

# Bishop Creek Water Association

Monthly Board Meeting Agenda

October 10, 2023

7:00 pm

Meeting To Be Conducted via Zoom

1. Opening and Introduction
2. Acceptance of the Monthly Board Meeting Summary for September 12, 2023
3. Approval of the September 2023 Financial Report
4. Bishop Creek Precipitation, Flow, and Storage Report
5. Old Business
  - a. Flow Regulation on Reinhackle Ditch at Mt. Tom Rd.
  - b. BCWA Policy for Handling of Plugged Street Culverts
  - c. Culvert Blockage at 3068 Laurel
  - d. Gate Tampering at S/S Barlow Ln at Underwood Ln
  - e. Water Rights Filing
  - f. Membership Reconciliation (mapping)
  - g. Obstructed Street Culvert in Sarah Way
  - h. Collection of Past Due Assessments (most recent aging report attached)
  - i. Ditch Diversion Box Repair/Rebuild Project
  - j. Ditch Relocation at NW corner of Carol Ln. (parcel no 011-510-27)
  - k. Inyo County Road Department Policy regarding Plugged/Deteriorated Street Culverts
  - l. Bishop Tribe BCWA Membership?
6. Watermaster Report
7. New Business
  - a. Other (by Board or members in good standing)
8. Next Meetings: Monthly Board – November 14, 2023, at 7:00 p.m.
9. Adjournment

Bishop Creek Water Association  
Annual Meeting Summary  
September 12th, 2023  
7:00 pm  
Meeting Conducted via Zoom

**1. Opening and Introduction**

BWCA meeting called to order 7:03 pm. Trustees in attendance: Merry Armstrong, Gene Coufal, Don Kunze and Mark Frumkin. Trustee Eric Tillemans was absent. Watermaster Matt Durkee was present.

Gene made a request to use the Bishop Union High School meeting room for Board meetings and hopes to hold next months meeting in person.

**2. Acceptance of the Annual Board Meeting Summary for August 15, 2023**

The August 15<sup>th</sup>, 2023, meeting summary was accepted as written.

**3. Approval of the August 2023 Financial Report**

The financial report for August 2023 was approved unanimously. Mark proposed moving funds into a CD to earn higher interest if construction projects are put on hold or not started soon. He will explore options.

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

Bishop Creek dropped below 200 cfs as of September 5<sup>th</sup>. Precipitation from Tropical Storm Hillary measured to be 2 inches in Bishop and up to 4 inches in the Bishop Creek Drainage. The flows in the creek continue to be well above normal.

**5. Old Business**

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

After receiving letters from property owners on the ditch, Gene would like to make another visit to the site to observe conditions. He suggested tabling this issue until next months meeting to hear from Eric Tillemans on the impacts of ditch operations to LADWP land downstream. George Lozito questioned why this issue was being raised and it was explained that it was to deal with the equitable distribution of water to all BCWA members.

**b. BCWA Policy for Handling of Plugged Street Culverts**

The revised draft letter to members on the culvert issue was approved and will be sent out.

**c. Culvert Blockage at 3068 Laurel**

The home owner has done some prep work. Matt will notify Gene when the improvement is complete (grate installed). Gene will then make a request to Eastern Sierra Community Service District see if they can clear the street culvert.

**d. Gate Tampering at S/S Barlow Ln at Underwood Ln**

This is an ongoing issue. A camera with a lock and a no tampering sign has been installed. Matt and Don met with homeowner/caretaker who was aggressive, uncooperative, and hostile. Don recommended that Matt continue to monitor.

e. **Water Rights Filing**

Ongoing. Gene is working with Ben Arcularius at LADWP.

f. **Membership Reconciliation (mapping)**

The maps are essentially complete, and work has begun with Inyo County Assessor's Office for GIS info exchange to build the database.

g. **Obstructed Street Culvert on Sarah Way**

On going issue due to excess water

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

No Change

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

No Change

j. **Collection of Past Due Assessments**

On hold. The most recent aging report was attached to the meeting package.

k. **Ditch Diversion Box Repair/Rebuild Project**

No change. Gene reported that a field meeting was held with Mikhala Bornstein of the NRCS and her engineer on August 30<sup>th</sup> to discuss the project and the help the Federal Government might be able to provide. Mikhala will get back to Gene with options.

l. **Bishop Tribe BCWA Membership?**

No response from the Tribe as of yet.

**6. Watermaster Report**

Matt received 34 calls and 11 texts in August. Matt reported that operations are going along smoothly.

**7. New Business**

a. None

**8. Next Monthly Board Meeting– The next monthly Board meeting will be held on October 10th, 2023, at 7:00 p.m.**

**9. Adjournment**

The meeting was adjourned at 8:04 p.m.

Respectfully Submitted,

 for Eric Tillemans

Eric Tillemans

Secretary

Bishop Creek Water Association

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

**AUGUST 2023**

CHECKING ACCOUNT BALANCE		\$	20,057.08
SAVINGS ACCOUNT BALANCE			<u>70,171.62</u>

TOTAL BANK BALANCES - July 30, 2023			90,228.70
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**DEPOSITS:**

Customer Deposits - Into Checking	\$	1,940.00
Customer Deposits - Into Savings		14.90
Workers Comp Refund		98.05
Interest Income		-
Transfer from Savings		-
		<u>-</u>

TOTAL DEPOSITS		2,052.95
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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			74.81
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			1,714.80
High Country Lumber			-
Guadalupe Lara - Ditch Cleaning			-
Transfer to Savings			-
			<u>-</u>

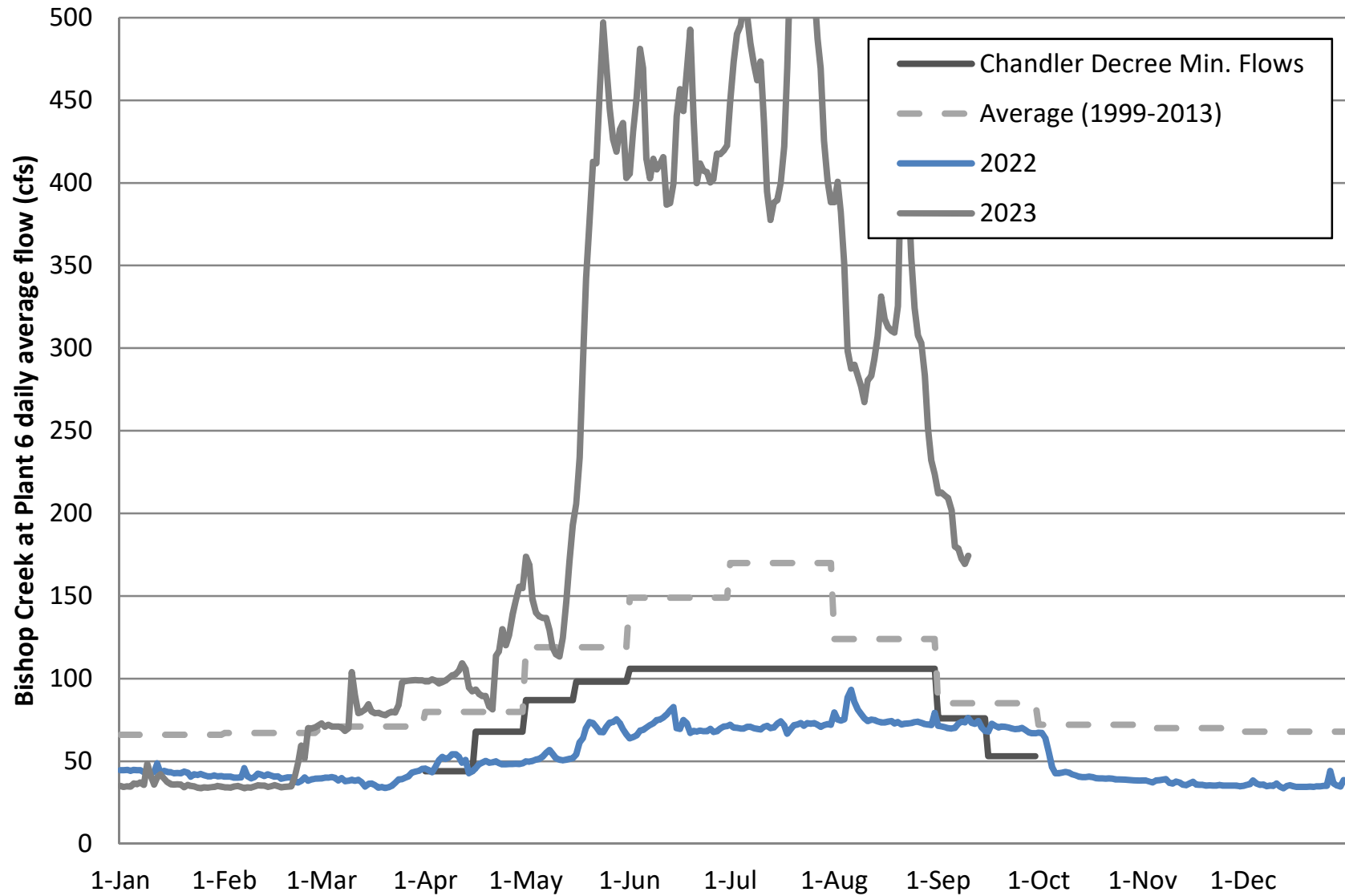
TOTAL CHECKS WRITTEN			<u>(4,082.31)</u>
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USBANK CHECKING ACCOUNT	\$	18,012.82
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USBANK BANK SAVINGS		<u>70,186.52</u>
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TOTAL BANK BALANCES - August 31, 2023	\$	88,199.34
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# Bishop Creek Flows at Plant 6



• **From:** MARK FRUMKIN <markfrumkin@sbcglobal.net>  
**Date:** September 9, 2023 at 6:18:40 PM PDT  
**To:** GENE COUFAL <nc3e@aol.com>, Merry Armstrong <merryarmstrong@gmail.com>, Eric Tillemans <eric.tillemans@ladwp.com>, Don Kunze <kunze.don@gmail.com>  
**Subject: Reinhackle ditch (forwarding this as an email)**  
BCWA

Dear Mr Frumkin

I am sending you this text. I apologize for its length but I do not have your email.

Please share this with your other board members. Thank you George Lozito.

9/10/23

Bishop Creek Water Association Board of Trustees:

It has come to the attention of the undersigned that BCWA has been reviewing the flows on the Reinhackle Ditch and the Matlick Ditch. Apparently, BCWA is considering suggestions to reduce flows into the Grah/O'brien/Lozito pond.

None of us has been notified regarding any concerns or possible changes in the ditch flows. Indeed Mr. Lozito was specifically told by a BCWA board member in May that there are no concerns or complaints. Nor do we know of any reason behind the proposal to reduce these flows.

It is our understanding that any concerns on the flows were resolved in 2016. At that time Mr. Lozito's suggestion was to have DWP construct water structures in the Reinhackle Ditch and divert additional water from Matlick Ditch into the Reinhackle. That additional water would flow beyond the Grah/O'brien/Lozito pond to downstream properties including the Armstrong's property. DWP completed the work to create diversion structures and some culverts. Although not all of the culverts were enlarged which would have allowed more increased flow, the work resulted in increased flow to the downstream properties including the Armstrong's properties. We thought that this work resolved concerns. However, if there is now a desire for more water to flow downstream, increased flows for that purpose can be achieved by enlarging certain culverts in lieu of reducing the ditch flows. Of course this needs to be done in concert with downstream Matlick Ditch users.

Any substantial change to the flows as proposed by BCWA may well have environmental and fiscal impacts on our properties. Therefore, it is incumbent upon BCWA to inform each of us as affected property owners before it considers flow changes of a large magnitude. Moreover, if BCWA were to seek reduced flows which results in a significantly reduced amount of water in the Grah/O'brien/Lozito pond, a permit would likely be required from CDFW since the smaller pond would adversely affect existing and wildlife resources. CDFW did exactly that in 1994 when they issued a permit specifying the pond size and stream flow maintenance.

Mr. Grah and Mr. Lozito have extensive knowledge, statistical and historical information on this issue that they would be happy to share. If this item is again agenzized for the September BCWA meeting, we request that no action be taken and that it be tabled until after all affected property owners are consulted, informed of the full nature of any proposed action and have had the opportunity to participate in decision making. In this way a cooperative and reasonable resolution to any perceived issues can be resolved to the satisfaction of all concerned.

Therefore, before this issue is considered by BCWA Board, we request that an in person meeting be conducted with us, and a representative or representatives of the BCWA board and with any other affected property owners.

Thank you for your consideration of this request.

Dave Grah  
George and Kerry Lozito  
Angus and Linda O'Brien

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10 September 2023

Bishop Creek Water Association:

This letter is in response to Item 5a, "Flow Regulation on Reinackle Ditch at Mt. Tom Rd." in the August 2023 Bishop Creek Water Association meeting packet. I live at 397 Mount Tom Road and this item directly affects my property.

1. I am very concerned to see in item 2, "possible suggestions", of the second to last page of the packet says the BCWA is considering setting the diversion on my property so "very little water" goes to the pond. When I moved into my home in the early 1990's I replaced the haphazard arrangement of rocks at this diversion point with a diversion structure developed in coordination with the BCWA. The intent was to operate this diversion as desired by the BCWA and the structure was initially set to divert far less water into the pond than had previously been diverted by the rocks. At no time during the life of this structure did the BCWA indicate the amount or percent of water diverted to the pond here be adjusted from how it was initially set. And ,although admittedly this structure fell into disrepair in later years, it continued to operate as designed until it was replaced by the large, unattractive, locked concrete structure installed by City of Los Angeles Department of Water and Power. In light of this, I am concerned and dismayed to see the language that "very little water" should be going to the pond at my property. I would hope that the BCWA would consider the circumstances of equity and precedence and strive to act based on an articulated rationale rather than unsupported vague statements such as "very little water" should go to the pond on my property. Also, any such considerations of equity and precedence should include consideration of flow in other diversions to the pond as well as consideration of pond health. Finally, I think it should be noted I have supported BCWA's role in regulating flow in its ditch system and have taken proactive steps to support this on my property including construction and operation of diversion structures and dedication of easements to the BCWA where none were present previously.
2. The pages related to this item ignore the extremely important fact that current grade of the ditch as well as associated culverts and diversion structures near my east property line appear to be several inches higher than they were originally. In this case I use the term "originally" to mean before my house and the nearby pond were built (about 1960) and before there were diversions out of the Reinackle to the pond here. This is shown on the attached Reinackle Ditch Profile (made available to the BCWA previously). This grade issue has contributed to recent flooding on my property in this area and I have had to raise the banks of the ditch and construct an overflow to protect my property from damage). Until this elevation issue is resolved – until these features are lowered to their "proper" elevations - it will likely be impossible to significantly change the distribution of flows here and especially difficult to do so without subjecting my property to further flooding. To aid in interpretation of the profile, it should be noted it represents conditions prior to the installation of the current diversion structure by DWP. The left side of the profile is the end of the pipe under my driveway and the profile extends about 200 feet downstream.
3. Similar to my item 2, the item numbered 6 on the second to last page of the packet states there are no issues with this culvert and this statement ignores the very important fact that this culvert is installed too high. This can be seen on the attached

profile. The culvert is near the eastern end of the area that the grades are raised and the elevation is too high.

4. I am a licensed civil engineer with training and experience in hydraulics and flow control. I am a past BCWA board member and have lived at this location over 30 years. Although often late with the payment of my assessments, I have been a supporter of the BCWA.

Recommendations:

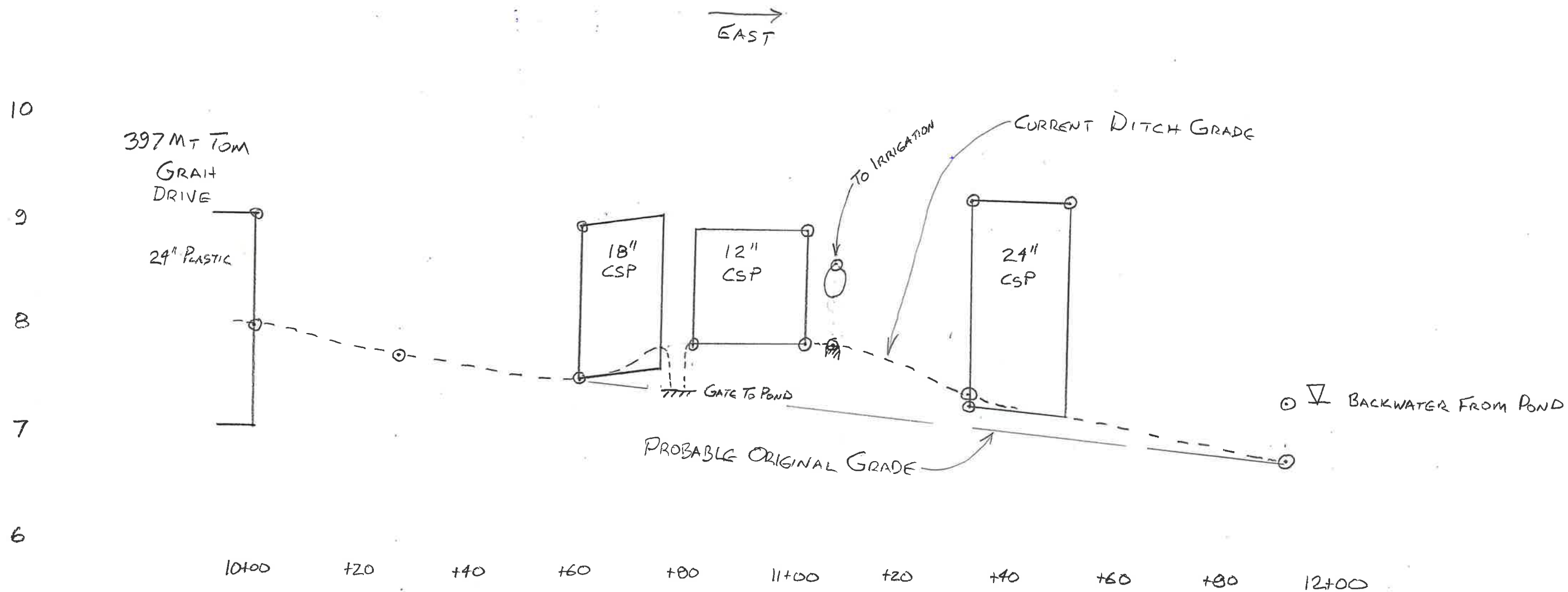
1. Reestablish grade on the Reinackle close to "original" grade in the area from about 60 east of my driveway to about 200 feet east of my driveway.
2. Reconstruct culverts and pipes on ditch to this new elevation (note that larger culverts set low are apt to perform better).
3. Modify diversion structure in this area as necessary to accommodate regraded ditch and to allow for effective flow management (and to reduce backwater on my property).
4. Establish diversion strategy from Reinackle into pond considering equity and 30 to 60 years of flow precedent.

Thanks for the Association' consideration.



David Grah  
397 Mount Tom Road  
[d\\_b\\_grah@yahoo.com](mailto:d_b_grah@yahoo.com)  
760-784-1471





1" = 1' V    1" = 20' H

REINACKLE DITCH PROFILE

DRAFT

To All Members  
Address  
Bishop CA 93514

September 12, 2023

SUBJECT: Street Culverts Carryings Bishop Creek Water

We need your help. As you may or may not be aware, beginning about two years ago the Inyo County Road Department (ICRD) took the position that they can no longer assist the Bishop Creek Water Association (BCWA) in unplugging and replacing deteriorated street culverts. They have taken this position claiming that California Water Code Section 7034 is not applicable (which unfortunately would require expensive legal fees to contest) and ignoring the fact that throughout Bishop and the surrounding area the BCWA ditches provide for significant flood control. Think back to where we would be if BCWA ditches were not available and utilized during the managing of this past winter's runoff or the handling of storm waters from Hurricane Hilary. The Watermaster in cooperation with LADWP was extremely busy juggling ditch flows to adjust for street runoff into the BCWA ditches so that flooding did not occur or was minimized. This benefit that the BCWA ditches provides should not go unrecognized.

In the past, recognizing the responsibilities and benefits provided, and the court requirement to provide water to upstream and downstream water using members, the BCWA worked cooperatively with the ICRD and LADWP to unplug and replace street culverts. Despite numerous attempts by the BCWA Board of Trustees, Inyo County (IC) has not been willing to change from this newly taken position. This new position by the ICRD has left the Water Association in a quandary. At this time, since the ICRD is no longer cooperatively participating, it is going to fall on the BCWA and its members to resolve issues with culverts in order to keep water flowing in ditches as required by the court ordered Chandler Decree.

With regards to plugged/deteriorated street culverts, regardless of Inyo County's position on assisting with plugged street culverts, the BCWA By-Laws make it clear that the responsibility for keeping ditches clean and clear of debris is the responsibility of property owners. Except for key diversion structures used for water control purpose, where BCWA ownership is implied (see BCWA By-Laws Article X, Section 3 - a copy can be found on the BCWA website [BishopCreekWater.org](http://BishopCreekWater.org)) the BCWA does not own assets in the water distribution system. Property owners are responsible for all effects, and maintenance of the ditches on their property.

Recently, Inyo County personnel have communicated that Inyo County Counsel has opined that property owners are responsible to the center of the street and as such would be responsible for any plugging or deterioration of culverts in the street to the centerline. This opinion certainly clouds the issue and makes it ever more important for all members to keep debris from entering ditches, potentially plugging downstream street culverts (pertinent BCWA By-Laws sections are ARTICLE IX, Sections 4 and 5, and ARTICLE XII, Section 2, items 3-6).

The most significant problems with plugged street culverts occur during the fall and winter when leaves, debris and ice get into the ditch system, entering the street culverts. The most effective means of keeping debris from plugging street culverts is for members immediately upstream of

**BISHOP CREEK WATER ASSOCIATION**

Founded in 1897

DRAFT

street culverts to install and maintain grates on inlets to the street culverts. Of course, this will create additional work, but in the long run, it should alleviate a lot of headaches, work, and cost due to plugged street culverts. As is the case with any ditch, where the BCWA must rely on each property owner to do their part, street culverts need to be handled similarly.

In conclusion, for the benefit of all members, property owners need to maintain a clean, clear unencumbered ditch on their property. If your property is immediately upstream of a street culvert, a grate should be installed at the culvert inlet to restrict leaves, twigs and debris from entering the culvert. If Inyo County Counsel's opinion is correct, consistent with the BCWA By-Laws Article IX, Section 5, culvert maintenance and integrity would be the responsibility of the property owners immediately upstream and downstream of street culverts. In order to ensure an equitable distribution of water to all members, if the BCWA has to get involved in clearing/replacing a street culvert, the upstream/downstream property owners may have to be assessed the cost of the work on the culvert (BCWA By-Laws Article IX, Section 5).

If you have an issue with water in your ditch, please contact the BCWA Watermaster at (760) 920-7981. If you have any questions regarding this or any other Water Association related issue, please contact me or any one of the Board members. Or you may bring your questions to the BCWA Board of Trustees at the monthly board meeting. The BCWA Board of Trustees meets on the 2nd Tuesday of each month at 7:00pm. Information regarding the meeting location, agenda, and the meeting package is posted on the BCWA website.

Sincerely,

Board of Trustees  
Gene Coufal – President – 760- 873-6209  
Merry Armstrong – 760-920-9959  
Don Kunze – 760-873-3375  
Mark Frumkin – 818-590-0554  
Eric Tillemans – 760-920-8989

enclosure

Cc: 1<sup>st</sup> District Supervisor T. Orrill  
3<sup>rd</sup> District Supervisor S. Marcellin  
4<sup>th</sup> District Supervisor J. Roeser  
BCWA Board Members  
BCWA Watermaster

10:34 AM

08/29/23

**Bishop Creek Water Association  
Customer Contact List  
August 29, 2023**

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11-031-25	44.00
11-192-25	-4.00
11-120-04	529.40
11-080-22	345.40
08-140-20	345.40
08-140-37	345.40
11-080-23	44.00
11-031-22	-40.00
11-192-12	44.00
11-480-16	88.00
11-080-02	-4.00
11-170-09	44.00
11-080-39	834.00
11-080-36	264.00
11-320-67	792.40
11-280-66	59.80
11-280-12	172.00
11-280-71	308.00
08-140-32	220.00
11-070-48	132.00
11-120-52	132.00
01-230-03	379.40
11-340-34	44.00
11-110-60	268.00
11-340-32	4.00
11-320-10	44.00
11-080-42	220.00
01-020-01	44.00
11-480-19	-40.00
11-480-18	44.00
01-171-14	220.00
10-314-02	268.00
11-031-29	44.00
11-070-45	44.00
11-440-15	4.00
11-080-45	44.00
11-420-02	4.00
11-180-07	44.00
01-230-05	44.00
11-192-37	44.00
11-180-44	379.40
11-191-17	-16.00
11-020-44	132.00
11-470-31	44.00
11-191-02	44.00
11-080-48	44.00
11-280-58	88.00
11-192-34	4.00
01-230-27	92.00
08-120-04A	132.00
11-170-12A	44.00
11-120-34	176.00
11-080-02	44.00
11-180-14	-40.00
11-180-30	44.00
08-140-41	224.00
11-110-31	44.00
11-300-13	44.00

- 8700<sup>00</sup> LABOR

TOTAL 16,929.80

10:34 AM

08/29/23

**Bishop Creek Water Association  
Customer Contact List  
August 29, 2023**

11-180-40	4.00
11-500-01	44.00
11-040-10	345.40
11-290-59	44.00
11-320-69	44.00
11-192-44	44.00
11-270-13	44.00
11-470-22	44.00
11-020-07	308.00
11-280-32	44.00
11-330-58	44.00
11-120-09	308.00
11-510-27	44.00
08-151-08	44.00
11-320-62	308.00
11-420-10	264.00
11-460-20	44.00
11-370-04	726.40
11-110-11	4.00
11-180-60	44.00
11-040-12	-56.00
11-020-29	44.00
11-320-36	1,000.40
08-111-06	44.00
11-420-03	264.00
08-350-01	-40.00
11-510-16	44.00
11-470-08	4.00
11-070-21	-60.00
10-290-02	44.00
11-110-39	308.00
11-120-33	4.00
11-280-43	428.00
11-460-10	48.00
11-320-40	1,000.40
11-410-06	-40.00
11-500-08	44.00
11-191-01	88.00
11-020-46	48.00
11-500-09	44.00
11-500-10	44.00
11-420-15	44.00
11-110-14	404.40
11-080-13	88.00
11-260-20	-40.00
11-050-35	-10.00
11-090-25	345.40
11-410-18	132.00
11-110-10	264.00
11-100-04	44.00
11-192-30	-10.00
11-260-21	-180.00
11-192-27	4.00
11-460-18	88.00
11-320-64	132.00
11-430-44	-40.00
11-120-45	44.00
11-270-15	88.00
11-250-14	44.00
11-170-19	88.00
11-060-34	157.40
11-192-06	132.00
11-090-40	44.00
11-080-40	179.40
11-180-28	44.00
11-180-46	4.00

- \$340<sup>00</sup> LABOR

**Bishop Creek Water Association Monthly Meeting**

**Date** 9/12/23 \_\_\_\_\_

**Attendance Sheet**

Name	Address	Email
Merry Armstrong		
Don Kunze		
Mark Frumkin		
Gene Coufal		
Matt Durkee		
Tony Tillemans		
Susan Kunze		
George Lozito		
Dave Grah		

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

**SEPTEMBER 2023**

CHECKING ACCOUNT BALANCE		\$	18,012.82
SAVINGS ACCOUNT BALANCE			<u>70,186.52</u>

TOTAL BANK BALANCES - August 31, 2023			88,199.34
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**DEPOSITS:**

Customer Deposits - Into Checking	\$	1,036.00
Customer Deposits - Into Savings		14.90
Workers Comp Refund		-
Interest Income		-
Transfer from Savings		<u>-</u>

TOTAL DEPOSITS			1,050.90
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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			74.81
Payroll Taxes - IRS			-
Payroll Taxes - State			-
Payroll Taxes - IRS Unemployment			-
USPS - Stamps			528.00
Alex Printing			-
Cal Rural Water Insurance			-
State Fund Insurance			-
Holland & Allred - Quarterly Accounting			-
Don Kunze - Batteries			63.53
Don Kunze - Sign			10.16
Transfer to Savings			<u>-</u>

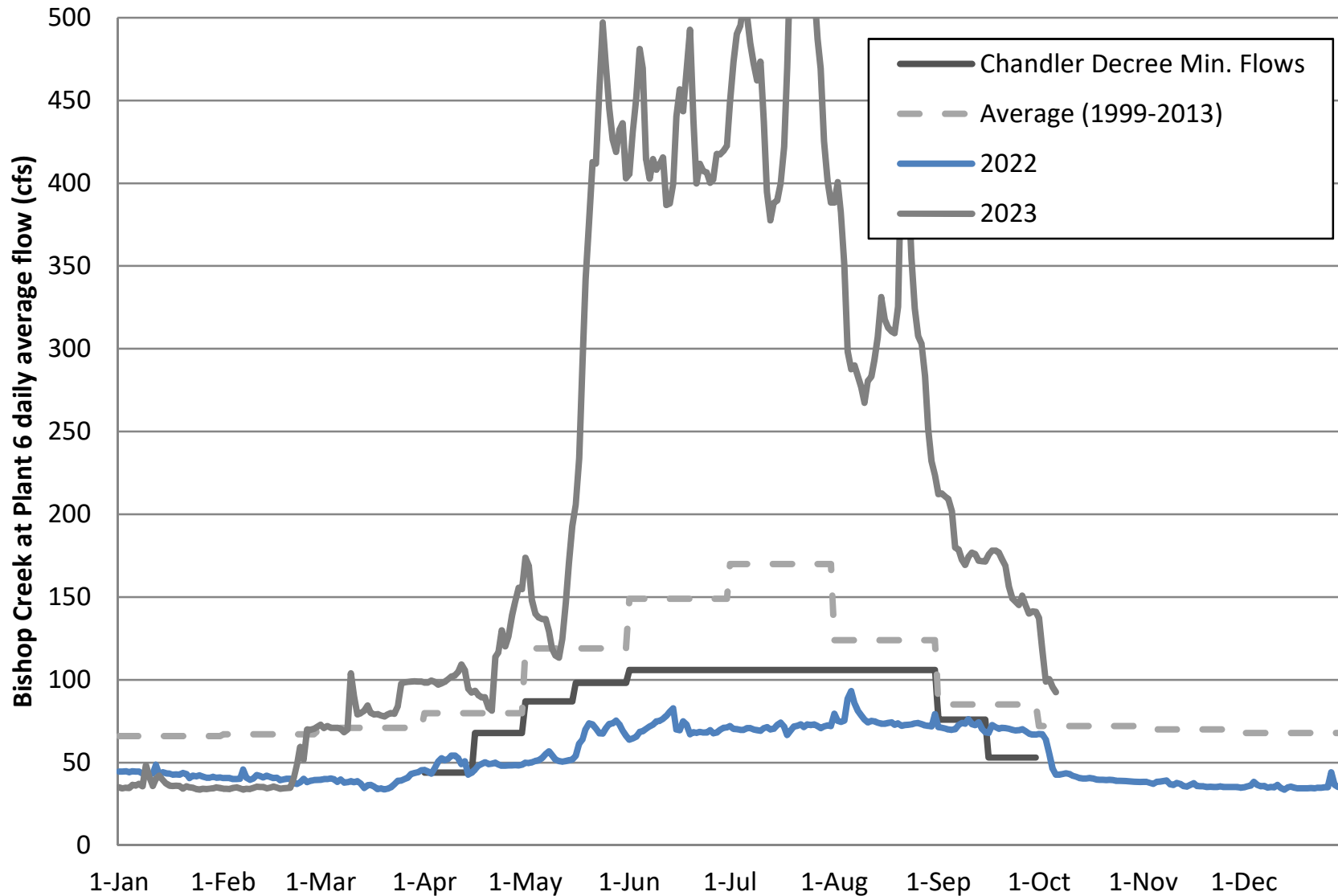
TOTAL CHECKS WRITTEN			<u>(2,969.20)</u>
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USBANK CHECKING ACCOUNT	\$	16,079.62
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USBANK BANK SAVINGS		<u>70,201.42</u>
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TOTAL BANK BALANCES - September 30, 2023	\$	86,281.04
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# Bishop Creek Flows at Plant 6





# BISHOP CREEK WATER ASSOCIATION

Post Office Box 1273  
Bishop, California 93515

September 20, 2023

Dear Member,

Subject: Street Culverts Carrying Bishop Creek Water

We need your help. As you may or may not be aware, beginning about three years ago the Inyo County Road Department (ICRD) took the position that they can no longer assist the Bishop Creek Water Association (BCWA) in unplugging and replacing deteriorated street culverts. They have taken this position claiming that California Water Code Section 7034 is not applicable, and ignoring the fact that throughout Bishop and the surrounding area the BCWA ditches provide for significant flood control. Think back to where we would be if BCWA ditches were not available and utilized during the managing of this past winter's runoff or the handling of storm waters from Hurricane Hilary. The Watermaster was extremely busy juggling ditch flows to adjust for street runoff into the BCWA ditches so that flooding did not occur or was minimized. The benefit that the BCWA ditches provides should not go unrecognized.

In the past, recognizing the responsibilities and benefits provided, and the court requirements of the Chandler Decree to provide water to members, the BCWA worked cooperatively with the ICRD and LADWP to unplug and replace street culverts. Despite numerous attempts by the BCWA Board of Trustees, Inyo County has not been willing to change from this newly taken position. The BCWA Board continues to work for a fair and reasonable resolution to this issue. In the meantime, since the ICRD is no longer cooperatively participating in unplugging and replacing street culverts, it is going to fall on the BCWA and its members to resolve issues with culverts to keep water flowing in ditches as required by the court's order.

In addition, recently, Inyo County personnel have communicated that Inyo County Counsel has opined that property owners are responsible to the center of the street and as such would be responsible for any plugging or deterioration of culverts in the street to the centerline. This opinion certainly clouds the issue and makes it ever more important for all members to keep debris from entering ditches, potentially plugging downstream street culverts.

The most significant problems with plugged street culverts occur during the fall and winter months when leaves, debris and ice get into the ditch system, entering the street culverts. The most effective means of keeping debris from plugging street culverts is for property owners immediately upstream of street culverts to install and maintain grates at the culvert to restrict leaves, twigs, and debris from entering the culvert, and downstream property owners to keep street culvert outlets free of obstructions, accumulating sand, and debris so that water exiting flows free and clear without restriction. This will create additional work, but in the long run, it should alleviate a lot of headaches, work, and cost due to plugged street culverts. The BCWA By-Laws make it clear that the responsibility for keeping ditches clean and clear of debris is the



# BISHOP CREEK WATER ASSOCIATION

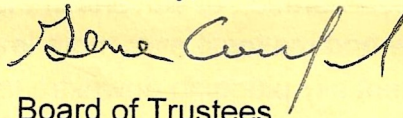
Post Office Box 1273  
Bishop, California 93515

responsibility of property owners. Property owners are responsible for all effects, and maintenance of the water conveyance on their property. As it is the case with any ditch, where the BCWA relies on each property owner to do their part, street culverts for now will need to be handled similarly (pertinent BCWA By-Laws sections are ARTICLE IX, Sections 4 and 5, and ARTICLE XII, Section 2, items 3-6).

In conclusion, regardless of Inyo County's position on assisting with plugged/deteriorated street culverts, we the members of the BCWA need to comply with the responsibilities of the BCWA Articles and By-Laws. For the benefit of all members, property owners need to maintain a clean, clear, and unencumbered flow leaving their property. If your property is immediately upstream of a street culvert a grate should be installed and maintained at the culvert inlet. If your property is immediately downstream of a street culvert the culvert outlet needs to be kept free of obstructions, accumulating sand, and debris. If Inyo County Counsel's opinion is correct, consistent with the BCWA By-Laws Article IX, Section 5, culvert maintenance and integrity would be the responsibility of the property owners immediately upstream and downstream of street culverts. To ensure an equitable distribution of water to all members, if the BCWA must get involved in clearing/replacing a street culvert, the upstream/downstream property owners may have to be assessed the cost of the work (BCWA By-Laws Article IX, Section 5).

If you have an issue with water in your ditch, please contact the BCWA Watermaster at (760) 920-7981. If you have any questions or comments regarding this or any other Water Association related issue, please contact me or any one of the Board members. Or you may bring your questions to the BCWA Board of Trustees at the monthly board meeting. The BCWA Board of Trustees meets on the 2nd Tuesday of each month at 7:00pm. Information regarding the meeting location, agenda, and the meeting package is posted on the BCWA website.

Sincerely,



Board of Trustees

Gene Coufal – President – 760- 873-6209

Merry Armstrong – 760-920-9959

Don Kunze – 760-873-3375

Mark Frumkin – 818-590-0554

Eric Tillemans – 760-920-8989

Cc: BCWA Watermaster

1<sup>st</sup> District Supervisor T. Orrill

2<sup>nd</sup> District Supervisor J. Griffiths

3<sup>rd</sup> District Supervisor S. Marcellin

4<sup>th</sup> District Supervisor J. Roeser



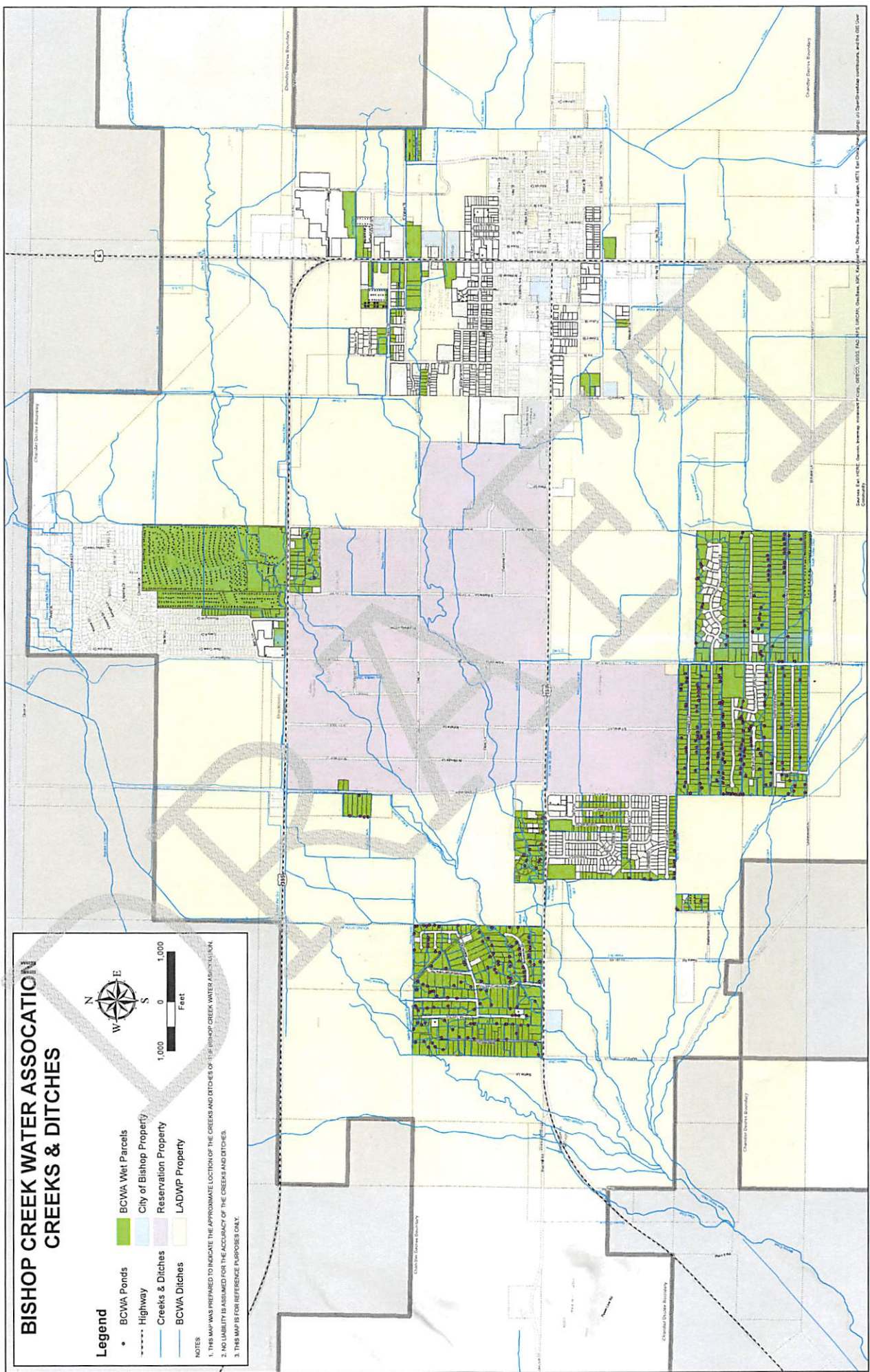
# BISHOP CREEK WATER ASSOCIATION CREEKS & DITCHES

## Legend

- BCWA Ponds
- Highway
- Creeks & Ditches
- BCWA Ditches
- BCWA Wet Parcels
- City of Bishop Property
- Reservation Property
- LADWP Property



- NOTES:
1. THIS MAP WAS PREPARED TO INDICATE THE APPROXIMATE LOCATION OF THE CREEKS AND DITCHES OF THE BISHOP CREEK WATER ASSOCIATION.
  2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE CREEKS AND DITCHES.
  3. THIS MAP IS FOR REFERENCE PURPOSES ONLY.



Sources: For 1976: Bureau of Reclamation, BREC, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025.