

Bishop Creek Water Association

Monthly Board Meeting Agenda

July 11, 2023

7:00 pm

Meeting To Be Conducted via Zoom

1. Opening and Introduction
2. Acceptance of the Monthly Board Meeting Summary for May 9, 2023
3. Approval of the May and June 2023 Financial Reports
4. Bishop Creek Precipitation, Flow, and Storage Report
5. Old Business
 - a. Flow Regulation on Reinhackle Ditch at Mt. Tom Rd.
 - b. Ditch Relocation at NW corner of Carol Ln. (parcel no 011-510-27)
 - c. Water Rights Filing
 - d. Membership Reconciliation (mapping)
 - e. Collection of Past Due Assessments
 - f. Ditch Diversion Box Repair/Rebuild Project
 - g. Inyo County Road Department Policy regarding Plugged/Deteriorated Street Culverts
 - h. BCWA Policy for Handling of Plugged Street Culverts
 - i. Bishop Tribe BCWA Membership?
6. Watermaster Report
7. New Business
 - a. Obstructed Street culvert in Sarah Way
 - b. Flooding Roadway at Highland Dr and Barlow Ln.
 - c. Other (by Board or members in good standing)
8. Next Meetings: Monthly Board – August 8, 2023, at 7:00 p.m.
9. Adjournment

Bishop Creek Water Association
Annual Meeting Summary
May 9th, 2023
7:00 pm
Meeting Conducted via Zoom

1. Opening and Introduction

BWCA meeting called to order 7:00 pm. Trustees in attendance: Mark Frumkin, Merry Armstrong, Don Kunze, and Gene Coufal. Tony Tillemans sat in for Trustee Eric Tillemans. Watermaster Matt Durkee was present. Sandra Warlie, Public Works Director for the Bishop Paiute Tribe was also present.

2. Acceptance of the Annual Board Meeting Summary for April 11, 2023

The April 11th, 2023, meeting summary was accepted as written.

3. Approval of the April 2023 Financial Reports

The financial report for April 2023 was approved unanimously.

4. Bishop Creek Precipitation, Flow, and Storage Report

Runoff has been slowly increasing with peak flows still to come as summer temperatures arrive.

5. Old Business

a. Flow Regulation on Reinhackle Ditch at Mt. Tom Rd.

Don investigated and found Lozito Pond is in violation. Don will request survey assistance from DWP to verify various elevations related to flows and report at the next meeting. Gene suggested that a full Board field visit be made to the site and that it will be important that DWP, as the largest user on the ditch be present. He will contact Eric Tillemans to check his availability for participation.

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

Matt reported the obstruction was cleared and ditch is flowing ok. Gene stated the \$790 bill (as previously approved by the Board) for ditch clean up services will be added to the Norberg property BCWA assessment invoice.

c. Obstructed Ditch at 352 Wildrose Ln:

Gene reported the obstruction was cleared on April 27th. The cost for clearing the obstruction (\$340) will be added to the property owners BCWA assessment invoice.

d. Ditch Relocation at NW corner of Carol Ln. (parcel no 011-510-27)

No Changes. Water is flowing fine, per Matt.

e. Water Rights Filing

Ongoing. Relying on DWP, but they are busy currently.

f. Membership Reconciliation (mapping)

Merry is still working through the maps and database.

g. Collection of Past Due Assessments

On hold.

h. Ditch Diversion Box Repair/Rebuild Project

Gene is communicating with the NRCS regarding financial support for the project.

i. Inyo County Road Department Policy regarding Plugged/Deteriorated Street Culverts

Nothing new to report.

j. BCWA Policy for Handling of Plugged Street Culverts

On hold; no action.

k. Membership and water delivery to area north of Sierra Street

A consultation with the bookkeeper showed that water distribution to the area north of Sierra Street was discontinued around 1980-90.

l. Hiring of crew for field work when needed

Ongoing; Lupe Lara was reliable and efficient when previously hired.

m. Bishop Tribe BCWA Membership?

Nothing new to report. Gene stated that it is not clear why the Bishop Tribe wholly or individually, is not a member of the BCWA. The Bishop Tribe the reservation lands were include within the boundaries of the Chandler Decree and are receiving water from Bishop Creek, and as such, would be expected to be a member of the BCWA, but the Tribe is not listed on the role of the BCWA nor assessed membership fees. Sandra Wralie will discussion with Tribe regarding land ownership determination with Federal Government; Tribe to research and report back to Gene.

6. Watermaster Report

39 calls and 28 texts

7. New Business

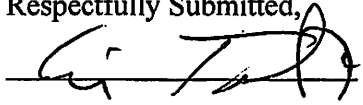
- a. Don proposed resuming meetings in person and space is available at Fairgrounds for \$65 per meeting.
- b. A letter was received from the Egans regarding irrigation.
- c. Letter was received from Wynne Benti regarding tree in Bishop Creek that Wynne says was caused by Glenwood Mobile Home Park. Gene in contact with DWP regarding the issue.

8. Next Monthly Board Meeting– The next monthly Board meeting will be held on June 13th, 2023, at 7:00 p.m.

9. Adjournment

The meeting was adjourned at 8:13 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Eric Tillemans", written over a horizontal line.

Eric Tillemans

Secretary

Bishop Creek Water Association

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

APRIL 2023

CHECKING ACCOUNT BALANCE	\$	5,781.28
SAVINGS ACCOUNT BALANCE		<u>47,731.20</u>

TOTAL BANK BALANCES - March 31, 2023	53,512.48
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DEPOSITS:

Customer Deposits - Into Checking	\$	-
Customer Deposits - Into Savings		-
Workers Comp Refund		-
Interest Income		-
Transfer from Savings		<u>-</u>

TOTAL DEPOSITS

CHECKS WRITTEN:

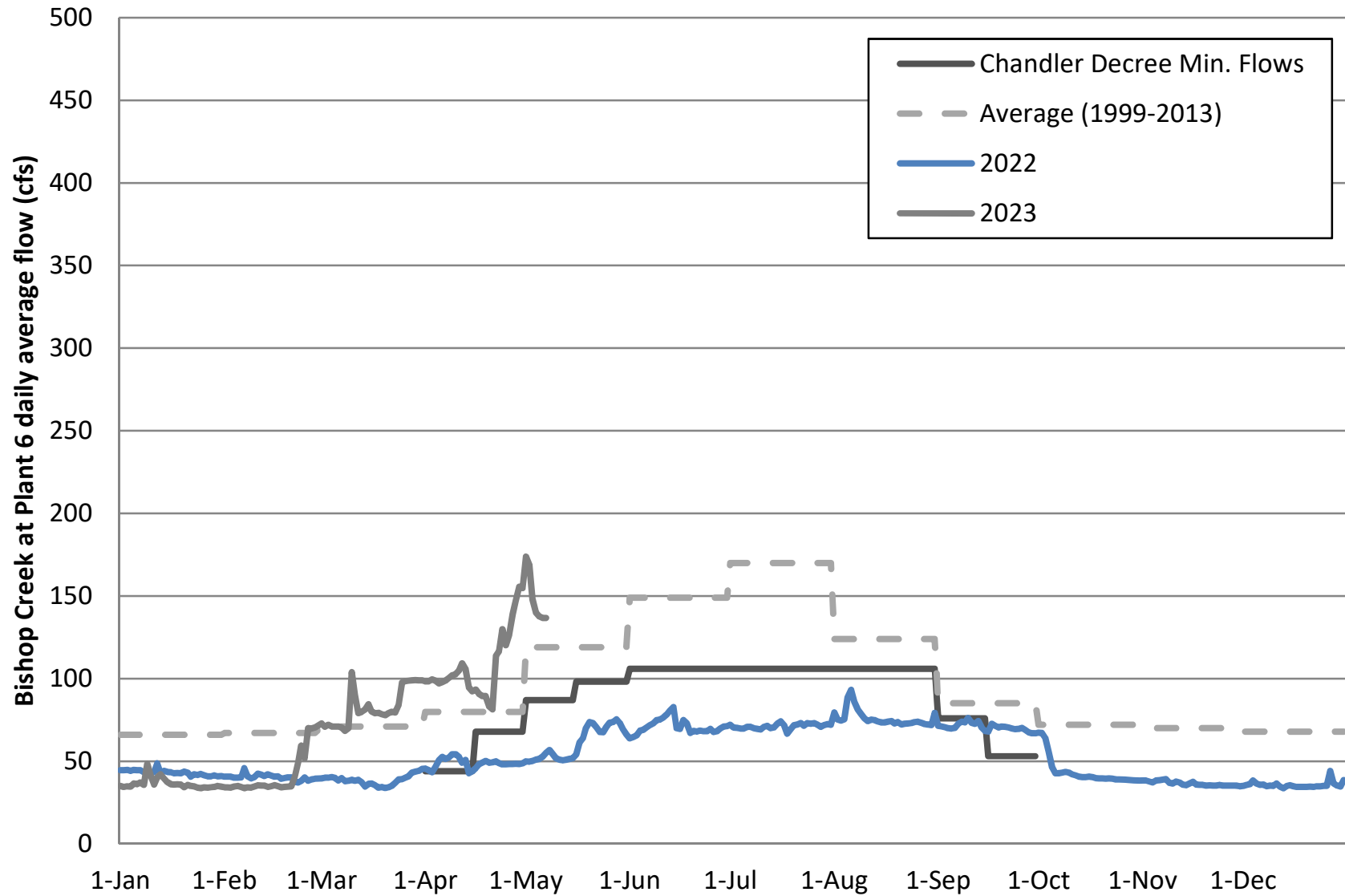
Water Master Pay -	898.49 + 921.35	\$	1,819.84
Truck Allowance -	225.00 x 2		450.00
Additional Pay - Vacation Time			-
Telephone			74.80
Payroll Taxes - IRS			901.94
Payroll Taxes - State			147.39
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			567.00
Alex Printing			-
Cal Rural Water Insurance			-
State Fund Insurance			-
Holland & Allred - Quarterly Accounting			-
High Country Lumber			-
Guadalupe Lara - Ditch Cleaning			1,130.00
Transfer to Savings			<u>-</u>
TOTAL CHECKS WRITTEN			<u>(5,090.97)</u>

UNION CHECKING ACCOUNT	\$	690.31
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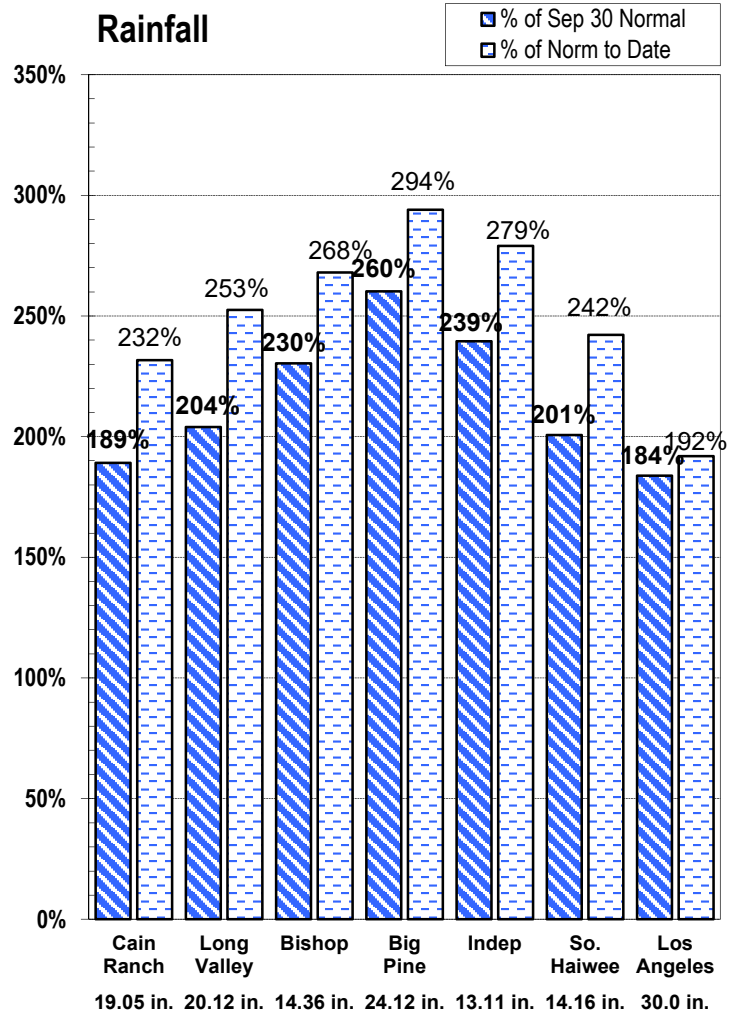
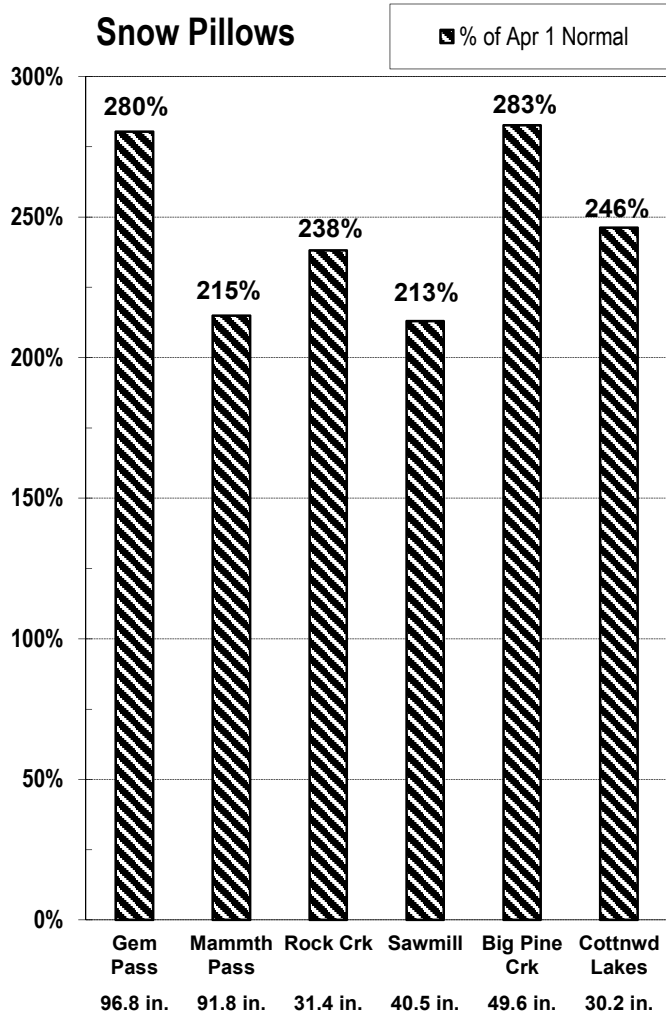
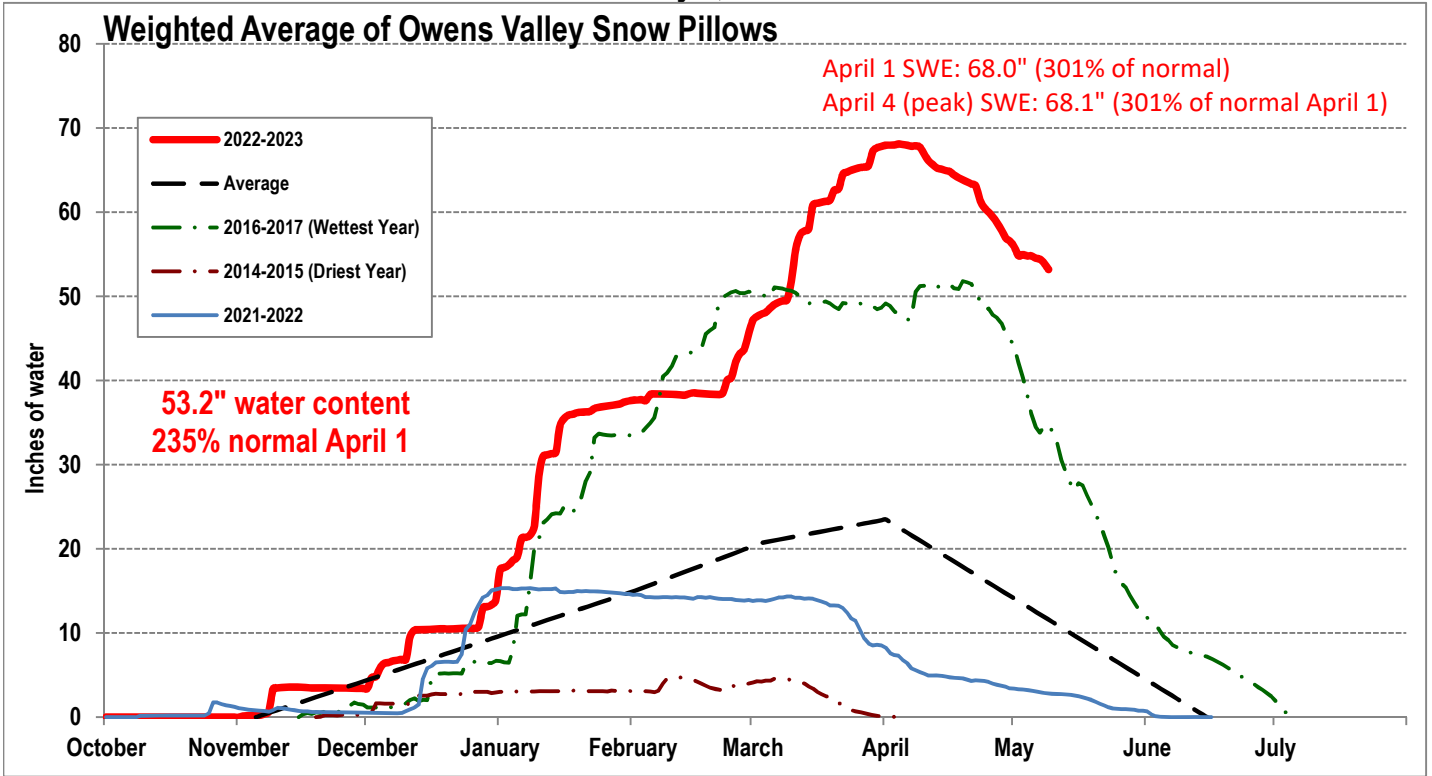
UNION BANK SAVINGS		<u>47,731.20</u>
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TOTAL BANK BALANCES - April 30, 2023	\$	48,421.51
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Bishop Creek Flows at Plant 6



EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS May 9, 2023



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

BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

Ms. Freda Lindsay
169 Fulton St.
Bishop CA 93514

March 27, 2023

Subject: Abandonment of Cespring Ditch

Dear Ms. Freda Lindsey,

The Bishop Creek Water Association (BCWA) Board has received a request to abandon the Cespring Ditch which conveys water onto your property via a buried culvert. After consulting with the other parties on the ditch all have concurred that the ditch can be abandoned. You are the only party that we have not received a concurrence. It is our understanding that you have no objection to the ditch being abandoned as you do not use the ditch water (it is in the buried culvert) and abandoning the ditch will relieve you of future responsibility to maintain or replace the culvert. If you in fact have no objection to abandoning the ditch it is requested that you communicate this understanding in writing by signing (below) and returning a copy of this letter. If you do object to abandoning the ditch, please communicate this to the BCWA Board so that your rights as a BCWA member can be protected.

The BCWA Articles and By-Laws are available on the BCWA website (www.bishopcreekwater.org).

If you would like to discuss this or have any questions, please contact me at (760) 873-6209.

Sincerely,



Board of Trustees

Gene Coufal – President (760) 873-6209

Merry Armstrong (760) 873-6519

Don Kunze (760) 873-3375

Mark Frumkin (818) 590-0554

Eric Tillemans (760) 873-0256

Cc: BCWA Board Members
BCWA Watermaster



Ms. Freda Lindsay's concurrence with the abandonment of the Cespring Ditch

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Post Office Box 1273
Bishop, California 93515

March 16, 2023

Dee Norberg Estate
P. O. Box 1716
Bishop CA 93515

Subject: Obstructions in the Nelligan Ditch at the No. Mountain View Diversion Structure

To The Estate of Ms. Dee Norberg,

The Bishop Creek Water Association (BCWA) has on numerous occasions since 2019 (letters of July 31, 2019, April 10, 2020, April 16, 2020, August 17, 2020, and September 3, 2021) requested that Ms. Norberg remove the posts, fencing, rocks, dirt, etc. from the Nelligan Ditch at the No. Mountain View Diversion Structure as they are obstructing flow. The debris placed in the channel by Ms. Norberg has encroaching on the structure to the point that water is flowing only through the north half of the opening, compromising the structure, and reducing the amount of water that can be delivered downstream through the ditch. This obstruction has limited the amount of water that can be delivered through the Nelligan Ditch. This is not an acceptable long-term situation as the Watermaster is unable to meet yearly water delivery needs downstream. In addition, with the anticipated extremely high 2023 forecast runoff it is imperative that the obstructions be removed immediately.

Many of the objects that have been put in the ditch by Ms. Norberg on the south bank immediately upstream of the diversion structure over the past approximately 10 years will have to be removed to assist in handling the upcoming runoff and convey sufficient water to downstream users (See attached sketch).

One of the main responsibilities of the BCWA is the equitable apportionment of the water diverted from Bishop Creek and seeing that the water is responsibly and appropriately used. As such the Water Association must maintain diversion structures in a functional operating condition and ensure that ditches are maintained in a clear free flowing condition. The anticipated high runoff conditions have made the removal of the debris extremely urgent. It is the responsibility of BCWA members to maintain a clear channel. Ms. Norberg, as a member of the BCWA, was responsible to keep the water conveyances free of debris. To responsibly meet the needs of the BCWA membership the above-described work will need to be completed so that there is a clear channel approaching the structure and no obstructions interfering with the BCWA's ability to distribute water to downstream members.

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Post Office Box 1273
Bishop, California 93515

This is to inform you that if the debris is not removed, the BCWA is prepared to have the debris that is obstructing the channel removed. We plan to start the process of removing the debris the week of April 10th. If the debris has not been removed prior to April 10th the estate will be billed the cost of removing the debris Ms. Norberg placed in the channel (see BCWA By-Laws, Article IX, Section 5 – posted on the BCWA website, www.bishopcreekwater.org).

Also, similarly, the water conveyance pipe on Ms. Norberg's the south property line is in disrepair and needs to be made fully operational. Please provide a plan and schedule for making the necessary repairs to make the water conveyance functional.

The BCWA Articles and By-Laws describe the responsibilities of the Water Association and its members and provides direction for operating the system. As provided to you in the previous letters, ARTICLES IX (*Sections 4 and 5*) and X (*Sections 1, 2 and 3*), from the BCWA Articles and By-Laws describe the obligations and authorities which are pertinent to this situation.

If you have any questions regarding this, please call me at (760) 873-6209.

Sincerely,



Board of Trustees

Gene Coufal - President

Merry Armstrong

Don Kunze

Mark Frumkin

Eric Tillemans

Attachment

Cc: BCWA Board Members & BCWA Watermaster

BISHOP CREEK WATER ASSOCIATION
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BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

Ms. Nela Dunaway
352 Wildrose Lane
Bishop CA 93514

March 21, 2023

Subject: Obstructed Ditch Flow on APN Parcel 11-280-43

Dear Ms. Dunaway

It has been brought to the attention of the Bishop Creek Water Association (BCWA) Board that the ditch on the west portion of your property is obstructed with vegetation and debris preventing the Watermaster from delivering sufficient water in the ditch to meet the needs of downstream users.

The Bishop Creek Water Association has the responsibility for the equitable apportioning and delivering all waters diverted from Bishop Creek and seeing that water from the creek is used responsibly and appropriately. The BCWA Articles and By-Laws describe the responsibilities of its members and provides guidance for operating the system. By virtue of having water diverted from Bishop Creek on your property you are automatically a member of the BCWA (Article VII, Section 2). It is the responsibility of each member/property owner to maintain the water conveyance facilities on their property in clean working condition so that equitable flows can be maintained.

The above type of impedance of flow is explicitly in violation of the BCWA Articles and By-Laws. Specifically Article IX, Sections 4 and 5 say:

Section 4

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.

Section 5

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. "

The BCWA Articles and By-Laws are available on the BCWA website (www.bishopcreekwater.org).

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BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273
Bishop, California 93515

You will need to have any vegetation/debris obstructing the flow of water through your property removed so that water flows freely from where it enters your property to where it exits. It is requested that clearing of your ditch be completed as soon as possible but no later than April 16, 2023. If you don't have the ditch cleared of vegetation and debris by then the BCWA will be forced to have the work done and bill you for it.

If there is a need to adjust the flows while the ditch work is being conducted, please contact the BCWA Watermaster Matt Durkee, at (760) 920-7981. Please notify the BCWA Watermaster when the work is completed so that he may inspect it. If you have any questions regarding this, please contact me at the phone number below or address above.

**SIGN
& DATE**



Sincerely,

Board of Trustees

Gene Coufal – President (760) 873-6209

Merry Armstrong (760) 873-6519

Don Kunze (760) 873-3375

Mark Frumkin (818) 590-0554

Eric Tillemans (760) 873-0256

Cc: BCWA Board Members
BCWA Watermaster

BISHOP CREEK WATER ASSOCIATION

Founded in 1897



**BILL AND MAGGIE EGAN,
AT THE GARDEN OF EGAN
3613 RANCH ROAD, BISHOP, CALIFORNIA 93514**

TO: Board of Directors
Bishop Creek Water Association
Post Office Box 1273, Bishop, California 93515

FROM: Bill & Maggie Egan

DATE: April 7, 2023

Hello.

Per the BCWD Bylaws, we are writing to inform you of our intended use of ditch water for this spring, summer and fall.

As you likely are aware, we are one of the properties in the system that still flood irrigates; we do not have a sprinkler system. It has been our practice over the past 25 years to flood irrigate on Mondays and/or Thursdays. Depending on water supply and climate, we plan to continue with that practice. In the event we need to amend that schedule, we will notify the Watermaster.

It is our goal to minimize the impact on water users downstream. To that end, the greater the flow when we are flooding, the shorter the period of time that we will need to divert the main ditch. As such, we ask that the Watermaster assure that properties upstream are not diverting flow while we are flooding. In the event we suspect that upstream diversions are reducing flow in the main ditch, we will first check the ditch above us. If the ditch appears to be clear of debris and/or diversions, we will contact the Watermaster for a remedy, as stated in the BCWD Bylaws.

We are copying this letter to the Watermaster and to residents of the closest properties we know to be on the same branch of the system with us, which are the 2 properties directly upstream and 2 properties directly downstream from us.

Thank you.


William "Bill" Egan


Margaret "Maggie" Egan

April 10, 2023
Benjamin Leeds
Glenwood Mobile Homes LLC
3385 Overland Avenue
Los Angeles CA 90034
RE: Second Notice
Broken willow tree, tree maintenance at 1349 Glenwood Lane, Bishop CA 93514

Dear Mr. Leeds,

I contacted you a few weeks ago about the trees at Glenwood Mobile Home Park but never received the courtesy of a return call. There is a Southern California Edison easement on your property so SCE can access and keep clear the power lines, but they are not allowed to access the property from your side. That has put an unfair burden on my property over the years. The SCE contractors said they have been denied access to the trees and wires on your property even with an easement. These trees have been allowed to grow across the North Fork of Bishop Creek on to my property need to be cut back to Glenwood's side as they interfere with our egress and ingress.

Additionally, the top of a willow tree on your property broke off last year, then fell into the creek on March 10, 2023 and made its way downstream during storm runoff. On March 10, 2023, I notified Bishop Creek Water Association and Ben Butler of the LADWP. By the time Ben arrived with a crane, the tree had moved down the waterway. It's not LADWP's responsibility to maintain trees on private property.

The tree is now teetering against another willow spanning the creek from a neighbor's property and rests on my beach. It's probably going to run about \$3000 to remove it because they have to get to it, chop it up submerged and carry it out and to the dump. High runoff is coming. The broken tree should be removed and your trees cut back.

Please respond within 10 days to let us know what you plan to do.



Ms. Wynne Benti
2399 N Sierra Hwy.,
Bishop CA 93514
760-872-1524

cc: Gene Coufal, BCWA; Ben Butler, LADWP
Attachments: three images of Glenwood's broken willow in creek
Broken willow, April 15, 2022:



Bishop Creek Water Association Monthly Meeting

Date 5/9/23

Attendance Sheet

Name	Address	Email
Merry Armstrong		
Don Kunze		
Mark Frumkin		
Tony Tillemans		
Gene Coufal		
Matt Durkee		
Susan Kunze		
Sandra Warlie		
Brian Adkins		
Brianna Hernandez		

BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH

MAY 2023

CHECKING ACCOUNT BALANCE		\$	690.31
SAVINGS ACCOUNT BALANCE			<u>47,731.20</u>
TOTAL BANK BALANCES - April 3, 2023			48,421.51
DEPOSITS:			
Customer Deposits - Into Checking		\$	-
Customer Deposits - Into Savings			9,994.00
Workers Comp Refund			-
Interest Income			3.46
Transfer from Savings			<u>10,000.00</u>
TOTAL DEPOSITS			19,997.46
CHECKS WRITTEN:			
Water Master Pay -	921.35 x 2	\$	1,842.70
Truck Allowance -	225.00 x 2		450.00
Additional Pay - Vacation Time			-
Telephone			75.90
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			-
Alex Printing			191.94
Cal Rural Water Insurance			-
State Fund Insurance			-
Holland & Allred - Quarterly Accounting			575.91
High Country Lumber			-
Guadalupe Lara - Ditch Cleaning			-
Transfer to Savings			-
TOTAL CHECKS WRITTEN			<u>(3,136.45)</u>
UNION CHECKING ACCOUNT		\$	7,553.86
UNION BANK SAVINGS			<u>47,728.66</u>
TOTAL BANK BALANCES - May 31, 2023		\$	55,282.52

BISHOP CREEK WATER ASSOCIATION
FINANCIAL REPORT FOR THE MONTH

JUNE 2023

CHECKING ACCOUNT BALANCE		\$	7,553.86
SAVINGS ACCOUNT BALANCE			<u>47,728.66</u>

TOTAL BANK BALANCES - May 31, 2023			55,282.52
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DEPOSITS:

Customer Deposits - Into Checking	\$	-
Customer Deposits - Into Savings		20,715.40
Workers Comp Refund		-
Interest Income		1.75
Transfer from Savings		<u>-</u>

TOTAL DEPOSITS			20,717.15
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CHECKS WRITTEN:

Water Master Pay -	921.35 x 2	\$	1,842.70
Truck Allowance -	225.00 x 2		450.00
Additional Pay - Vacation Time			-
Telephone			74.80
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			-
Alex Printing			-
Cal Rural Water Insurance			-
State Fund Insurance			-
Holland & Allred - Quarterly Accounting			-
High Country Lumber			-
Guadalupe Lara - Ditch Cleaning			-
Transfer to Savings			<u>-</u>

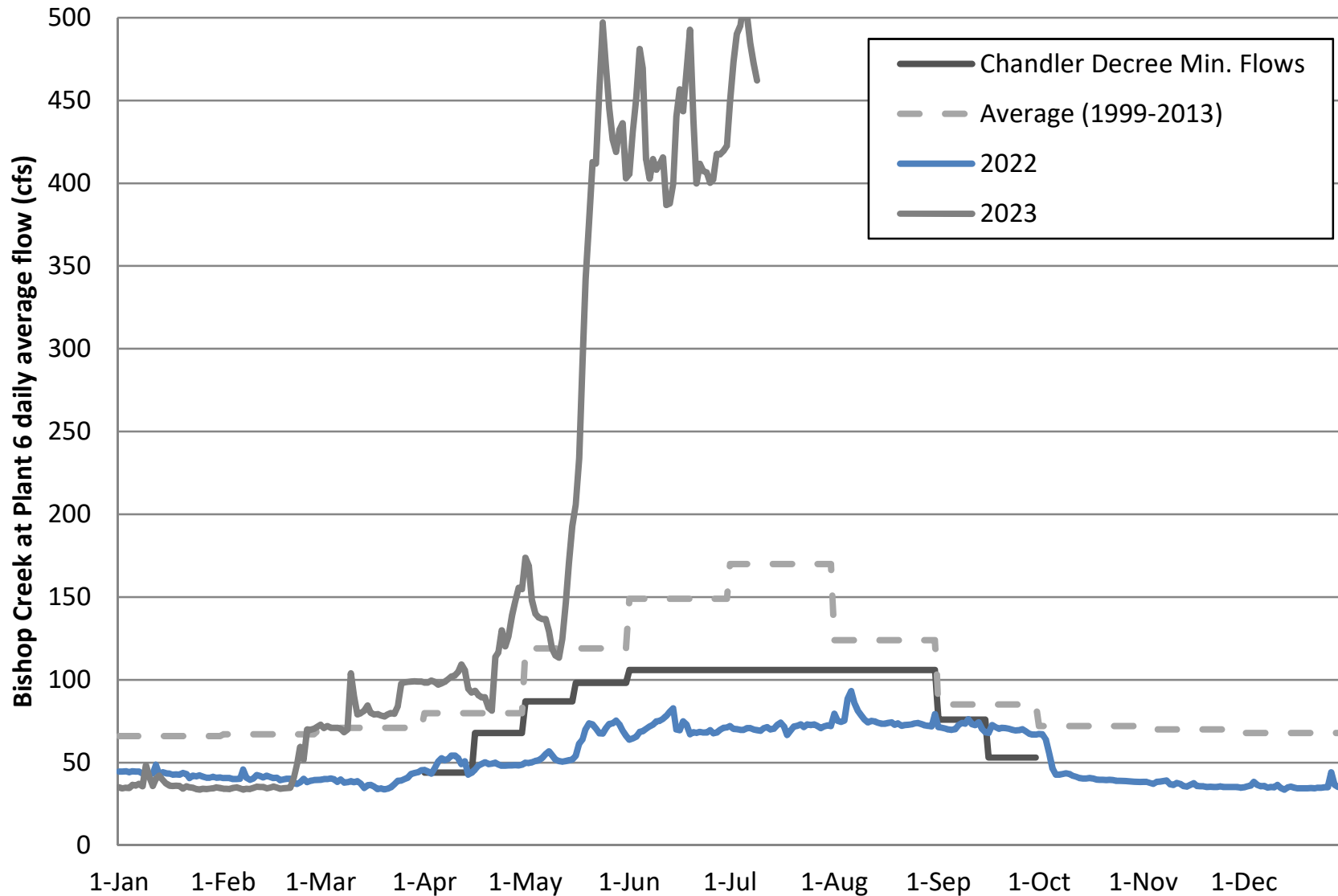
TOTAL CHECKS WRITTEN			<u>(2,367.50)</u>
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UNION CHECKING ACCOUNT		\$	5,186.36
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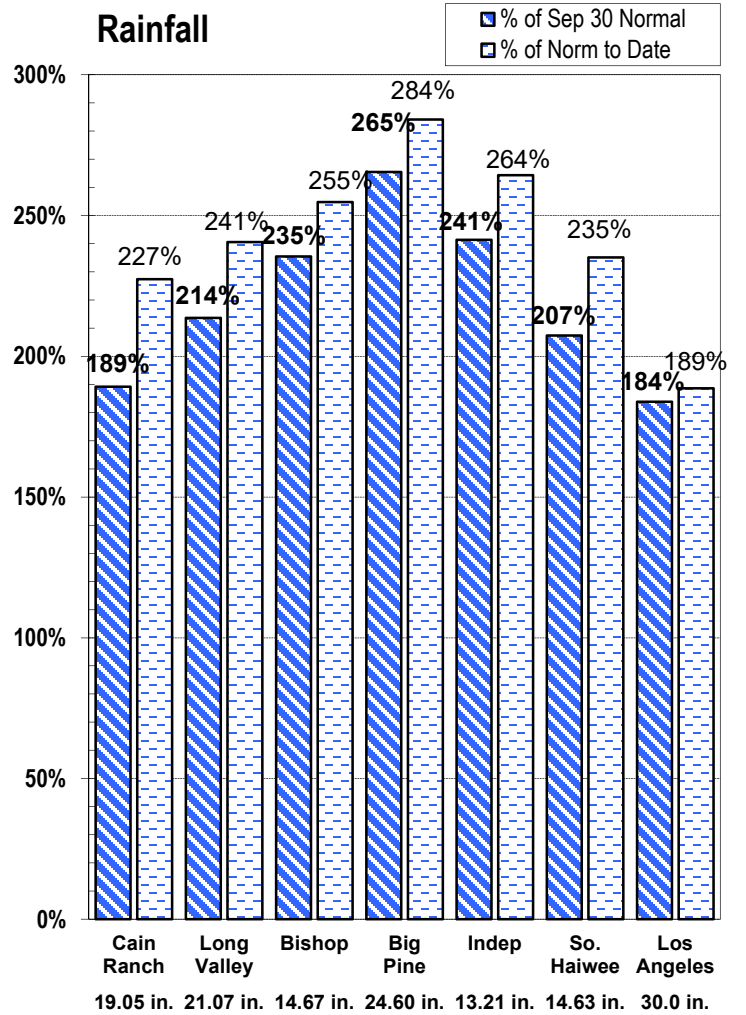
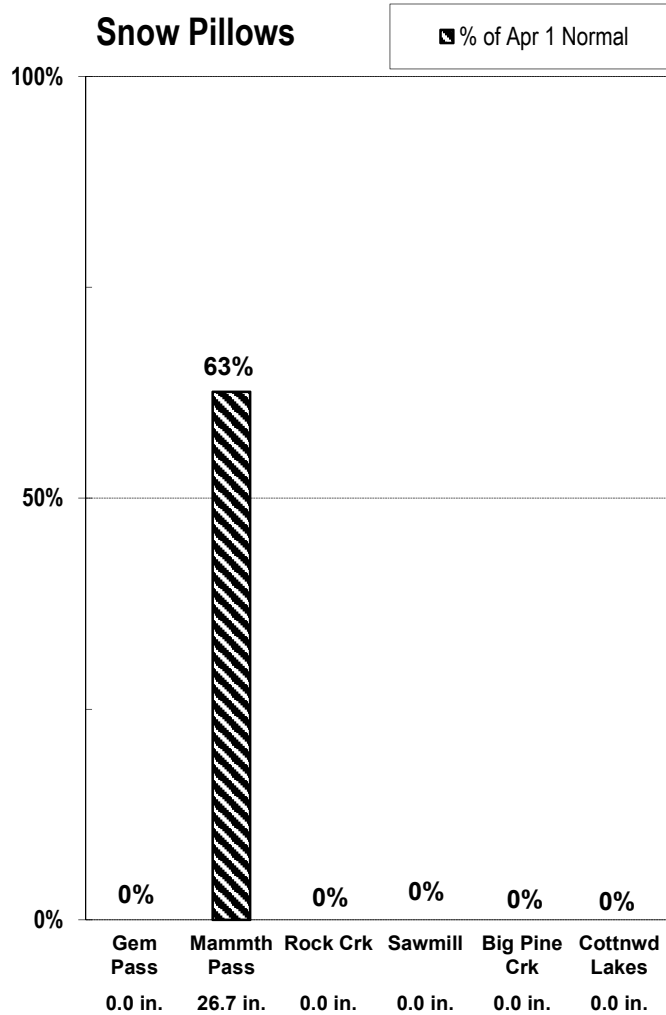
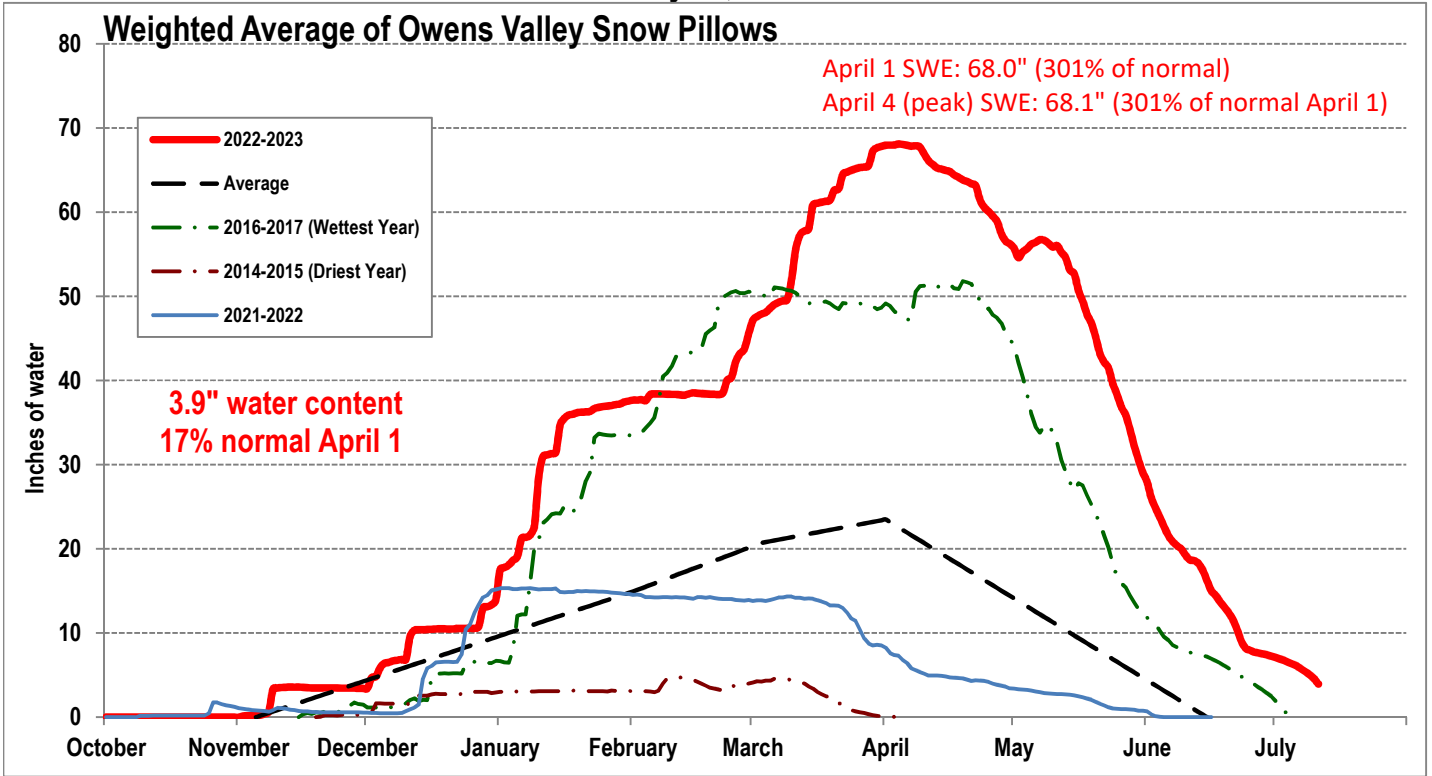
UNION BANK SAVINGS			<u>68,445.81</u>
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TOTAL BANK BALANCES - June 30, 2023		\$	73,632.17
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Bishop Creek Flows at Plant 6



EASTERN SIERRA CURRENT PRECIPITATION CONDITIONS July 11, 2023



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