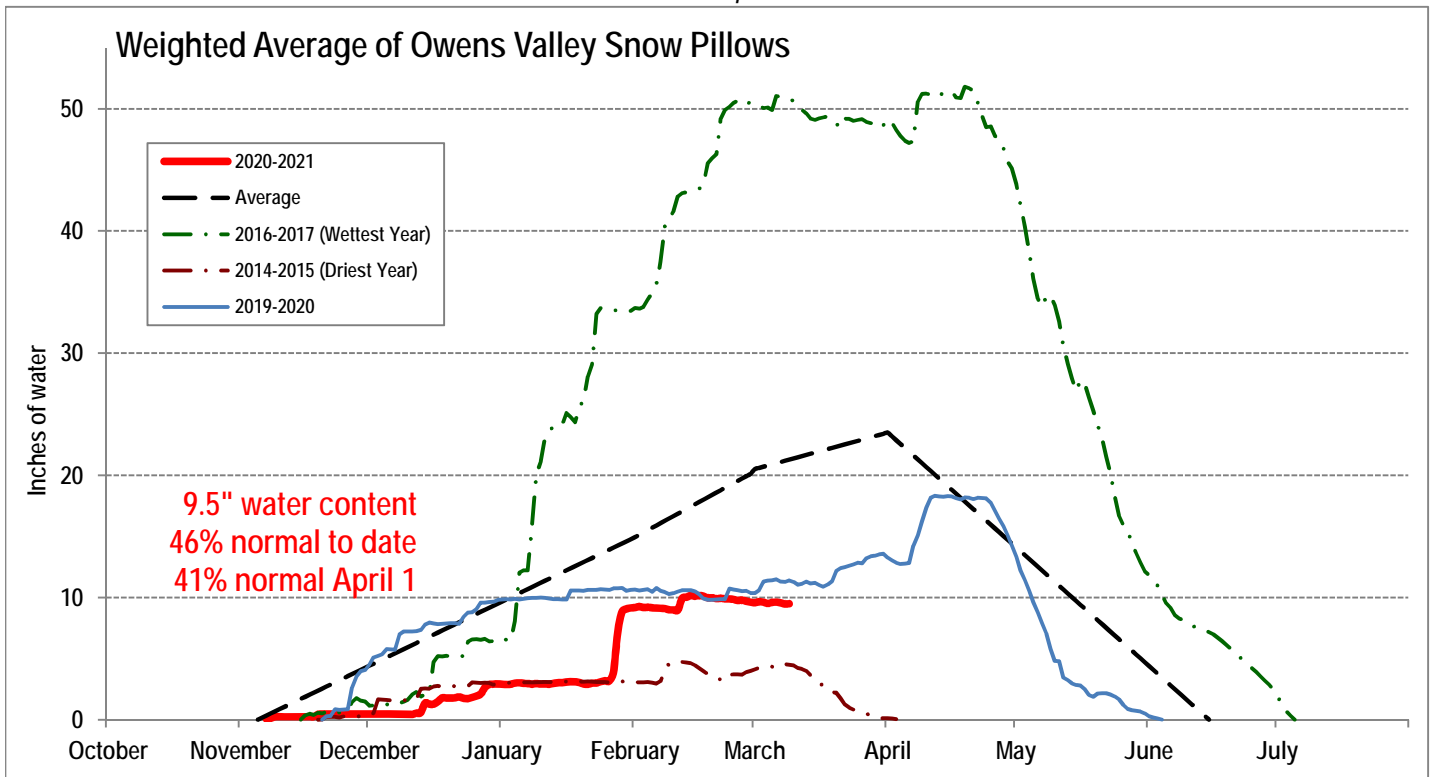
UNION BANK SAVINGS		<u>44,971.04</u>
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TOTAL BANK BALANCES - February 28, 2021	\$	46,366.17
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Bishop Creek Flows at Plant 6

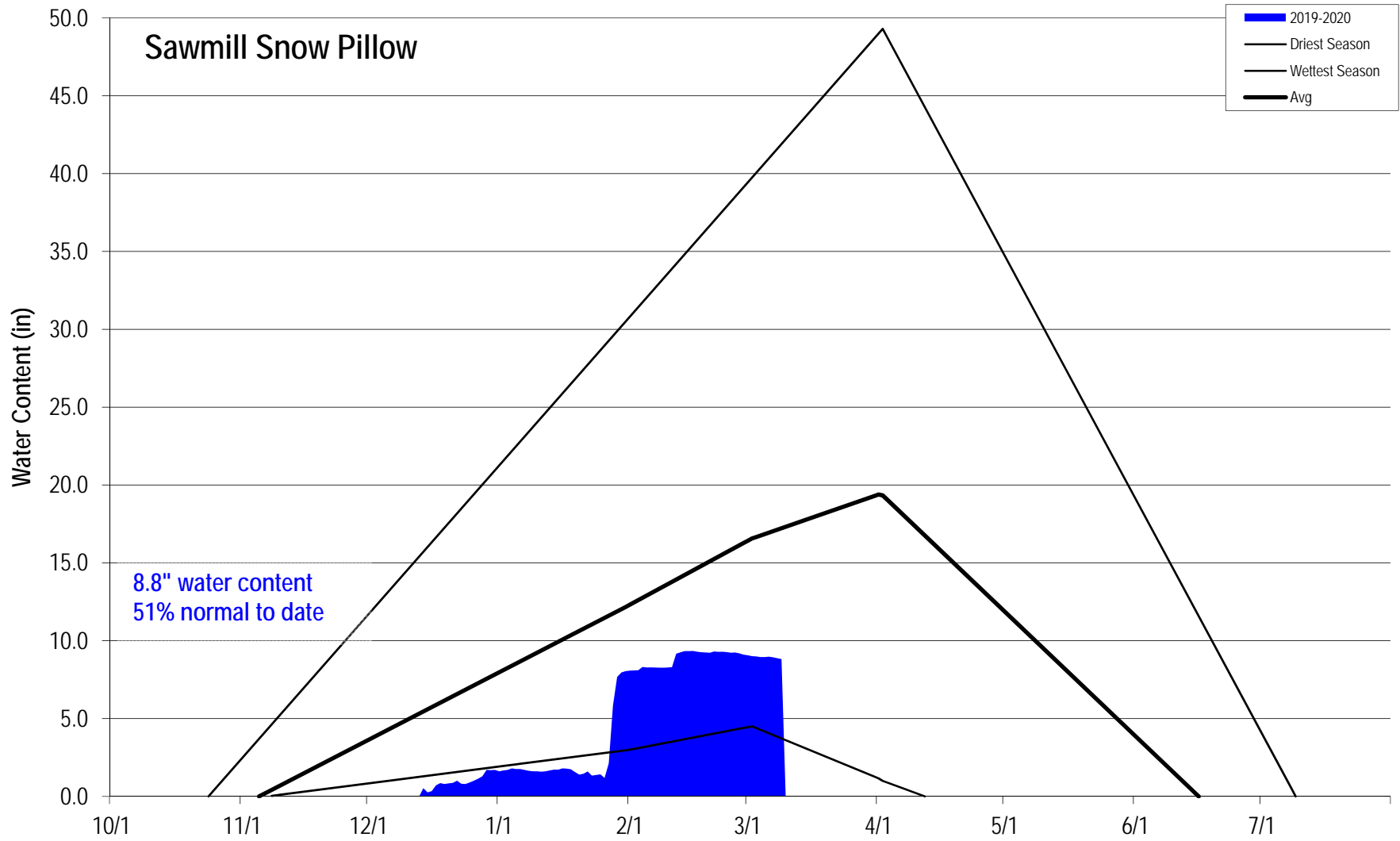


EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS March 9, 2021



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

Sawmill Snow Pillow



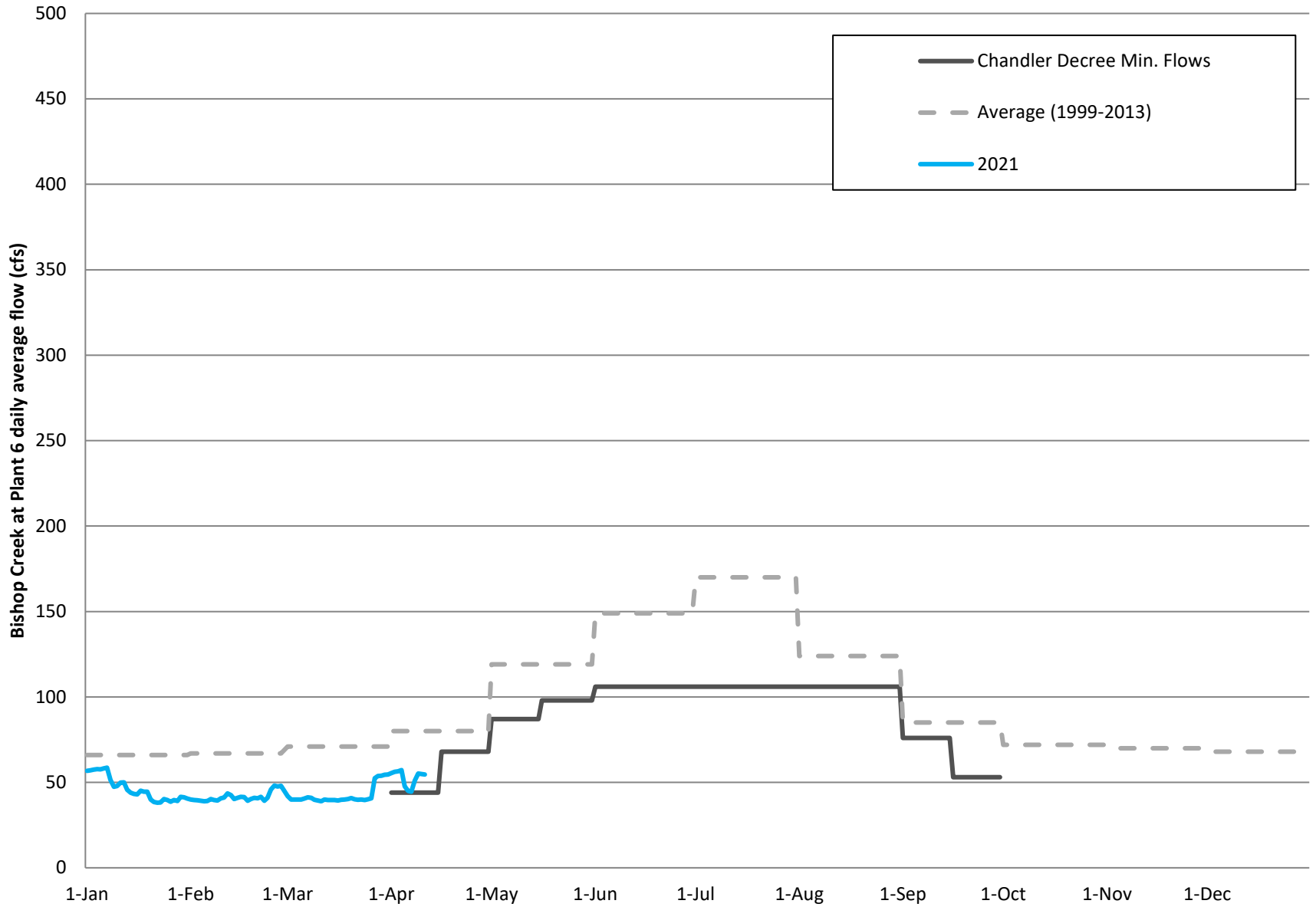
8.8" water content
51% normal to date

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

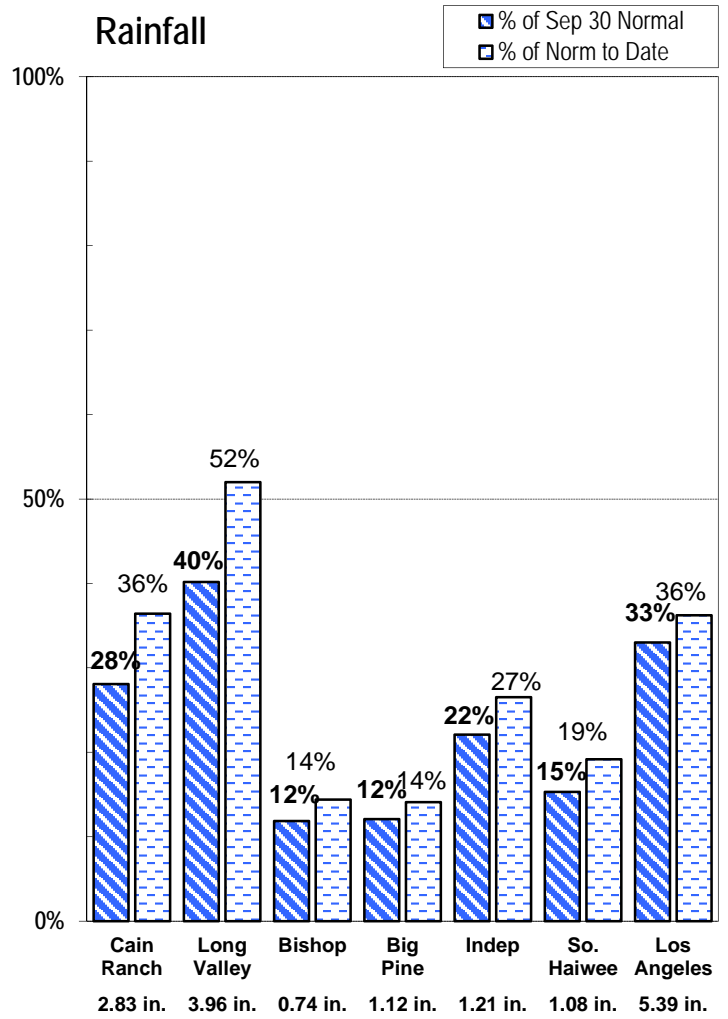
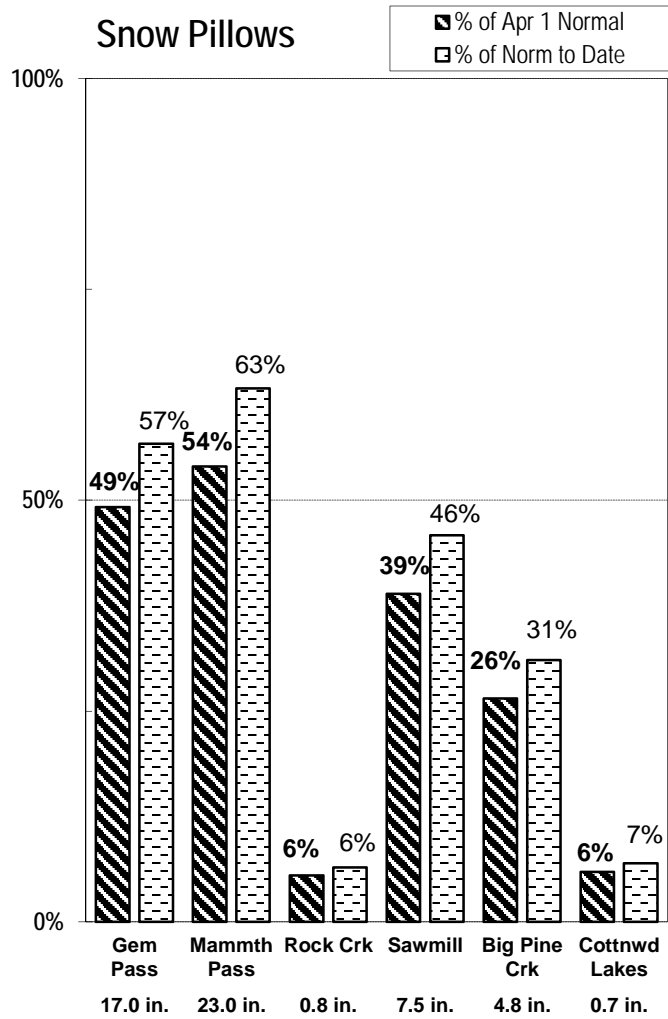
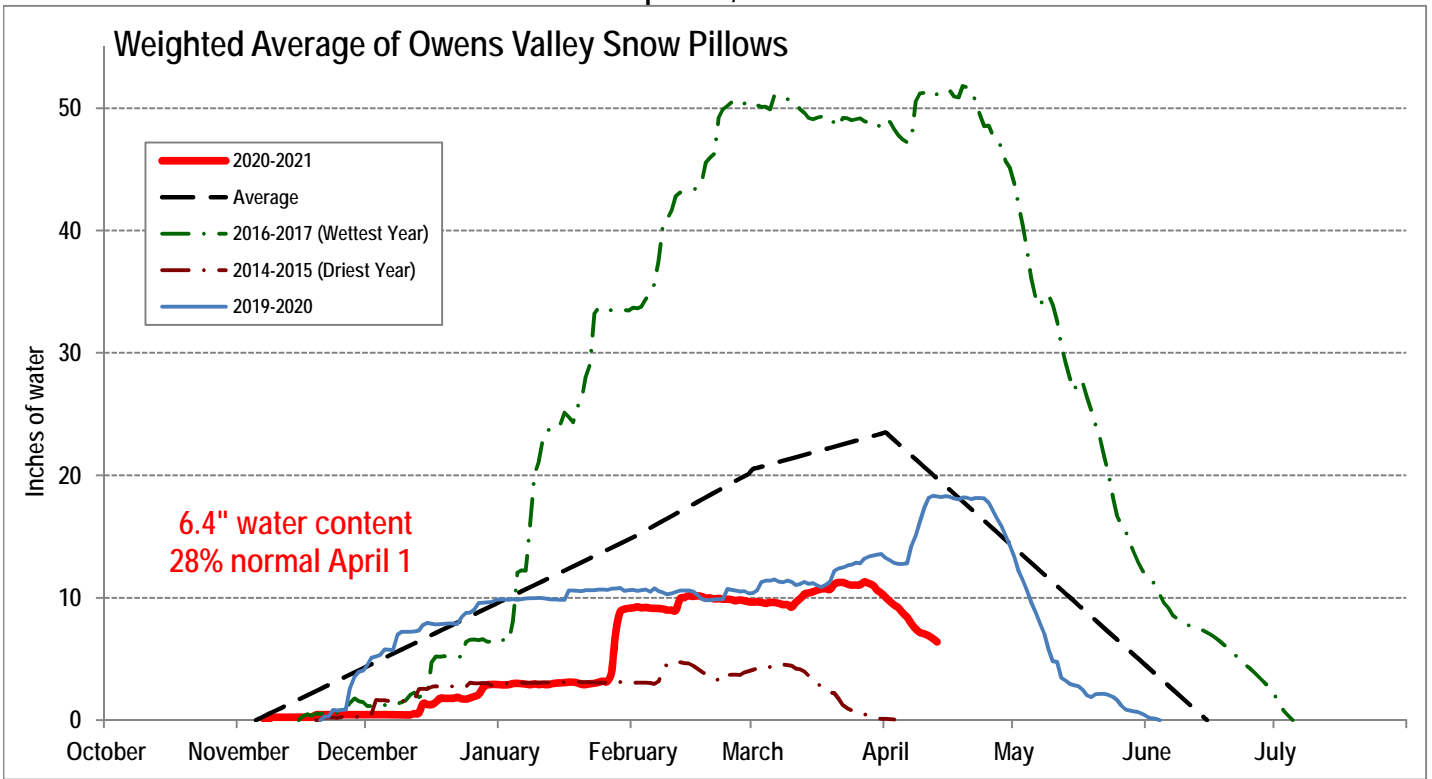
MARCH 2021

CHECKING ACCOUNT BALANCE		\$	1,395.13
SAVINGS ACCOUNT BALANCE			<u>44,971.04</u>
TOTAL BANK BALANCES - February 28, 2021			46,366.17
DEPOSITS:			
Customer Deposits - Into Checking	\$	510.80	
Customer Deposits - Into Savings		-	
Misc Refund		-	
Interest Income		2.50	
Transfer from Savings		<u>10,000.00</u>	
TOTAL DEPOSITS			10,513.30
CHECKS WRITTEN:			
Water Master Pay - 861.37 X 2	\$	1,722.74	
Truck Allowance - 200.00 X 2		400.00	
Assistant Water Master Pay		-	
Telephone		76.03	
Payroll Taxes - IRS		-	
Payroll Taxes - State		-	
Payroll Taxes - IRS Unemployment		-	
Alex Printing		742.40	
Union Bank Service Charge - (Refunded)		-	
Cal Rural Water Assoc Ins		4,917.00	
State Fund - Worker's Comp Insurance		45.79	
Holland & Allred - Quarterly Accounting		574.50	
Eric Tilleman - Zoom Services		-	
Brown's		-	
Transfer to Savings		<u>-</u>	
TOTAL CHECKS WRITTEN			<u>(8,478.46)</u>
UNION CHECKING ACCOUNT	\$		3,427.47
UNION BANK SAVINGS			<u>34,973.54</u>
TOTAL BANK BALANCES - March 31, 2021	\$		38,401.01

Bishop Creek Flows at Plant 6

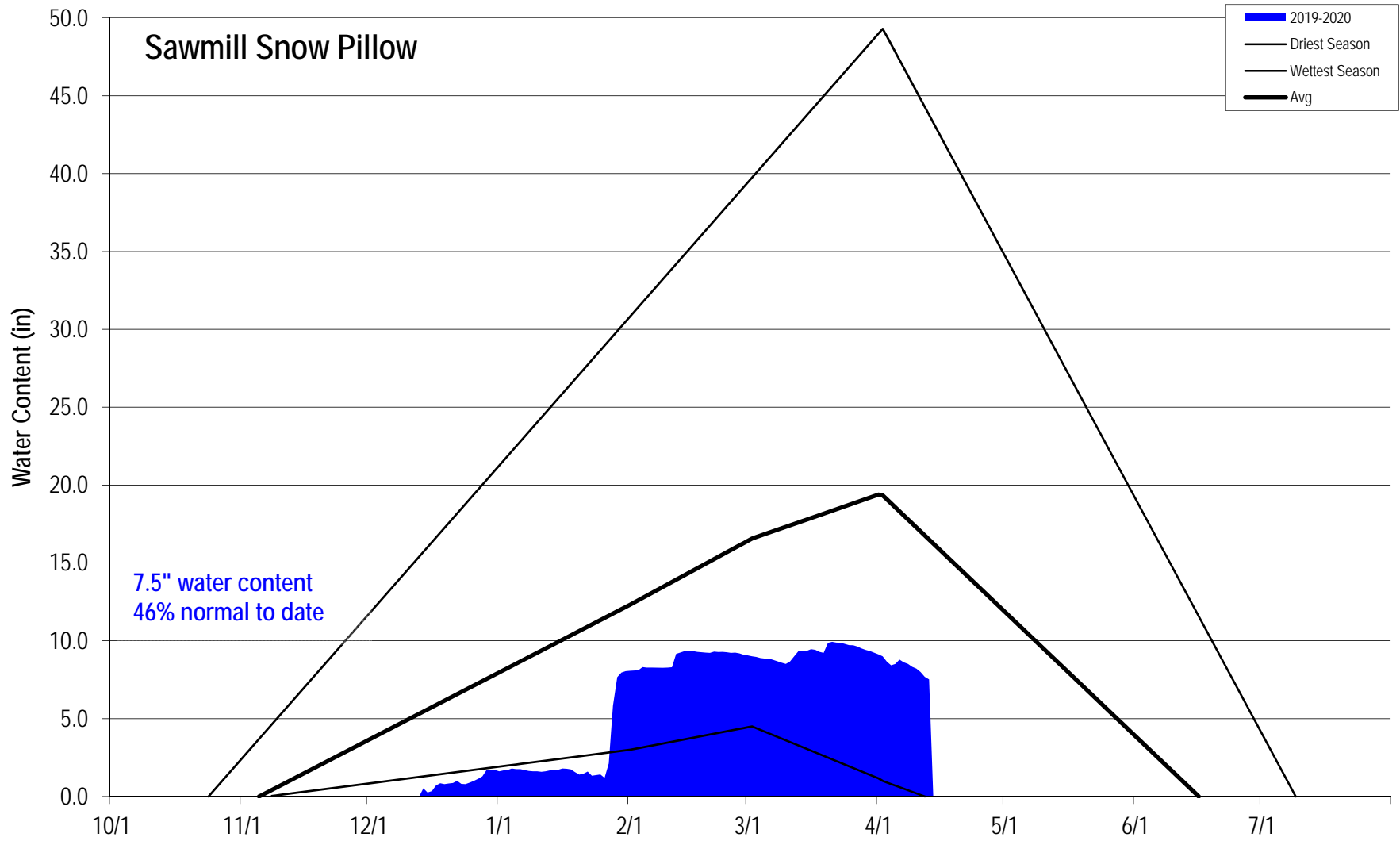


EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS April 13, 2021



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

Sawmill Snow Pillow



3:04 PM
04/09/21

Bishop Creek Water Association
Customer Contact List
April 9, 2021

Balance Total	Account No.
-40.00	11-032-09
217.14	11-040-10
-40.00	11-280-11
-40.00	11-192-16
44.00	11-192-44
136.00	11-320-56
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
-40.00	11-050-27
176.00	11-320-62
132.00	11-420-10
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
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
-40.00	11-280-46
282.04	11-110-14
-10.00	11-050-35
217.14	11-090-25
282.04	11-480-07
132.00	11-110-10
-25.00	11-192-30
-300.00	11-280-21
-40.00	11-100-06
-4.00	11-170-19
-6.00	11-280-77
-40.00	11-370-11
176.00	11-090-33
257.14	11-330-43
-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

3:04 PM
04/09/21

Bishop Creek Water Association
Customer Contact List
April 9, 2021

Balance Total	Account No.
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
-40.00	11-470-16
4.00	11-280-44
-40.00	11-060-35
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
-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
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

Gene,

Code 7034, the top sheet, pretty well defines the responsibility. The other codes provide definitions. The ESCSD plans no further action regarding this matter.

Of course, the ESCSD will continue to support the BCWA and Bishop Fire Department when requested. We have, and will continue to be there for our constituents and community.



WATER CODE - WAT

DIVISION 4. WELLS, PUMPING PLANTS, CONDUITS AND STREAMS [680.010 - 724.260] (*Division 4 enacted by Stats. 1943, Ch. 368.*)

CHAPTER 3. Bridges and Conduits on or Near Highways [7030 - 7036] (*Chapter 3 repealed and added by Stats. 1961, Ch. 1786.*)

7034. Bridges or conduits heretofore or hereafter constructed in a permanent manner, whether by encroachment permit or otherwise, which cross county highways and which have been constructed or brought up to county standards, and have been accepted, either formally or informally by appropriate action, shall, after such acceptance, and regardless of who constructed them, be the sole responsibility of the county, so far as maintenance, repair, improvement for the benefit of the county, reconstruction or replacement of such bridges and conduits are concerned. If any such county highways become state highways, the State shall succeed to the foregoing obligations of the county.

The amendment of this section made at the 1963 Regular Session of the Legislature does not constitute a change in, but is declaratory of, the pre-existing law.

(Amended by Stats. 1963, Ch. 524.)



STREETS AND HIGHWAYS CODE - SHC

DIVISION 2. COUNTY HIGHWAYS [900 - 1757] (*Division 2 enacted by Stats. 1935, Ch. 29.*)

CHAPTER 4. Methods of Performing Highway Work [1720 - 1861] (*Chapter 4 enacted by Stats. 1935, Ch. 29.*)

ARTICLE 3. By Permanent Road Divisions [1160 - 1197] (*Article 3 added by Stats. 1935, Ch. 29.*)

As used in this article:

1160. (a) "Division" means permanent road division.

(b) "Last equalized assessment roll" means the last assessment roll made up by the county assessor, including the changes ordered by the board of supervisors sitting as a board of equalization.

(c) "Highway" means any county road or highway or any public roadway right of way or any private easement or roadway not accepted or acceptable into the county highway system but upon which a permanent public easement is offered or any privately owned road which meets the requirements of and in connection with which the necessary findings of Section 969.5 of this code can be made.

(Amended by Stats. 1957, Ch. 981.)



STREETS AND HIGHWAYS CODE - SHC

GENERAL PROVISIONS (*General Provisions enacted by Stats. 1935, Ch. 29.*)

As used in this code, unless the particular provision or the context otherwise requires, "highway" includes bridges, culverts, curbs, drains, and all works incidental to highway construction, improvement, and maintenance.

23.

(Enacted by Stats. 1935, Ch. 29.)



STREETS AND HIGHWAYS CODE - SHC

GENERAL PROVISIONS (*General Provisions enacted by Stats. 1935, Ch. 29.*)

As used in this code, "county highway" means any highway which is:

- 25.** (a) Laid out or constructed as such by the county.
- (b) Laid out or constructed by others and dedicated or abandoned to or acquired by the county.
- (c) Made a county highway in any action for the partition of real property.
- (d) Made a county highway pursuant to law.

(Enacted by Stats. 1935, Ch. 29.)



WATER CODE - WAT

DIVISION 4. WELLS, PUMPING PLANTS, CONDUITS AND STREAMS [680.010 - 724.260] (*Division 4 enacted by Stats. 1943, Ch. 368.*)

CHAPTER 3. Bridges and Conduits on or Near Highways [7030 - 7036] (*Chapter 3 repealed and added by Stats. 1961, Ch. 1786.*)

As used in this chapter, except in Section 7034, "highway" includes both state and county highways as defined by or identified in the Streets and Highways Code.

7031.

(Repealed and added by Stats. 1961, Ch. 1786.)



WATER CODE - WAT

DIVISION 4. WELLS, PUMPING PLANTS, CONDUITS AND STREAMS [680.010 - 724.260] (*Division 4 enacted by Stats. 1943, Ch. 368.)*

CHAPTER 3. Bridges and Conduits on or Near Highways [7030 - 7036] (*Chapter 3 repealed and added by Stats. 1961, Ch. 1786.)*

As used in this chapter, "conduit" includes canal, ditch, culvert, pipeline, flume, or other appliance for conducting water.

7030. (*Repealed and added by Stats. 1961, Ch. 1786.*)

From: David Grah d_b_grah@yahoo.com
Subject: Re: Gate Performance - 2021 update
Date: Feb 11, 2021 at 5:32:17 PM
To: Gene And Nancy nc3e@aol.com

I hoped to revisit those same two gate issues and thought the start of 2021 seemed like a reasonable time to do it.

First the 50 - 50 split. There has never been a change made to the gate on my property that would help change the split between the two diversions closer to 50 - 50. I have talked to Matt a little about this in the past and noted to him it is not really an issue (but certainly always remains an issue of fairness) when flow is high but certainly is when flow is lower, as it is most of the time and as it is now. When the water is low, only water that seeps around the board on the pond side of the diversion on my property reaches the pond. This is only a trickle. At the same time, the diversion on Lozito's property carries significant water to the pond during all flow levels.

Until a board, even a small one, is added to the Rhinehackel gate on my property, the split will never be anywhere close to the 50 - 50 I understand the BCWA is committed to. I anticipate getting the right sizes of boards will take some trial and error and also anticipate that, due to the design of the diversion, changing flow levels will require periodically changing the boards. In any event, I ask that a board be added to this gate and again ask that the BCWA keep the history here in mind. I think it is important.

Next the issue of backwater from the gate on the Lozito property. Although this appears to be shaping up to be a low water year, I expect backwater to again be an issue during the coming higher flows. Last year, backwater caused substantial over-topping of the ditch on my property which flooded my yard and the crawl space under my house. Because there has been some confusion about this, let me again clarify this over-topping is an issue only in the part of my property between my driveway and the Lozito's property. Not somewhere else on my property where some seemed to have thought it was.

Needless to say I need to prevent this flooding. Since it is unlikely the BCWA or DWP would reconfigure the gate to reduce backwater (the issue is elevation; it was constructed too high), I need to take steps address the issue. I anticipate I will address the flooding by bringing in fill to raise this part of my yard and by constructing some sort of overflow feature. Adding the fill would provide better free-board on the ditch

during normal flows in the ditch and the overflow would prevent flooding if there is something unusual. The overflow will not be constructed to carry water except when it is needed as an overflow. Because I seem to move slowly, I won't be surprised if I accomplish neither of these things this water year.

The first item involves action by the BCWA, the other is just for information. Thanks for considering these issues again, Gene.

David Grah
397 Mount Tom Road

On Friday, May 8, 2020, 5:25:49 PM PDT, Gene And Nancy <nc3e@aol.com> wrote:

David, I asked the Watermaster (Matt Durkee) to split the flow 50-50 between the two diversions and make sure that flow is moving freely under George's driveway. This should take the pressure off. Let's watch for a bit and then revisit to see how the system is working. Gene

On Apr 20, 2020, at 5:47 PM, David Grah <d_b_grah@yahoo.com> wrote:

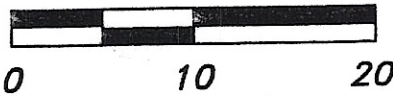
Hi Gene. I hope you and yours are healthy!

I assume the BCWA has been monitoring the new control gates DWP constructed on the Rhinehackel Ditch (never sure how to spell it) but, with flows up in the last day or so, I am reminded to provide my observations on two things.

First, as you hopefully remember, one of my biggest concerns for the new gates was to minimize backwater from the gate on the Lozito's property onto my property. With the higher flow in the last day or so, the backwater from the new gate unfortunately appears again to be an issue. With the high flows, freeboard on the ditch on my property downstream of my driveway is no more that a couple or few inches and, in fact, today the ditch overtopped here for a time. I would really hate to see flows



SCALE: 1 INCH = 10 FEET



THIS MAP CORRECTLY REPRESENTS A
SURVEY MADE BY ME ON OCT. 31, 2009
AT THE REQUEST OF MS. NORBERG.

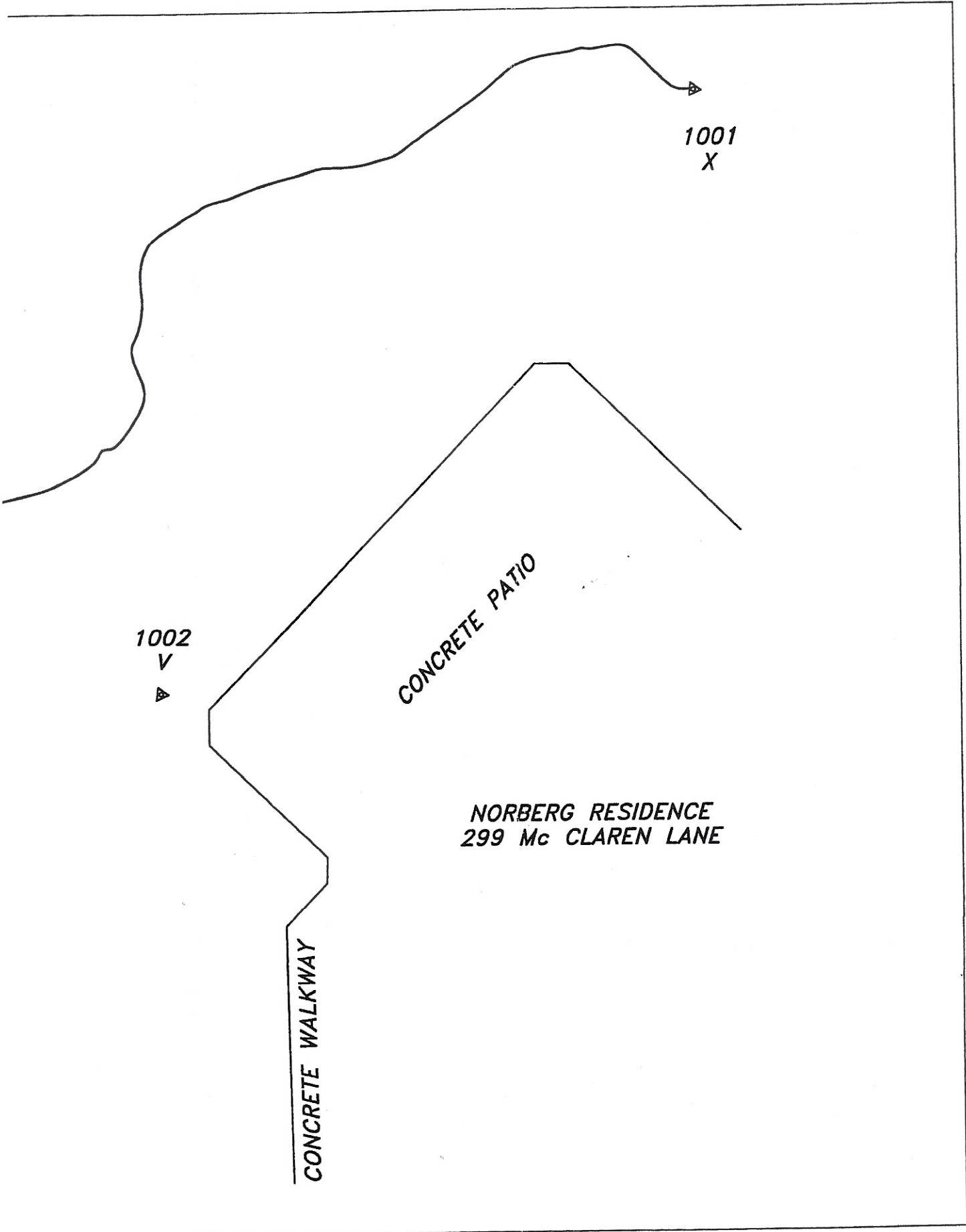
J. Thompson
JEFF THOMPSON



S'y BANK OF DITCH

POND

1000
Y



1001
X

1002
V
▲

CONCRETE PATIO

NORBERG RESIDENCE
299 Mc CLAREN LANE

CONCRETE WALKWAY



