A Chronology of the Bodega Water Company

Charles Eley, June 4, 2026

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Preface

The fundamental purpose of the BWC is to provide dependable and safe water to the members. The job of the BWC Board and especially the President is to meet this basic need, while complying with the many requirements of operating a public water system. The Board has the responsibility to make decisions and to take action that are in the best interest of the members.

The BWC currently has lots of problems: our wells are inadequate to meet demand especially in the summer, we depend too much on surface water, our infrastructure is old and much of it is in need of replacement, and our easements and water rights are spotty. As president, I find these problems overwhelming at times. In order to move forward, we sometimes need to look back and see how we got to where we are. That is the purpose of this chronology.

As I write this, I'm well into my second full year as President of the BWC. When I accepted the position, I did not understand that one of the jobs of the President is to take possession of all the old files. The BWC has no physical address so the paper files have remained with current and past Board members. Rick Williams gave me some files. So did Alistair Bleifuss. Others were located in Laura Parish's house from when she was our office manager. Anyway, I have all or most of these old files now. What will probably surprise you is that I actually went through this material and read much of it. I threw a lot out, but there were a few nuggets buried in there. From this exercise, I've put together this account of the history of the BWC. I think it is mostly accurate and I've asked some of the old timers to review it. Much of what I have written is documented with endnotes that give the source of the information.

How We Got to Where We Are

In the Beginning

The BWC was formed as a private water company in the late 1970s by Tom Taylor[1], Dave Heiman and a number of other investors. The group was first known as the Joint Venturers and later as Heiman, Paul, Taylor and Associates (HPTA), but here, I will just refer to them as Tom and Dave since they were the principal actors. They owned what was then known as the Thundering Herd Ranch, a 400-acre parcel

(more or less), which is now Albini Ranch. They also owned an adjacent 10.44-acre parcel that you have to cross to get to the ranch.

The story goes that Tom bought the historic Potter school house in Bodega in 1966, one of the sites where Alfred Hitchcock filmed the *Birds*. It had no water. Tom put in a redwood tank on a hill in the ranch, pumped water to the tank from a shallow well near Salmon Creek, and from there, the water flowed by gravity to the schoolhouse. The well that supplied the tank became known as BWC well #1.[2]

Tom and Dave developed several parcels using BWC water. Neighbors requested hookups, so the BWC was formed as a private company to serve this need.[3] By the mid-to-late 1970s, the properties that received water from the BWC were similar to what they are today. Service connections were first extended to properties in town near the historic Potter school house. Later, water was delivered to properties a mile or so out Salmon Creek Road. Wes and Hazel Mitchell's property at 1500 Salmon Creek Road received BWC water, which is the end of the current system. Word is that the Mitchell's negotiated a deal with Tom and Dave to deliver water to their property. In doing so, it needed to cross several other private properties and these owners allowed the pipeline to be located on their property in exchange for a service connection of their own.[4] Easements were not officially recorded. Most likely, there were a lot of hand-shake deals among folks that are no longer among the living.

Most of the BWC infrastructure was located on the Thundering Herd Ranch. There was little need for easements or water rights because the owners of the private water company and the owners of the land where the infrastructure was located were the same. Many of the water distribution lines outside the Thundering Herd Ranch were installed within the public right-of-way along Bodega Lane, the Bodega Highway and out Salmon Creek Road. But as noted above, other waterlines cross private property with no formal easements.

Incorporation

Tom and Dave wanted to avoid being regulated by the California Public Utilities Commission which would have been the case for a private water company.[5] So, they incorporated the BWC as a California mutual benefit corporation in 1981. This may have avoided one regulator (the CPUC), but since the BWC has more than 15 service hookups, it is considered a *public water system*. As such, Sonoma County, the State Water Boards and others treat the BWC the same as Sebastopol with 3,000 service connections or Santa Rosa with 50,000. The BWC must hire operators with special credentials, conduct the same water quality testing, file all the same reports, and meet all the other compliance requirements required of a larger public water system. With only 37 service connections, we are at the wrong end of the economies-of-scale curve, which is the main reason that our water rates are so high.

So, in 1981, the water company ceased to exist as a private company owned by Tom and Dave. As a mutual benefit corporation, it was owned by the new "members", owners of properties with a BWC service connection. However, Tom and Dave maintained control over the company and continued to own most of the assets, as I'll discuss later. The original corporate bylaws also gave Tom and Dave elevated voting rights based on their investment in the company.[6] Apart from that, each owner of property with a service hookup was given one share of the corporation. If you had two hookups, you got two shares and two votes at the annual meeting.

Being a member of the BWC as a mutual benefit corporation is *appurtenant*. This is a legal term that means that ownership shares are tied to a specific parcel of land with a BWC service connection.

Membership and rights automatically transfer to new owners upon sale of the property. The arrangement is similar to a homeowner's association (HOA). When you buy a condo, you don't have a choice about being a member of the HOA – same for a mutual benefit water company. Membership is mandatory as long as you own the property and want to maintain a legal source of water. Without a legal source of water, your property value would diminish, it would be hard to live in your house, and it would be difficult to sell. If you sell the property, membership is mandatory for the new owners under the same conditions.[7]

So, what did the new owners (members of the mutual benefit water company) actually own in 1981 after incorporation? It turns out, not much, at least at the beginning. Basically, the members owned the corporation, but not the assets of the corporation. Virtually no assets were originally transferred to the members. As a private company, the BWC physical assets consisted of the wells, treatment plant, storage tanks, distribution pipelines, and meters. The private company also owned or had rights to the land where the infrastructure was located. The managerial assets of the private company consisted of the personnel, expertise and organization needed to run the water company.

When the BWC was first incorporated and "turned over to the members", ***none*** of these assets were transferred to the new shareholders. Tom and Dave retained ownership of all the physical assets and leased them back to the new corporation.[8] Tom and Dave still owned the land where the infrastructure was located and no easements were granted to the BWC for use of the land. Tom and Dave continued to assume managerial responsibilities. They acted as operators of the treatment plant, filed necessary compliance documents, sent out the bills, collected the money, and maintained and repaired the infrastructure as needed. However, they did continue to invest in the company. It is unclear if or our how much they were compensated for providing these services. While the members technically owned the company, Tom and Dave were still in charge.

Later in 1996, 15 years after incorporation, Tom and Dave[9] deeded the physical assets to the BWC, including four wells[10], the treatment plant, storage tanks and distribution pipes, but in exchange the BWC accepted a liability of $50,000. It owed $25,000 each to Tom and Dave.[11] But Tom and Dave still owned or controlled the land where the infrastructure was located and no formal documents had been recorded granting easements to the company. As noted above, the distribution pipelines owned by the BWC crossed private property in a number of instances, again with no recorded easements.[12]

A year after incorporation in 1982, the regulators at the time determined that the BWC had inadequate water supplies and imposed a moratorium on new service hookups.[13] This moratorium is still in place 44 years later as I write this in mid-year 2026.

Ownership Transition

In 1982, Tom and Dave sold the Thundering Herd Ranch, triggering a chain of ownership which made the BWC water rights and easements or lack thereof much more complicated. Members of the BWC were materially affected by these sales, but were not a party to any of the deals. These transactions are described below in rough chronological order.

Tom and Dave to Frost. In 1982, Tom and Dave sold the entire Thundering Herd Ranch to Henry A. L. Frost, a world traveler and international figure. No official documents were recorded as part of the sale granting water rights and/or easements to the BWC. But Tom and Dave reportedly advised Henry of the BWC wells, infrastructure and rights and Henry verbally accepted these conditions to the

sale.[14] In addition, Tom and Dave retained an option to purchase back an 82-acre portion at the western side of the property where most of the BWC infrastructure was located at the time.

1985 Frost to Pacific Bank. Shortly after he bought the land, Henry died in a car accident. As his estate (widow Kim Frost) took over disposition of his assets, a number of things happened. The Frost estate defaulted on mortgage payments and an interest in the property was deeded to the Pacific Bank, the apparent lender (Document 85-21741).

1987 Pacific Bank to George Gross. The Thundering Herd Ranch was subdivided as part of the disposition of Henry's assets and a separate 295-acre parcel was sold by Pacific Bank to George E. Gross Jr. (Document 87-117527). George[15] had knowledge of the BWC's interests in the property and worked with the BWC to expand its infrastructure on the portion of the ranch he bought.

He allowed the BWC to drill several exploratory wells. One of these wells, which is now BWC's well #5, proved to be productive and George granted easements to the BWC for both the well and the pipeline leading back to the treatment plant (Document 94-084334). He also granted an easement to the BWC for use of a reservoir on his property (Document 94-105109). Well #5 was drilled and developed by the BWC, who paid for the well construction and the long 4,000 ft pipeline where raw water is pumped to the treatment plant. The intent of these easements was clear, but the metes and bounds described in the legal documents were flawed, as I'll discuss later.

1987 Frost (or Pacific Bank) to Tom and Dave. Tom and Dave chose to exercise their option and bought back the 82 acres on the eastern side of the ranch where the BWC treatment plant, wells, pipelines and storage tanks were located (Document 87-58176). This happened at about the same time as the sale of the 295-acre parcel to George. Pacific Bank was clearing the books. Parcel Map 7631A was recorded for the 82 acres which defines a "road and utility" easement across the northeast corner. This easement provided access to the remaining 295-acre parcel, which would have otherwise be landlocked. However, BWC wells #1 and #3 are located on or near the easement. The BWC is not mentioned in this easement, but much of the BWC infrastructure is on or near this easement. It is assumed that the title "road and utility" easement gives some rights to the BWC.

After they bought back the 82 acres, but about nine years later, Tom and Dave recorded an easement for the benefit of the BWC (Document 96-086444). Four parcels were defined: (1) a 20 ft strip connecting the wells to the storage tanks and the distribution water lines leading to the service connections, (2) a parcel for the storage tanks themselves, (3) a 10 ft easement leading to the one BWC member on the other side of the hill in the Estero Americano watershed on property once owned by Tom and Dave,[16] and (4) a small parcel on the north side where the distribution lines split. Granting these easements was a good gesture, but the easements were imperfect and incomplete and there was no easement at all for the treatment plant.[17]

Tom and Dave secured a permit to construct a 24-acre-foot reservoir on the 82-acres, just above the BWC treatment plant. They received a bid from Hamman's construction to build the reservoir for $146,250. This was never built.[18]

1994 George Gross to GMAC. George had a mortgage on the 295-acre property with General Motors Acceptance Corporation (GMAC) and when he failed to make payments, GMAC foreclosed. They promptly filed an injunction claiming that the BWC had no rights or claims on the 295-acre parcel. The BWC hired attorneys[19] to defend its rights and the 1994 easements granted to it by George. The BWC response included depositions from Tom Taylor and George Gross affirming the validity of the easements. In October 1995, the petition for preliminary injunction was denied without prejudice.[20]

1994 GMAC to Dennis Gilardi. GMAC sold the separate 295-acre parcel to Dennis Gilardi. Dennis lived on the ranch. He worked with the BWC and served on the Board for a while. While Dennis owned the land, the BWC with financial support from the California Water Boards moved forward with plans to construct a large 1.3-million-gallon raw water storage tank on the 82-acre parcel. The plan was to pump water from well #5 during the rainy season and fill the tank.[21] Pumping would cease during the dry season and the BWC would get its water from what was stored in the tank. The idea was to help maintain water in the creek during the summer to enable the restoration of Coho salmon spawning. The tank was large enough to support additional BWC service connections and the plan was to increase the number from 37 to about 60.[22] The project moved forward and the engineering firm of Brelje & Race developed detailed construction drawings for the project, environmental assessments were made and the State Water Boards was on board with funding.

However, after approving every step of construction as a Board member, Dennis changed his mind. He began raising many of the same claims that GMAC did in their unsuccessful injunction, that the BWC had no rights to well #5. The flawed surveying work for the 1994 easements granted by George was the basis of most of Dennis' claims. BWC minutes and conversations with participants at the time were heated. The issue was resolved (sort of) in 2007 when Dennis and the BWC signed an "access agreement".[23] Both sides agreed to "expressly reserve their respective rights to enforce any legal rights each may believe it currently has regarding the use of well #5." The agreement gave the BWC rights to access and pump water from well #5 but it had to pay a fee. This agreement is still in effect, expiring in November of 2032. Originally, the BWC paid $645/month to Dennis, but the agreement included a CPI annual increase, so the current fee is in the range of $1,100/month or $13,000/year, roughly 10% of the BWC annual budget.

In about 2020, the BWC hired an attorney in Sebastopol in an attempt to settle the issues around well #5, the reservoir, and the easements. Bob Haroche developed a document called "Complaint for Quiet Title and Declaratory Relief and Injunction". The BWC paid the legal expenses, but Rick Williams the BWC President at the time, agreed to reimburse the company.[24] The BWC took no action. Read more and I will try to explain the reasons.

2001 Tom and Dave to Rick Williams. Tom and Dave sold the 82-acre parcel to Rick Williams in 2001. Rick is Tom's son-in-law. Rick led the BWC for more than two decades as its President, finally resigning in 2023 right before I joined the Board. The 1996 easements were in place when Rick bought the property and he understood the problems, e.g., there was no easement for the treatment plant, the perimeter of the storage tanks was not within the easement, and the pipelines to the Estero property did not follow the easements described in the metes and bounds of the recorded document. Rick wrote a letter to the Board on May 17, 2007 indicating that he intended to sell the property and that he wanted to clean up the easements on the 82-acre parcel before that happened.

2009 Rick Williams to Dennis Gilardi. Before he was able to "clean up the easements", Rick sold the 82 acres to Dennis. Both parties to the sale understood that there was a need to clean up the BWC easements on the 82-acre parcel and an amount of $30,000 was held in escrow to cover the costs of the surveys, the lawyers and other details. After a couple of years, nothing had been done to correct the easements and the $30,000 was released to Rick. At this point, Dennis owned all of the original Thundering Herd Ranch, although it consisted of two separate parcels.

2009 Conservation Easement. The same year that Dennis bought the 82 acres from Rick, he entered an agreement with Sonoma County whereby the previous subdivided parcels were recombined into one and the entire ranch became protected by a conservation easement that strictly limits development

(Document 2009-054234). Basically, no new dwellings or major structures can be added and the property must continue to be used in perpetuity for agricultural purposes. The easement materially affected the BWC but again the water company was not party to the negotiations.

The Conservation Easement mentions the BWC in only one place. Exhibit B (Agricultural Conservation Easement Permitted Uses and Practices), Section 6 (Utility Systems) states that "GRANTOR [Sonoma County] shall allow the Bodega Water Company to replace the three existing water tanks with one of larger capacity, with a minor site relocation." It is unclear what this actually means. The BWC has three tanks as part of the treatment plant: the settling tank, the slow sand filter and the drop tank. These all serve separate functions as part of water treatment and can't be combined into a single tank. Our storage tanks on the hill consist of six HDPE tanks plus a concrete tank that has not been used for a decade or more. Could the reference be to the large 1.3-million-gallon storage tank discussed above? I have no idea.

2020 Dennis Gilardi to Ron Albini. In 2020 Dennis sold the ranch to Ron Albini. Ron and his family have a long history in the community. He served many years as the Chief of the Bodega Volunteer Fire Department and has been a key figure for decades.

While Dennis still owned the property, an attorney for the BWC had prepared legal action against Dennis, as noted above, in an attempt to settle issues related to well #5 and the easements granted to the BWC by George, but when Ron bought the property, the BWC Board at the time decided not to move forward. In fact, the BWC is continuing to honor the 2007 access agreement with Dennis, which was signed by Ron on behalf of the BWC when he served on the Board.

Potter's Addition

The 10.44-acre parcel just to the north of the former Thundering Herd Ranch is also significant to the BWC for several reasons: First, and most importantly, BWC's well #2 is located on this property.[25] Second, passage through this parcel is needed to access the BWC infrastructure located on Albini Ranch. Third, two main BWC water distribution lines cross this property.[26] And forth, electric power to BWC's well #3 and the treatment plant passes through this property. The BWC has a documented easement for the latter (Document 2012-131051), Book 2990, Page 918.

To my knowledge, this parcel was not part of the Thundering Herd Ranch, but it was also owned by Tom and Dave who granted easements to the BWC for water lines and well #2.[27] It is unclear when they first acquired the property. While Tom and Dave owned the property, they drilled well #2 and deeded ownership to the BWC in 1996 along with three other wells and other physical assets in exchange for a $50,000 liability. From the numbering, it is assumed that well #2 was the second BWC well to be drilled, after well #1, the original shallow well near Salmon Creek and the treatment plant.

In 1995, Tom and Dave[28] sold the 10.44-acre parcel to Walter G. Gross (Document 1995-0018398). Walter was George's brother. Walter and George were both involved in the BWC in the early days but their exact role is unknown. Walter's obituary[29] noted that he met Tom at the Potter school house when it was a restaurant and enjoyed a lifelong friendship.

At some point, another well was drilled on the 10.44-acre parcel. The BWC calls this well #4, since for a while it delivered water to system. From the numbering, one would assume that it was drilled after well #3 which is on the 82-acre parcel and before well #5 which is on the 295-acre parcel. It is unclear what the arrangement was between Walter and the BWC. It appears that somehow, well #4 became "Walter's well".

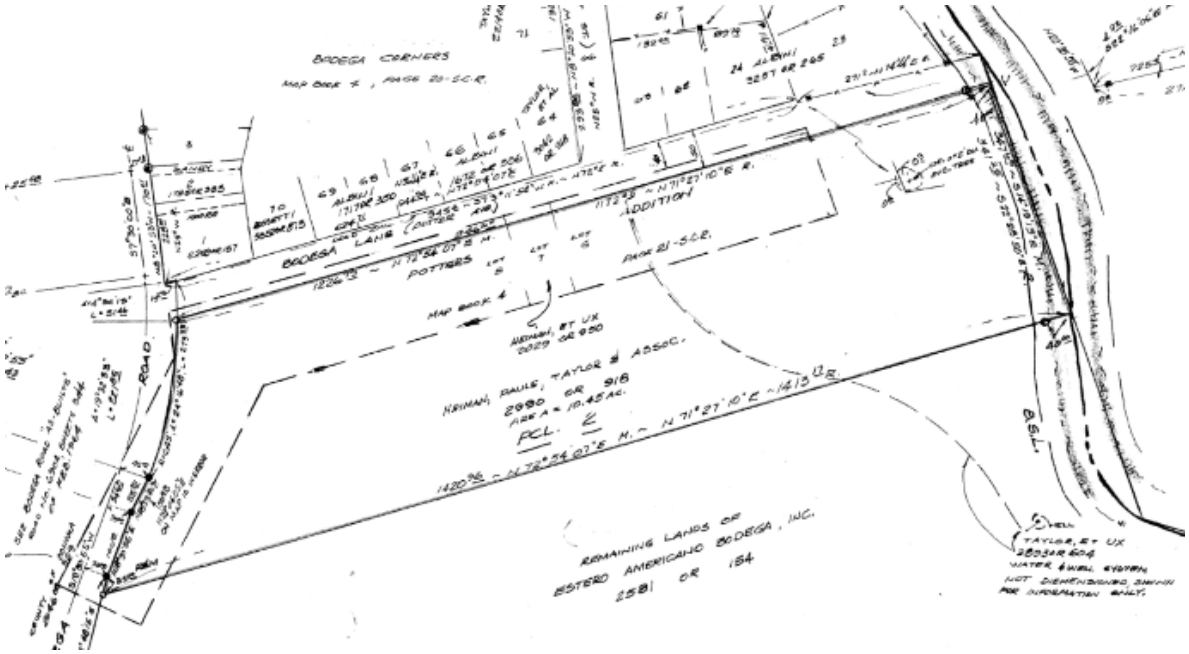
At one point Walter also claimed ownership of BWC well #2, which is located on his property. In a letter from his attorney, Bruce McCann, to the BWC's president at the time, Kerri Kor, dated November 25, 2009. Walter claims that the BWC has no rights to well #2 and contends that he has been allowing the BWC to draw water from the well. However, a well drillers report dated 1985 by Weeks Drilling shows the BWC as the owner.

You are probably wondering why this section of the chronology is titled Potter's Addition. It's part of the colorful history of Bodega. An 1863 map shows that Bodega was carved into dozens of tiny lots similar to Camp Meeker. It was called Bodega Corners. See Book 4, Page 20 at the County Assessor's office and the image above. The lots were subsequently combined to much fewer and larger lots. A parcel just to the south of Bodega Corners, across what is now Bodega Lane was also subdivided and called Potters Addition, an addition apparently to Bodega Corners.

Potter's addition is now APN 103-010-034, the 10.44-acre property we have been talking about. It too would have added a number of small Camp Meeker size lots along the south side of Bodega Lane. This never happened, but there have been several other unsuccessful attempts over the years to subdivide and develop this parcel. First was a proposal to construct a service station, convenience store and possibly a laundromat at the western end where it fronts Bodega Highway. This was a controversy in the community for a number of years. Somewhat more recently there was a proposal by Walter to divide the parcel into four separate lots, each with a single-family home and a BWC service connection. Since the BWC barely produced enough water to provide for existing members, this never happened either.[30] At present, the parcel is recorded as having a duplex.



Bodega Corners 1863



Potters Addition

County Management of the BWC

In the late 1980s and early 1990s, several water companies in western Sonoma County were acquired by the County, including those in Jenner, Salmon Creek, Freestone, and Fitch Mountain (near Healdsburg). These water companies were made CSA (County Service Areas) and operated by the County. The County later reorganized the CSA and created the Sonoma Public Infrastructure (SPI). The water companies which were acquired 35 years ago are now part of SPI.

Around 1990, the County was considering acquiring the BWC in a manner similar to the other districts. The proposal was instigated by an application by Tom and Dave on July 15, 1985, a few years after incorporation.[31] Obviously, the proposal was never consummated. The following article appeared in the *Bodega Bay Navigator,* written by Jeremy Sharp:

> "In 1990, LAFCO considered purchasing the company [the Bodega Water Company] and forming a County Service Area. By forming a CSA, the county would take charge of the day-to-day operations of the system. A letter from LAFCO that year indicates that the private owners[32] of the company are willing to sell.
>
> There were too many problems unfortunately for LAFCO to take control and now the company wants the customers themselves to take over operation."

The SPI water companies are managed by a private company, the Russian River Utility (RRU). It manages the water utilities now a part of SPI, but also about 20 other small water companies, including Valley Ford. I contacted RRU about the possibility of them managing some or all of the BWC activities. They sent a questionnaire which I filled out and returned. Afterwards, they said that they did not have the capacity to provide us with services. My hunch is that they know the problems we're facing and want no part of it.

Where We Are Now

At present, the BWC has three wells. Our two deep groundwater wells (#2 and #3) are fairly dependable and together produce 1,500-1,600 gallons per day (gpd). Some of this water is lost before it arrives at the treatment plant and we are working to isolate and repair the leak(s). Our third well (#5) produces most of our water, but has lots of problems. Most of these problems stem from the fact that it is "under surface influence" and the State Water Boards have special requirements for surface water. The cost to operate well #5 is between $40,000 and $50,000 each year. Furthermore, production from well #5 is erratic, causing us to have water trucked in from Sebastopol, at great expense to our members. For comparison, the water we produce from wells #2 and #3 is fairly inexpensive since minimal treatment is needed. Well #5 cost, however, is in the range of $40 per 1,000 gallons. Trucked-in water is $115 per 1,000 gallons.

The BWC water rates are extremely high because of our relance on well #5, but also because we have to share compliance and water testing expenses between only 37 members. The most critical need is to find a new source of water to replace well #5. A draft Capital Improvement Plan outlines steps to move forward.

Appendix A – Chronological Notes

The following are miscellaneous notes from various document in the files.

1974, September 3. An encroachment permit was issued to Tom Taylor to install a 2" water line across Bodega Lane.

1982, September 7. A memo from Tom laying out the organization of Heiman, Paule Taylor and Associates (HPTA):

- Members pay a connection fee which is transferable [to a subsequent buyer].
- HPTA owns the real property and leases it to the BWC for $100/month
- Tom has $11,500 invested, Dave $9,500, and Elsie Heiman loaned the BWC $3,000.
- New connection fees were $700 in town and $850 beyond the bridge.
- Frost was given the first right of refusal to buy the water company, even though the corporation was owned by the members. Possibly this right was to purchase the assets.

1986, March. A map developed by Dimensions 4 (D4) shows easements across the former Walter Gross property (now APN 103-010-034).[33] The map indicates that at the time, the property was owned by HPTA.[34] The small lots of Potters Addition are shown to be owned by Paule, Heiman and Taylor, but apparently separate from the main lot which at the time was APN 103-010-031. Three parcels were identified: one, two and three. One is a 20 ft wide easement that roughly follows the line of the access road to the treatment plant, but clearly includes well #2. Parcel Two is a 20 ft wide easement that according to the as-built drawings by D4 has a 2" water line. Parcel Three is also a 20 ft wide easement that has a 4-inch water line, according to the as-built drawings by D4. A document is in the paper files for these easements.

1987, August 19. Minutes of the BWC show 20 gpm from well #1 for the winter and 10 gpm in the summer. The deep well [#2] is producing 6.5 gpm. CSA 36 was on the agenda, but nothing was reported in the minutes. The value of the BWC at the time was estimated to be between $20,000 and $25,000.

1990, September 18. A letter from Karl A to the board of supervisors recommends the creation of County Service Ares (CSA) 36, e.g., the county takes over the water system.

1990 February 7-12. HPTA granted three easements to the BWC across the former Walter Gross property, each with a width of 20 ft. These are also documented on the 1986 Dimensions 4 drawing.

1990, November 6. The title report to Walter identifies two easements of significance:

- 5th road and public utility easement and incidental purposes, Book 2581 Page 157.
- 6th: an easement over said land for right of way for installation, maintenance and repair of a well, pump and pressure system and incidental purposes as contained in deed to Tom D. Taylor, et ux, dated August 23, 1974, in Book 2893 Page 604.

1993, August 21. In some sort of status report, similar to a capital improvement plan, it was reported that:

- One well [probably #2] was producing 6 gpm
- Well #1 was producing 8 gpm but was considered surface water and needed to be treated.
- A storage tank exists for 20,000 gallons [probably the concrete tank, which has been out of service because of the need for a roof repair that admits vermin.]
- Reference was made to the 20+ acre-foot reservoir

- Upgrade costs for the treatment plant were $40,000 to $50,000.
- Costs were developed to expand the system to 100 hookups at $7,500 per hookup.
- 10 new hookups over 3 years would bring in $75,000.

1996, November 18. An attorney for the BWC, Adrienne M. Moran, with the Shipiro, Galvin & Shipiro law firm, prepared against Dennis a “complaint for temporary restraining order; preliminary and permanent injunction; quiet title; declaratory relief. This the same law firm that represented BWC in the GMAC matter.

1996. A note attached to a letter from Adrienne M. Moran (see above) notes that wells #2, #3, and #4 were producing a total of 6,000 gpd, well #1 was producing 12,000 gpd, well #5 on Gilardi Ranch was producing 12,000 gpd and the Gilardi pond was worth 1500 gpd.

1996. A document (1996-0112234) in 1996 transferred the 4 wells (presumably 1, 2, 3 and 5), 11 water tanks, and “easements thereto” to the BWC for a “total indebtedness of $50,000”, $25,000 each to Tom and Dave. The note contained some misinformation that these wells produce the best water without treatment.

1997, April 2. In a letter to their investors (not BWC members) from Tom and Dave, they state that “We have a pre-1914 allocation of water to the extent of 8-acre feet per year from this well [well #1] which should not be contestable. Also, the BWC equipment will be transferred to the BWC and will allow the BWC to be separated from HPTA.” HPTA apparently still owned the 10.44 acres at this writing but the sale to Walter was pending.

1997. A 1997 letter from Rick Williams attempting to establish riparian rights suggests that well #1 has existing since the early 1900s, although it has probably been reworked many times since then, e.g., RCP (concrete pipe) as not available back then.

1997. Around November 1997, the BWC created a waiting list for hookups. A fee of $7500 was required and a $500 deposit was needed. Ron Albini is at the top of the list and he paid $1000 deposit for two hookups. The list includes a list for about 22 new hookups.

1998. A letter to Rick 12/3/1998 from the State says that the riparian status of its members does not result in a riparian right for the water company.

2000, August 28. The Bodega Bay PUD wrote a letter to Rick Williams in regard to Application for Diversion 30787. They were in opposition.

2000 December 2. . A memo to the members from Rick says that he will no longer charge his time to the BWC, except for a few limited activities. He named budgeting, bookkeeping and billing.

2000. Rick apparently inquired again about the BWC becoming an assessment district. The county responded with a description of the process. The first consideration was ten years earlier.

2001, October 15. The Sonoma County Department of Health Services, in a letter to Phillip Shugar, cites the moratorium and says that it “restricts any new water service connections from being added to the system”. I interpret this to mean that if a member drops out, another service connection can’t be added to take its place.

But in regard to Mr. Shugar’s request, they acknowledged that the current meter serves two properties and it would not be in violation of the moratorium to add another meter, as long as water consumption does not increase.

2002, January 25. Rick Williams offered property to the BWC and the BVFD. The proposal was amended May 2003. 20 acres would be granted to the BWC that contains most of the infrastructure, and land for the proposed reservoir. Another 3 acres would be granted to the BVFD. I'm not sure how this was every acted on. Obviously BWC does not own the land. The cost was estimated to be $75,000 and the costs were to be divided among the three parties.

2002. A survey of business owners in Bodega indicates that the BWC was created in 1974.

2008, March 17. Assignment of Water Certificate. When James and Annette Piazza bought the property (APN 103-130-016) from Russell Tucker, Gerald Mapel and Shirley Mapel, the BWC certificate of membership was assigned to the new owners.

2011 December 22. Loan rom 1976 California safe drinking water bond paid off.

2012 December 13. Walter Gross granted an easement to the BWC for an underground electric line.

2013. BWC billed Gold Ridge RCD (John Green) for three backflow device installations. 2/1/2013

2013. Reuel Miller was both a D2 distribution operator (#28587) and T2 treatment operator (#22258).

2013. Inspection Report included in GHD Appendix.

- Water Supply Permit No. 0850 was issued April 9, 1982 by the Sonoma County Public Health Service. The permit was set to expire in one year of issuance, and allowed for **no additional connections to the system** (beyond the existing 37). Amended water permit No. 0850-83 was issued November 7, 1983 by the Sonoma County Public Health Service for construction of unspecified new facilities.
- The concrete tank was taken out of service to reduce the sanitary risk to the system. When this happened, the service connection on Highway 1 received no water and it was hauled in.
- Well #5 was previously reported as a groundwater source, but it is ground water under direct influence (GWUDI).
- Wells #2 and #3 were reported to produce 3 gpm each.
- CDPH California Department of Public Health
- Well 5 can produce up to 12 gpm, but must be treated by the slow sand filter, effectively limiting production to 7.6 gpm. Counting 3 gpm for #2 and #3, this is a maximum of 13.6 gpm.
- Hauled water has totaled up to 66,000 gallons (in 2009, all to Highway 1) with an average of 30,900 gallons per year. The most delivered to Bodega storage was 57,000 gallons in 2004.
- The slow sand filter was installed in 1996.

2014, December. The service charge was changed to $70 to $100 per month. The tiers are the same as now and the prices were $28, $33, and $41 respectively. As of May 2026, the monthly service charge is $130 per month, a 30% increase over twelve years.

2014, July 15. Anna and Fred Kovina got a welcome letter from the BWC with a certificate of membership. Laura and Michael Parish also got a welcome letter and certificate.

Appendix B – Endnotes

[1] Tom Taylor came to Bodega from Texas in the 1960s. Along with David Heiman Verne Paule and other investors, he created the Bodega Water Company. Although the water system begin operation prior to this, a permit to operate a small water supply system was granted by the Sonoma County Public Health Service in a letter to Heiman, Paule, Taylor and Associates on November 13, 1979.

[2] This well may have existed before then. In arguing for riparian rights, Tom argued that the well had been in place since the early 1900s, before the 1914 cutoff date. It was determined much later, possibly in 1991, that this well was fed by the underflow of Salmon Creek.

[3] Luana Pressler wrote to me that the water company was originally formed to service a planned development on a large parcel behind the Bodega Creamery. Residents of Bodega protested that development through a letter writing campaign and a sit-in at the Sonoma County Board of Supervisors meeting. The plan for the development failed. One of the issues was the availability of water. That is when Tom and Dave ran a pipe line from the water source on the hill to the property behind Bodega Creamery and began selling hookups to raise funds for the development.

[4] Michael Costello bought one of these properties and moved to 777 Salmon Creek Road (APN 103-060-009) in 1969. He got a hookup from the BWC a few years later as part of the Mitchell's deal. Also, the Phillips/Eley house at 940 Salmon Creek Road (APN 103-060-007) was built in the 1960s by Bill Chenowith. It never had a well, but received its water from a "community well" across Salmon Creek Road.

[5] From Rick Williams, Tom Taylor's son-in-law.

[6] Voting was prorated based on the original investment of members in the company. Tom and Dave were the only members who had made an investment.

[7] When my wife and I bought our house in Bodega, the realtor told us we were lucky to have a water connection, since western Sonoma County is water scarce. We learned much later what it meant to be a member of the BWC and how it was much different that being a customer of East Bay MUD or San Francisco Water. .

[8] See the note to file from Tom and Dave dated September 7, 1982. This documents that HPTA retained ownership of the wells, treatment plant, storage tanks and distribution system. These privately owned assets were leased to the BWC for $100 per month. However, a subsequent document dated December 16, 1996 transferred ownership to the BWC of four water wells, eleven storage tanks, and easements thereto.

[9] At this date, the owners were listed as Heiman, Paule, Taylor and Associates (HPTA).

[10] The four wells were #1, #2, #3 and #5. Well #4 at the time was located on the Walter Gross property and he claimed ownership.

[11] The BWC never paid off this note. When I joined the BWC Board in 2023, it was still on the books. Tom and Dave had died and we were able to remove this liability, almost 40 years later.

[12] Known instances where distribution lines are on member property include APNs 103-010-034, 103-140-043, 103-060-013, 103-060-012, 103-060-009, 103-060-020. In addition, distribution lines cross several non-member APNs: 106-030-006, and 103-060-011.

[13] I believe the moratorium was imposed by the Sonoma County Department of Public Health. Those duties were later assumed by the California Water Boards.

[14] This is documented in the *Complaint for Quiet Title* prepared by Bob Haroche around 2020.

[15] I will refer to George E. Gross as simply George so there is no confusion with his brother Walter Gross, who I will refer to later as Walter.

[16] The Estero connection was put in by Tom and Dave when they built a bed and breakfast or possibly restaurant on the property. It is the only service connection that is not in the Salmon Creek watershed.

[17] Ten years before these easements were granted (in 1986), the engineering company, Dimensions 4, developed a map that plotted the easements exactly as they appear in the recorded document. The map also showed three easements across the 10.44-acre property to the north that at the time was owned by Tom and Dave.

[18] See the March 21, 1997 memo from Rick Williams to the members.

[19] Shapiro, Galvin, Shapiro, Farrell & Piasta in Santa Rosa.

[20] The decision appears to be from binding arbitration.

[21] Based on recent production from well #5, it is doubtful that the 1.3-million-gallon tank could be filled in the five month long rainy season. For the five months, it would have been necessary to pump about 8,500 gallons per day from well #5. Recently, production during good months has been about 4,000 gpd and at times around 3,000 gpd.

[22] If the tank were sized to serve just the 37 hookups, it could be smaller, perhaps 800,000 gallons.

[23] Ron Albini, the current owner of the property, served on the BWC board at the time and as the Chief of the volunteer fire department and signed the agreement on behalf of the BWC.

[24] The BWC is currently being reimbursed for these legal fees with an addition to Rick's monthly water bill.

[25] This is one of the wells that was deeded to the BWC when the infrastructure was transferred in exchange for the $50,000 liability.

[26] These are shown on a map prepared by the engineering company Dimensions 4 in 1984. This work both identifies pipelines at the time and proposed an expansion of the distribution system, which never occurred. Two lines are shown crossing the property, a 4-inch line that serves most of the hookups and a separate 2-inch line that serves the old School House and neighboring properties.

[27] The owner listed in several of the documents was HPTA (Heiman, Paule, Taylor and Associates). A 1986 map developed by Dimensions 4 Engineering (D4) shows easements across what is now APN 103-010-034, the former Walter Gross property. The map indicates that the property was owned by HPTA at the time. Three parcels were identified: one, two and three. One is a 20 ft wide easement that roughly follows the line of the road, but clearly includes well #2. Parcel Two is a 20 ft wide easement that according to the as-built drawings by D4 has a 2" water line. Parcel Three is also a 20 ft wide easement that has a 4-inch water line, according to the as-built drawings.

[28] HPTA (Heiman, Paule, Taylor and Associates) was the grantor.

[29] The obituary appeared in the Press Democrat in March 2026.

[30] Walter Gross offered to transfer ownership of his well to the BWC if he could get three new service connections to his property. The moratorium was still in place so the deal had to be approved by the county. The deal was never consummated.

[31] 1990, February 2. LAFCO staff (Vivian Look) recommended the formation of CSA 36 to take over the BWC. The item was on the agenda of a meeting of LAFCO March 1, 1990, with the staff recommendation. This was in response to an application submitted by Tom and Dave on July 15, 1985, a few years after incorporation. I have been unable to find minutes of LAFCO meetings where a decision was made on this recommendation. Nor have I found the application by Tom and Dave.

[32] The reference to the "private owners of the company" is assumed to refer to Tom and Dave, although by 1990, the BWC was a mutual benefit corporation owned by the members with service hookups. However, Tom and Dave still owned the assets of the corporation.

[33] Dimensions 4 still exists. Their website is www.d4e.net.

[34] This is verified in Book 2990, Page 918, recorded August 25, 1975.