

CALIFORNIA TODAY

A Battle Over Water Comes to a Sweet End

Tuesday: The conclusion of a fight between a little town and a big timber company over who owned the rights to a pristine spring.



By Thomas Fuller

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The snow-capped dormant volcano Mount Shasta, as seen from the town of Weed, in Northern California. Jim Wilson/The New York Times

Good morning.

Nearly five years ago we brought you the story of a little town an hour south of the Oregon border that was doing battle with a big timber company over who owned the rights to a pristine spring that gurgles in the shadows of Mount Shasta, the majestic snow-capped dormant volcano.

After \$1.5 million in legal fees and countless hours of argument and activism, the City Council of that town, Weed, Calif., recently approved a deal securing use of the water in perpetuity. It was a David-over-Goliath victory for Weed, population 2,700. And it was an especially sweet moment for a small group of residents whose political views ran the gamut from left to right but who put aside those differences in their collective fight to win back what was in their view the town's rightful ownership of spring water that has been piped into homes in Weed for more than a century.

"It was a long, grinding campaign," said Bruce Shoemaker, one of the residents who helped found Water for Citizens of Weed, CA, the group that fought to regain the city's rights to the spring.

"We did not have a tradition of community activism until this came along. And there were a lot of odds against this little town going up against big corporate behemoths," Mr. Shoemaker said.

"This never would have happened had people not stood up."

The costs of the battle, in both money and time, are a reminder of how precious and contested water can be in California, a timely parable for a state now slipping back into drought.



Roseburg Forest Products owns the pine forest where the spring providing city water surfaces. Jim Wilson/The New York Times

The city's \$1.5 million in legal fees are the equivalent of more than \$500 per resident in a city where median household income is \$31,000, according to the city manager, Tim Rundel, who helped put together the water deal. California's median household income, at \$75,000, is more than double the town's.

The legal battle also took its toll on the residents who got involved. In 2017, after residents lodged a complaint to state agencies claiming the city's right to the water, the timber company that claimed rights to the spring, Roseburg Forest Products, sued the city, Water for Citizens of Weed and its nine members individually.

With the help of pro bono lawyers, the residents argued that Roseburg's suit was an intimidation tactic, a strategic lawsuit against public participation, or SLAPP suit. A judge ruled in favor of the residents, and an appeal by the timber company was ultimately dropped.

A separate eminent domain lawsuit by the city was underway when the water deal emerged.

The deal is a three-way agreement between the city, Roseburg and Crystal Geyser Roxane, a company that bottles mineral water from the spring. Crystal Geyser agreed to buy the rights to the spring from Roseburg and then sell partial rights to the city for \$1.2 million.

Mr. Shoemaker concedes that residents would have preferred free access to the water — for decades the city was paying a symbolic \$1 a year for the water before Roseburg made its demands in 2016 that set off the cascade of legal wrangling.

"Life is compromise sometimes," Mr. Shoemaker said. "It's not a perfect victory, but it's still a victory."

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