# Bishop Creek Water Association

Monthly Board Meeting Agenda September 10, 2024 7:00 pm

- 1. Opening and Introduction
- 2. Acceptance of the August 13, 2024 Board Meeting Summary
- 3. Approval of the August 2024 Financial Report
- 4. Bishop Creek Precipitation, Flow, and Storage Report
- 5. Old Business
  - a. Street Culverts:
    - i. Culvert Obstructions/Blockages at:
      - o 309 Grandview
      - o 210 So Mtn View Rd. and
      - o 3068 Laurel Rd.
    - ii. Inyo County Road Department Position regarding Plugged/Deteriorated Street Culverts
  - b. Ditch Relocation at NW corner of Carol Ln. (parcel no 011-510-27)
  - c. Annual Dinner
  - d. Water Rights Filing
  - e. Membership Database Reconciliation
  - f. Collection of Past Due Assessments
  - g. Ditch Diversion Box Repair/Rebuild Project
  - h. Bishop Tribe BCWA Membership?
- 6. Watermaster Report
- 7. New Business
  - a. Failing Check Structure in No Fork of Bishop Ck at Vista Ditch
  - b. Other (by Board or member-at-large in good standing)
- 9. Next Monthly Board Meetings: October 8, 2024, at 7:00 pm at GLCC
- 10. Adjournment

#### Bishop Creek Water Association Monthly Meeting Summary August 13, 2024 7:00 pm

#### 1. Opening and Introduction

BWCA monthly Board meeting was called to order at 7:02 pm. Trustees in attendance: Gene Coufal, Eric Tillemans, Mark Frumkin and Merry Armstrong. Trustee Don Kunze was not present. Watermaster Matt Durkee was present.

#### 2. Acceptance of July 9th Board Meeting Summary

The July 9<sup>th</sup>, 2024, meeting summary was accepted as written.

#### 3. Approval of the July 2024 Financial Report

The July 2024 financial report (checks written by the BCWA Accountant) was unanimously approved. Mark's checks cleared Financial Report for July 2024 will be attached to next month's meeting packet.

### 4. Approval of Marlena Baker as a member of the Water and Arbitration Committee:

Mark motioned, Eric seconded, and Marlena Baker was approved unanimously.

#### 5. Bishop Creek Precipitation and Flow and Storage Report

SCE dropped releases significantly and is now releasing flows consistent with Chandler Decree requirements.

#### 6. Old Business

- a. Street Culverts
  - i. Culvert Obstruction/Blockages at:
    - o 309 Grandview: A letter has been written to the property owner, but it hasn't been sent out yet.
    - o 210 So Mtn View Rd Matt and Mark still need to visit the site to secure it from tampering.
    - o 3068 Laurel Rd An attempt was made to clear the culvert, but it was unsuccessful. The culvert is full of sediment and needs to be replaced.
    - 255 Mt Tom Rd The Board decided to clean at the BCWA expense because of a new property owner. A letter was sent to the property owners (attached to the meeting package). Eastern Sierra cleaned it last Monday.
  - ii. Inyo County Road Department Policy Regarding Plugged/Deteriorated Street Culverts: Eric is working on setting up a meeting with the County.
- b. Ditch Relocation at NW corner of Carol Ln (parcel no 011-510-27): Gene emailed the owner, copies of the email exchange in the meeting packet. Owner will proceed with moving the control structure as soon as possible and will provide an easement when building permit is filed for.
- c. Annual Dinner: No update
- d. Water Rights Filing: No update

- e. Membership Reconciliation (mapping): Gene is Working on discrepancies. He has resolved 60 of 102 discrepancies.
- f. Collection of Past Due Assessments: On hold.
- g. Ditch Diversion Box Repair/Rebuild Project: On hold
- h. Bishop Tribe BCWA Membership: No update

#### 7. Watermaster Report

Matt received 44 calls and 37 texts in the past month.

#### 8. New Business

a. Other: Mike Schultz from 3055 Morningside reported that a neighbor upstream of him was cleaning their pond. There was mud flowing downstream that could potentially cause a problem.

#### 9. Next Meetings

a. The next monthly Board meeting will be held on September 10th, 2024, at 7:00 p.m. at the Inyo County Board of Education Facility, Lozito Conference Center, 166 Grandview Dr., Bishop.

#### 10. Adjournment

The meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Eric Tillemans

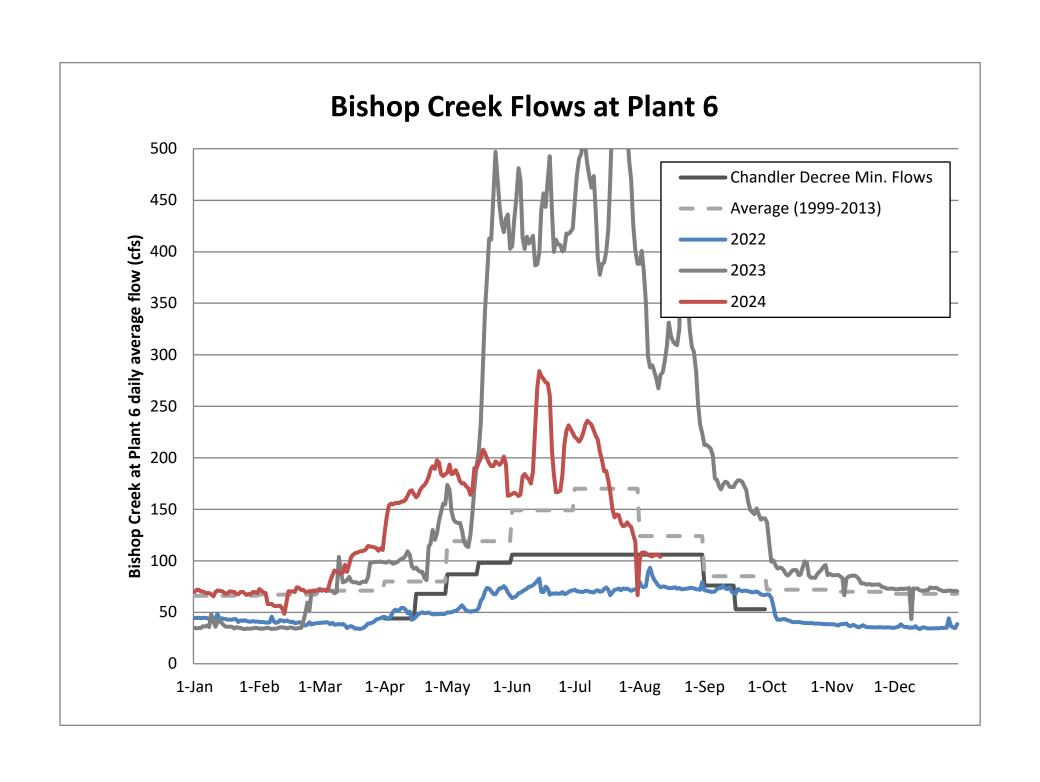
Secretary

Bishop Creek Water Association

# FINANCIAL REPORT FOR THE MONTH

JULY	2	0	24	ļ
------	---	---	----	---

USBANK CHECKING ACCOUNT USBANK SAVINGS ACCOUNT USBANK TIME CERTIFICATE - Matured June 2nd USBANK TIME CERTIFICATE			\$ 	12,297.24 52,658.27 - 20,000.00
TOTAL BANK BALANCES - June 30, 2024			•	84,955.51
DEPOSITS: Customer Deposits - Into Checking Customer Deposits - Into Savings DWP 18,777.90, Yaney Corner 0.00 Interest Income - Into Savings Interest Income - Into CD State Fund - Workers Comp Refund	\$ -	2,588.00 - 18,777.90 196.59 - 184.20		
TOTAL DEPOSITS				21,746.69
CHECKS WRITTEN:  Water Master Pay - 964.97 x 2  Truck Allowance - 225.00 x 2  Additional Pay - Vacation Time  Telephone  Payroll Taxes - IRS  Payroll Taxes - State  Payroll Taxes - IRS Unemployment  Wood Law Group - Legal Fees  US Post Office - Box Rent  Browns Supply  Holland & Allred - Quarterly Accounting  Elks Lodge - Room Rent  Transfer to Savings	<b>\$</b>	1,929.94 450.00 - 75.55 940.19 82.89 - 2,500.00 200.00 21.74 - 300.00	_	
TOTAL CHECKS WRITTEN			- \$	(6,500.31) 27,347.03
USBANK CHECKING ACCOUNT USBANK SAVINGS ACCOUNT USBANK TIME CERTIFICATE USBANK TIME CERTIFICATE			Ψ	52,854.86 - 20,000.00
TOTAL BANK BALANCES - July 31, 2024			<b>\$</b>	100,201.89











Post Office Box1273 Bishop, California 93515

July16, 2024

Mr. John Mann 255 Mount Tom Road Bishop CA 93514

Ms. Stephanie Stimmell 250 Mount Tom Road Bishop CA 93514

Subject: Street Culvert Clearing and Responsibility

Dear Bishop Creek Water Association Members,

It has been brought to the Bishop Creek Water Association (BCWA) Board that the street culvert between your properties is again plugged, significantly reducing the amount of water that the culvert can carry. This has a serious impact on BCWA members upstream and downstream of the culvert. This culvert has been a problem over the years due to mainly sediment accumulation. Beginning about five years ago the Inyo County Road Department (ICRD) took the position that they can no longer assist the BCWA in unplugging and replacing deteriorated street culverts. Previously these problems were dealt with cooperatively. This new position has left the Water Association in a quandary. The BCWA does not own assets in the ditch water distribution system, other than water control structures for water control purposes. The BCWA By-Laws Article X, Section 3 provides:

"All boxes, headgates or diversion works diverting water from any main ditch or channel, regardless of by whom installed, shall for all water control purposes be deemed and considered the property of the association. The association reserves the right to exclusively control and regulate water at all boxes, regardless of by whom the same may have been installed..."

In the past, recognizing the need to provide water to upstream and downstream water using members, the BCWA worked cooperatively with the ICRD to unplug and replace culverts. Despite numerous attempts by the BCWA Board of Trustees, Inyo County has not been willing to change from this newly taken position. This has been discussed at the highest levels of Inyo County government.

At this time, since the ICRD will no longer cooperatively participate, it falls on the BCWA and its members to resolve issues with culverts to keep water flowing in ditches as required by the court ordered Chandler Decree. The details have yet to be worked out, but it appears that for now, the BCWA will have to be entirely responsible for maintenance and replacement of culverts conveying Bishop Creek water. With regards to plugged 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 the property owner. With the above exception, property owners are responsible for all effects,

BISHOP CREEK WATER ASSOCIATION

Founded in 1897

Post Office Box1273 Bishop, California 93515

operations, and maintenance of the ditches on their property. The result of this is the keeping of debris from entering and plugging downstream street culverts. Below are some of the pertinent sections from the BCWA By-Laws that apply in this situation. Article IX, Sections 4 and 5 provides:

"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."

"In the event the equitable distribution of water is impeded or interfered with causing flooding, wastage or other detriment to the flow 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 XII, Section 2, items 3-6 provide:

"As a homeowner and member of the BCWA you are responsible for the impact of your own action or lack of action in managing water flowing on your property."

"As a member of the BCWA you are responsible to maintain the ditches and pipes on your property. This maintenance includes the removal of weeds, leaves, and trash ..."

"If you do not properly maintain the ditches and pipes on your property, the BCWA may arrange to have the work done at your expense..."

"Be aware that many factors, including runoff, freezing, irrigation patterns, and fall leaves, can significantly affect the amount of water flowing to your property. You should expect the flow in your ditches to vary, and your ditches and pipes should be sized, designed, and maintained to carry the maximum possible flows without flooding."

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 inlet 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 exits 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. As it is the case with any ditch, where the BCWA relies on each property owner to do their part, street culverts 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).

Post Office Box1273 Bishop, California 93515

As provided in the BCWA By-Laws, if a street culvert becomes plugged, it is the responsibility of the upstream property owner if it is plugged with leave/debris and there is no mechanism in place to catch the debris. And likewise, if the flow leaving the culvert is obstructed in any way, it is the responsibility of the downstream property owner. As provided in Article IX, Section 5 (see above) to ensure an equitable distribution of water to all members, if the BCWA must get involved in clearing a downstream culvert, the upstream and/or downstream property owner would be assessed the cost of the culvert clearing.

As property owners with a street culvert between your properties, it is most important that you pay close attention to these guidelines. In the current situation the BCWA Board has decided to pay the cost of having the Eastern Sierra Community Service District clear the culvert. In the future, this cost may be assessed against the property owners if grating and an open free flowing culvert exit is not maintained. A September 20, 2023, letter from the BCWA Board was sent to membership regarding this issue, a copy is enclosed.

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, unencumbered ditch flowing through and 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 outlet of your culvert needs to be kept free of obstructions, accumulating sand, and debris. In the future, to ensure an equitable distribution of water to all members, if the BCWA must get involved in clearing of a street culvert, the upstream and/or downstream property owners can be assessed the cost of the work (BCWA By-Laws Article IX, Section 5).

If you have any questions or want to discuss this letter, please contact me at (760) 873-6209, or you may come to one of the BCWA Board of Trustees monthly meetings. The BCWA Board of Trustees meets on the 2nd Tuesday of each month at 7:00pm at the ICOE facility, 166 Grandview Dr. A copy of the BCWA Articles and By-Laws and Board meeting agendas can be found on the BCWA website, BishopCreekWater.org

Sincerely,

En Tillen

**Board of Trustees** Gene Coufal - President

Merry Armstrong Don Kunze Mark Frumkin

Eric Tillemans

enclosure

c: BCWA Watermaster and Board Members

BISHOP CREEK WATER ASSOCIATION

Founded in 1897

#### **GENE COUFAL**

From:nc3e@aol.com

To:Eric Rose

Sat, Aug 10 at 11:02 AM

Eric, thank you for the update, this is very helpful and reasonable. I will report this to Board. Getting the head gate in the flow channel as soon as you can is important. Gene

On Aug 10, 2024, at 7:47 AM, Eric Rose < Eric@masterstouch.co > wrote:

Hi Gene,

I'm still working on getting permits to build the house... I don't think the stream course will change from the current configuration, but once we get the permits, the course of the stream will be solidified, and I will get the easement taken care of at that point.

Thanks,

#### **Eric Rose**

**707.539.7600** <image001.jpg>

From: GENE COUFAL <nc3e@aol.com>
Sent: Friday, August 9, 2024 2:06 PM
To: Eric Rose <Eric@masterstouch.co>
Subject: Re: Carol Lane Stream Modification

Eric, thanks. What about the dedicated easement for the new ditch? As I said earlier, we will be having a Board mtg Tuesday and I will need to give an update. Gene

On Aug 9, 2024, at 8:12 AM, Eric Rose < <a href="mailto:Eric@masterstouch.co">Eric@masterstouch.co</a>> wrote:

Good morning Gene,

UGH... amazing how time flies. Thanks for the reminder... I'll get that gate relocated asap.

#### **Eric Rose**

707.539.7600

#### <image001.jpg>

From: nc3e@aol.com <nc3e@aol.com>
Sent: Thursday, August 8, 2024 9:01 PM
To: Eric Rose <<u>Eric@masterstouch.co</u>>

**Cc:** Eric Tillemans <eric.tillemans@ladwp.com>; Merry Armstrong <merrytarmstrong@gmail.com>;

Don Kunze <kunze.don@gmail.com>; Markfrumkin@sbcglobal.net; Francesca Joven

<francesca.joven@ladwp.com>

Subject: Re: Carol Lane Stream Modification

Mr. Eric Rose.

It has been almost 2 1/2 years since the BCWA Boards approval of your ditch relocation project and our last communication (below). The BCWA Board would like an update on the progress of the ditch relocation on your property (Parcel number 011-510-27), and most specifically items 3 and 4 (relocation of the water control box and dedication of a 10-foot easement to the BCWA for the new location) in my March 30, 2022, email (below).

You have dug a new ditch, and the ditch water currently flows in the newly relocated ditch without a control structure. This has created a potentially hazardous situation. A misfortunate event upstream could result in the uncontrolled release of water down the newly relocated ditch, causing significant property damage downstream. If items 3 and 4 above are not dealt with in a timely manner we will be forced to restore the ditch flow to the historic channel (which has a water control structure installed). Per BCWA By-Laws, Article IX, Section 5 (below) you would be responsible for cost of that work.:

"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. "

We have a BCWA Board meeting on August 13 and would appreciate a communication on the status of the above work before then. Thanks Gene

On Thursday, August 8, 2024 at 05:19:38 PM PDT, GENE COUFAL < nc3e@aol.com > wrote:
Sent from my iPhone
Begin forwarded message:
From: GENE COUFAL <nc3e@aol.com> Date: March 30, 2022 at 3:09:06 PM PDT To: Eric Rose &lt;<u>Eric@masterstouch.co</u>&gt; Cc: Merry Armstrong &lt;<u>merrytarmstrong@gmail.com</u>&gt;, Mark Frumkin &lt;<u>markfrumkin@sbcglobal.net</u>&gt;, Eric Tillemans &lt;<u>eric.tillemans@ladwp.com</u>&gt;, <u>kunze.don@gmail.com</u> Subject: Re: Carol Lane Stream Modification</nc3e@aol.com>
Eric, at its last monthly Board meeting, the Board approved your ditch relocation design as long as it complies with the BCWA Articles and By-Laws (see especially Article XII) with a few specific reminders/restrictions that are provided for in the Articles and By-Laws. Specifically: 1) the capacity of your proposed ditch system needs to minimally be able to convey the same amount of water as the existing alignment; 2) the ponds comply with the limitations (no more than 5 feet deep and lined- verified by the Watermaster) as provide for in Article XI; 3) the control box on the Bypass Ditch that you plan to relocate will need to be designed to facilitate a BCWA lock and will be controlled by the Watermaster (Article X); and 4) also the rerouted ditch needs to have a 10 foot easement dedicated to the BCWA (Article XII, Section 2, item 13). This approval will be documented in the BCWA Board meeting summary for March 8, 2022, which you will be able to find on the BCWA website (BishopCreekWater.org). If you have any questions please call or email me. Gene
On Jan 10, 2022, at 5:27 PM, Eric Rose < <u>Eric@masterstouch.co</u> > wrote:
Hi Gene,

Thanks for your help on the stream modification... Sorry I'm a bit late getting this over to you... I tested positive for Covid last week, and I've been extremely tired for the last few days! Here is my very basic drawing depicting my idea to modify the stream on our lot on Carol Lane. We basically would like to relocate the existing flow gate and stream to the south part of the lot, and through a combination of surface streams and underground pipes, rejoin the existing set of pipes that flow across the utility district lot, so the water will exit the property using the existing piping that is already in place. In order to avoid clogs, I think it makes sense to use a concrete box to

transition from the new 16" pipe to the existing 8" pipes with an open drain grate for easy inspection and cleaning if necessary. Let me know if you have questions or comments.

Thanks,

#### **Eric Rose**

707.539.7600

# Bishop Creek Water Association Monthly Meeting Date \_8/13/2024\_\_\_\_\_

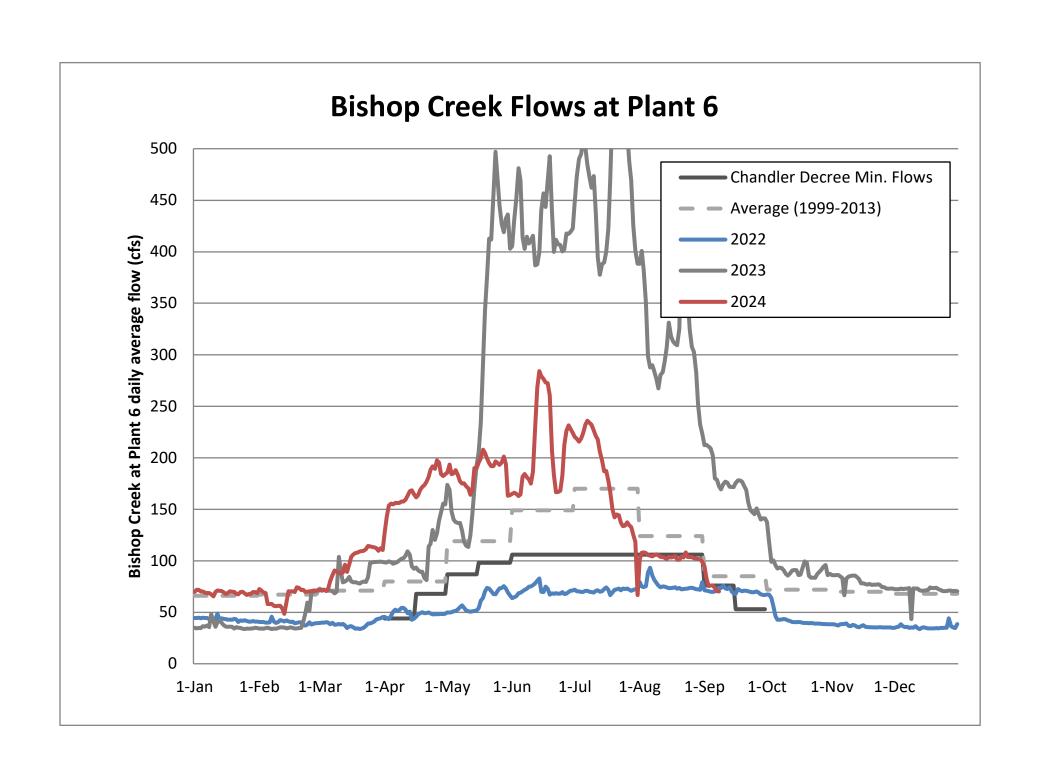
#### **Attendance Sheet**

Name	Address	Email
FRU TOLIEURUS	3153 INDIAN CHE DR	eric tillewars@ladype
GENE COUFAL	2182 SUNRISE DR	
Matt Durkee	1335 Rocking w Dr.	
MIKE SHELTZ	3035 MORNINGSIDE OR.	
MARK FRUMKIN	363 N MOVE tain () rewit	
		·

# FINANCIAL REPORT FOR THE MONTH

AUGUST	2024
--------	------

USBANK CHECKING ACCOUNT		\$	27,347.03
USBANK SAVINGS ACCOUNT USBANK TIME CERTIFICATE - Matured June 2nd			52,854.86 -
USBANK TIME CERTIFICATE  USBANK TIME CERTIFICATE			20,000.00
TOTAL BANK BALANCES - July 31, 2024		•	100,201.89
DEPOSITS:			
Customer Deposits - Into Checking \$	2,124.20		
Customer Deposits - Into Savings	-		
Yaney Corner 0.00	-		•
Interest Income - Into Savings Interest Income - Into CD	-		
State Fund - Workers Comp Refund	-		
		:	
TOTAL DEPOSITS			2,124.20
CHECKS WRITTEN:			
Water Master Pay - 964.97 x 2 \$	1,929.94		
Truck Allowance - 225.00 x 2	450.00		
Additional Pay - Vacation Time Telephone	80.79		
Payroll Taxes - IRS	-		
Payroll Taxes - State	-		
Payroll Taxes - IRS Unemployment	-		
ESCSD - Hydroflush	225.00		
State Fund - Workers Comp	523.50		
Browns Supply Holland & Allred - Quarterly Accounting	1,878.84		
Elks Lodge - Room Rent	-		
Transfer to Savings	_	_	
TOTAL CHECKS WRITTEN			(5,088.07)
USBANK CHECKING ACCOUNT		\$	24,383.16
USBANK SAVINGS ACCOUNT		Ψ	52,854.86
USBANK TIME CERTIFICATE			, -
USBANK TIME CERTIFICATE			20,000.00
TOTAL BANK BALANCES - August 31, 2024		\$	97,238.02



# BISHOP CREEK WATER ASSOCIATION 2024 FINACIAL REPORT

				2024 FII	2024 FINACIAL REPORT	PORT				
•	JANUARY	<b>FEBRUARY</b>	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	AUGUST SEPTEMBER OCTOBER NOVEMBER DECEMBER YEAR	AR
<b>BEGINNING SAVINGS BALANCE</b>	70,547.40	71004.17	71147.36	61275.70	56377.26	27516.46	52658.27			
BEGINNING CHECKING BALANCE	8,448.15	3003.25	2005.40	9448.99	2552,38	15536.75	13977.21			
	900	77.7	000		1,000		7			
CUSTOIMER DEPOSITS TO CHECKING	T00.00	1300.40	490.04		10020.40		Z1330.1			
WORKERS COMP REFUND										
<b>CUSTORMER DEPOSITS TO SAVINGS</b>	305.00					14746.65				
INTEREST INCOME TO SAVINGS	151.77	143.19	128.34	101.56	112.80	395.16	196.59			distance of the latest of the
TOTAL DEPOSITS	556.77	1509.59	625.18	101.56	16139.20	15141.81	21746.69			
SAVING DEPOSITS/TRANSFERS										
TRANSFER FROM SAVING			10000.00	5000.00	15000.00					The second second second
EXPENSES				·						
WATERMASTER PAY	2760.03	1838.68	919.34	2758.02	1838.68	964.97	2894.91			
TRUCK ALLOWANCE	675.00	450.00	225.00	675.00	450.00	225.00	675.00			
WATERMASTER VACATION PAY										
WATERMASTER PHONE	75.39	75.57	75.57	75.40	75.40	75.40	75.55			
PAYROLL TAXES - IRS	1008.89			1088,19			1023.08			
PAYROLL TAXES - STATE										
PAYROLL - TAXES UNEMPLOYMENT	54.41									
STATE FUND - WORKERS COMP INS.	620.41			523.50						
RURAL SPECIAL DISTRICT INS.				6214.00						
HOLLAND & ALLRED CPA'S			916.58		675.55					
USPS - STAMP/ BOX RENT					612.00					
PRINTING			916.76			294.17				
LEGAL FEES							2500.00			
WEBSITE & ZOOM	350.77						490.00			
DITCH - COLVERT - FACILITY REPAIR/ MAINT.				562.50						
BROWN'S							21.74			
RETURNED CHECKS/BANK CHARGES						AND				Name and Address of the Address of t
TOTAL EXPENSES	5544.90	2364.25	3053.25	11896.61	3651.63	1559.54	7680.28			
		1000	0446		7000	1004	20 57 55			
ENDING CHECHING BALANCE	3003.25	2005.40	9448.99	7227.38	13330.73	139//.21	2/04/.03			
ENDING SAVING ACCT. BALANCE/CD'S	71,004.17	71147.36	61275.70	56377.26	57516.46	72658.27	72854.27	and and supplies to be consisted to the control to the		
TOTAL BANK BALANCE	74,007.42	73152.76	70724.69	58929.64	73053.21	86635.48 100501.30	.00501.30			

8/13/2024 B

Post Office Box1273 Bishop, California 93515

Ms. Kristine Alcala 309 Grandview Bishop CA 93514 September 5, 2024

Subject: Obstructed Ditch Flow at 309 Grandview Drive

To: Ms. Kristine Alcala,

It has been reported that the flow in the ditch at the rear of your property is being obstructed causing water to be backed up onto the upstream property. Over the past couple of months, the Bishop Creek Water Association (BCWA) Watermaster, Matt Durkee, has been unsuccessful in numerous attempts to make contact at your property to discuss the obstruction. There has been no response to knocking and ringing the doorbell. In addition to backing ditch water onto your upstream neighbor's property, it has been limiting the amount of water that the Watermaster can deliver to upstream and downstream BCWA members.

The BCWA 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."

BISHOP CREEK WATER ASSOCIATION Founded in 1897

Post Office Box1273 Bishop, California 93515

As you have previously been notified, the BCWA Articles and By-Laws are available on the BCWA website, www.bishopcreekwater.org.

You will need to have the ditch obstruction on your property removed so that water flows freely from where it enters your property to where it exits. To resolve this obstruction issue, it is requested that the necessary work on your ditch be completed as soon as possible but no later than by September 30, 2024. Failure to do so will result in the Board of the BCWA having to seek a remedy that will restore the ditch flow capacity. The cost of doing this work will be passed on to you as the property owner (see BCWA Articles and By-Laws, Article IX, Section 5).

If there is a need to reduce the ditch flow while the work is being performed, please contact the BCWA Watermaster at (760) 920-7981. Please notify the BCWA Watermaster when the obstruction is removed so that he may inspect it. If you have any questions regarding this or wish to discuss it, please contact Gene at the phone number below.

Sincerely, Tilbu

**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

c: BCWA Board Members BCWA Watermaster