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*Admitted only in California, District of Columbia*

**VIA OVERNIGHT DELIVERY - FEDEX**

December 23, 2025

Fern Steiner, Chair  
California Water Commission  
P.O. Box 942836  
Sacramento, California 94236-0001

Ann Carroll, General Counsel  
Office of General Counsel  
California Department of Water Resources  
715 P. Street  
Sacramento, California 95814

**Re: NOTICE OF JUDGMENT & PEREMPTORY WRIT OF MANDATE** regarding Chino Basin Program and Final Program Environmental Impact Report; City of Ontario v. Inland Empire Utilities Agency (San Bernardino Superior Court Case No. CIVSB-2211925)

Dear Chair Steiner and Ms. Carroll:

We are counsel to the City of Ontario, the Petitioner in the above-referenced action, regarding challenges under the California Environmental Quality Act ("CEQA") to approvals by Respondents Inland Empire Utilities Agency and its Board of Directors (collectively, "IEUA") of the Chino Basin Program (the "Program"), and the certification of the Chino Basin Program Final Program Environmental Impact Report.

This letter provides NOTICE OF JUDGMENT entered in the above action enclosing the Judgment Granting Verified Petition for Writ of Mandate ("Judgment") issued by the Superior Court of San Bernardino Count and dated December 8, 2025, and the Peremptory Writ of Manage ("Writ of Mandate") issued by Superior Court and dated December 9, 2025. The Writ of Mandate orders IEUA "to VACATE AND SET ASIDE their certification of the Chino Basin Program Final Program Environmental Impact Report ('EIR') and related Chino Basin Project approvals." The Writ of Mandate also provides that "Respondents are further restrained "from reapproving the Chino Basin Project unless and until they correct the" CEQA violations identified in the Court's September 4, 2025, Ruling on Petition for Writ of Mandate.

Chair Fern Steiner, California Water Commission

Re: NOTICE OF JUDGMENT & PEREMPTORY WRIT OF MANDATE – CHINO BASIN PROGRAM

December 23, 2025

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We understand that the California Water Commission has entered into agreements with IEUA, or taken other actions, related to the approvals of the Program by IEUA and/or the EIR (collectively, "Approvals"). Such Approvals by the Commission include, but are not limited, the Chino Basin Program Funding Agreement between the Commission and IEUA dated August 25, 2021. The Writ of Mandate requires IEUA to vacate and set aside any such Approvals. The Writ of Mandate refrains IEUA from entering any future agreements with any other agency or entity related to the Program and/or the EIR unless and until IEUA complies with the Writ of Mandate.

Very truly yours,



Robert D. Thornton  
Nossaman LLP

*RDT:ims*

Enclosures: Judgment Granting Verified Petition for Writ of Mandate  
Peremptory Writ of Mandate

Cc: John McClendon, counsel to IEUA (w/ encl.)  
Frederic A. Fudacz, Esq. (w/encl)

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FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO CIVIL DIVISION  
DEC - 8. 2025  
BY VERONICA GONZALEZ, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO -SAN BERNARDINO DISTRICT

CITY OF ONTARIO, a municipal corporation

Petitioner,

v.

INLAND EMPIRE UTILITIES  
AGENCY, a municipal water district;  
BOARD OF DIRECTORS OF THE  
INLAND EMPIRE UTILITIES  
AGENCY; and DOES 1 through 100,  
inclusive,

Respondents.

**Case No. CIV SB 2211925**

Assigned for All Purposes to the  
Honorable Judge Donald Alvarez  
Department S-23-SBJC

**[PROPOSED] JUDGMENT  
GRANTING VERIFIED PETITION  
FOR WRIT OF MANDATE**

On August 1, 2025, this matter came on for hearing in Department S23 of the San Bernardino County Superior Court, the Honorable Judge Donald Alvarez presiding. Petitioner City of Ontario ("Petitioner") appeared through its attorneys, Robert D. Thornton and Frederic A. Fudacz of Nossaman LLP, and Respondents Inland Empire Utilities Agency and the Board of Directors of the Inland Empire Utilities Agency (collectively, "Respondents") appeared through their attorney, John McClendon of Leibold McClendon & Mann, P.C.

1 After considering the filings of all parties, the oral arguments of counsel, and the records  
2 and files in this case, the Court took the matter under submission. After further deliberation and  
3 further review of applicable legal authorities, documents within the Administrative Record, and  
4 arguments of the parties, the Court filed and served its *Ruling on Petition for Writ of Mandate*  
5 (“*Ruling*”) dated September 4, 2025, and incorporated herein by reference.

6 The Court having issued the Ruling,

7 IT IS THEREFORE ORDERED AND ADJUDGED that:

8       1. Petitioner's *Verified Petition for Writ of Mandate* is granted in part for the reasons  
9 stated in the Court's *Ruling*, and Petitioner shall have judgment against Respondents as set forth  
10 below.

11       2. A peremptory writ of mandate shall issue under seal of this Court in the form  
12 attached hereto as Exhibit A.

3. In accordance with Code of Civil Procedure section 1033, and Rule 3.1700 of the  
California Rules of Court, Petitioner is the prevailing party in this action and may claim its costs  
of suit, and Respondents may contest such costs.

16        4. Pursuant to Code of Civil Procedure section 1021.5, Petitioner may seek an award  
17 of its attorneys' fees, and this Court reserves and retains jurisdiction to determine the amount of  
18 such fees, if any. If such motion is granted, this judgment will be amended to award the amount  
19 of \$ 100 [to be determined] in attorney's fees.

20       5.     This Court shall reserve and retain jurisdiction over this action until such time as  
21    Respondents file a return evidencing they have complied with the attached *Peremptory Writ of*  
22    *Mandate.*

23       6. Pursuant to subdivision (c) of Public Resources Code section 21168.9, the Court  
24 does not direct Respondents to exercise their lawful discretion in any particular way.

25  
26 DATED: DEC 08 2025

David R. Oss  
Judge of the Superior Court

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FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN BERNARDINO  
SAN BERNARDINO CIVIL DIVISION  
DEC - 8 2025  
BY *60*  
VERONICA GONZALEZ, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN BERNARDINO - SAN BERNARDINO DISTRICT

CITY OF ONTARIO, a municipal corporation

Petitioner,

v.

INLAND EMPIRE UTILITIES  
AGENCY, a municipal water district;  
BOARD OF DIRECTORS OF THE  
INLAND EMPIRE UTILITIES  
AGENCY; and DOES 1 through 100,  
inclusive,

Respondents.

**Case No. CIV SB 2211925**

Assigned for All Purposes to the  
Honorable Judge Donald Alvarez  
Department S-23-SBJC

**[PROPOSED] PEREMPTORY  
WRIT OF MANDATE**

**TO THE INLAND EMPIRE UTILITIES AGENCY AND BOARD OF  
DIRECTORS OF THE INLAND EMPIRE UTILITIES AGENCY:**

After a determination that you failed to proceed in the manner required by the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq.*: "CEQA"), and judgment having been entered in this proceeding, ordering that a Peremptory Writ of Mandate be issued from this Court:

1 RESPONDENTS INLAND EMPIRE UTILITIES AGENCY AND THE BOARD OF  
2 DIRECTORS OF THE INLAND EMPIRE UTILITIES AGENCY ARE HEREBY  
3 COMMANDED, within thirty (30) days of the service of this Writ, to VACATE AND SET  
4 ASIDE their certification of the Chino Basin Project Program Final Program Environmental  
5 Impact Report (“EIR”) and related Chino Basin Project approvals.

6 In accordance with subdivision (b) of Public Resources Code section 21168.9, directing  
7 courts to specify the actions necessary to comply with CEQA, Respondents are further restrained  
8 from reapproving the Chino Basin Project unless and until they correct the following violations  
9 of CEQA identified in the Court's September 4, 2025 *Ruling on Petition for Writ of Mandate*:

- Respondents “piecemealed” the evaluation of the effects of the CBP by failing to evaluate the effects of the CBP and the Feather River Exchange outside of the Chino Basin;
- Respondents used an unstable and inconsistent project description that evaluates the effects of a project life of 25 years, but then justifies the CBP based on purported water supply benefits over 50 years; and
- Respondents adopted a biased and determinative project objective to justify a refusal to evaluate reasonable alternatives to the CBP.

18 Respondents shall file an initial report with this Court within sixty (60) days of the service  
19 of the Writ specifying what actions Respondents have taken to comply with the Writ.

20 The Court RETAINS jurisdiction over this proceeding until the Court has determined that  
21 Respondents have complied with CEQA and this Peremptory Writ of Mandate

DATED: DEC -9 2025



Clerk of the Superior Court

By: **VERONICA GONZALEZ**

DATED:

Honorable Donald Alvarez,  
Judge of the Superior Court