

# Water ruling may impact Calif. fire fee

By Tim Hearnden, Capital Press

SACRAMENTO – A judge's recent preliminary ruling that California water rights fees are invalid has piqued the interest of a group suing the state over fees charged to rural landowners for fire prevention.

Sacramento County Superior Court Judge Raymond Cadei agreed with petitioners that fees charged by the State Water Resources Control Board disproportionately burden rights holders with funding the agency's Division of Water Rights.

"The deficiency rises out of the fact that no fees are assessed against the holders of approximately 38 percent of all water rights in California as expressed in acre-feet," Cadei wrote in his ruling, issued Sept. 6. "This evidence is sufficient to establish that holders of water rights that are not charged fees nevertheless receive a benefit from the division's regulatory activities ..."

The proposed ruling, which could be finalized at an Oct. 30 hearing, comes as the Howard Jarvis Taxpayers Association is leading a legal challenge against \$150-per-structure assessments imposed in rural areas as part of the 2011-12 budget package.

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