

NEAL E. COSTANZO SBN122352
MICHAEL G. SLATER SBN 247302
575 EAST LOCUST AVENUE, SUITE #115
FRESNO, CALIFORNIA 93720
TELEPHONE (559) 261-0163
FACSIMILE (559) 261-0703

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County of Fresno
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Attorneys for Respondent, PINEDALE COUNTY WATER DISTRICT
(NO FILING FEE REQUIRED GOVERNMENT CODE §6103)

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF FRESNO

PINEDALE COUNTY WATER DISTRICT, a) Case No.: 26CU02177
California County Water District (Water Code)
§ 30000 et seq) ,

Petitioner,

v.

James A. Kus,
Fresno County Clerk and Registrar of Voters
and DOES 1-10, inclusive
Respondents.

**FIRST AMENDED PETITION FOR WRIT
OF MANDATE [CODE OF CIVIL
PROCEDURE § 1085]**

Petitioner, Pinedale County Water District, a California County Water District
(Water Code § 30000 et seq, ("Pinedale" or "District")) alleges:

INTRODUCTION

1. This Petition by Pinedale seeks a Writ of Mandate directed to the Fresno
County Clerk and Registrar of Voters, James A. Kus ("ROV" or "Respondent")
restraining and enjoining the ROV from certifying the results of the November 3, 2026,
Election, with respect to the election being conducted of Pinedale County Water District
Directors; or, alternatively, to the extent the ROV is allowed to certify any such election
result to invalidate the results of the election to the extent it results in the election of any
person to the position of director of the District and to require ROV to conduct the

1 election anew within the entirety of the jurisdictional boundaries of the District, as
2 established by the Fresno County Local Agency Formation Commission (LAFCo) both
3 in connection with accepting nominations / candidacy filings by individuals seeking
4 election to a position on Pinedale's Board of Directors and to treat as voters of the
5 District each and every qualified, registered person over the age of eighteen residing
6 anywhere within Pinedale's service areas defined by LAFCo as required by law and the
7 terms of the District's Resolution No. 2026-02, a copy of which is attached and
8 incorporated by this reference as Exhibit A. The territory of the District is defined by that
9 Resolution and by the maps depicting Pinedale's service areas most recently issued by
10 LAFCo, on February 2, 2026, copies of which are attached to Resolution No. 2026-02.
11 ROV unlawfully used one of two service area maps adopted by LAFCo thereby
12 unlawfully disenfranchising voters residing in part of the District's lawfully established
13 boundaries.

14 JURISDICTION AND VENUE

15 2. The court has jurisdiction over this matter pursuant to Code of Civil
16 Procedure § 1085 and Elections Code § 13314.

17 3. On August 3, 2026, this court denied Pinedale's Ex Parte Motion to
18 require ROV to allow candidacy filings by voters residing in the territory that is part of
19 the District where it provides only sewage service, and not water service, and to provide
20 ballots to persons residing in that territory in addition to the entirety of the territory of
21 Pinedale for an unspecified reason. Because the ROV is denying the right to vote in
22 elections of the Board of Directors members to hundreds of registered voters residing
23 within a portion of the District's defined territory the November 3, 2026, election will be
24 invalid and is required to be invalidated by this court for failure to comply with
25 mandatory statutory provisions, including, but not limited to the provisions cited below
26 relating to determination of the District's boundaries for purposes of an election and
27 Elections Code § 2000 which requires that every person who qualifies and complies
28 with the Elections Code provisions governing registration of voters, may vote at any

1 election held within the territory within which he or she resides and an election is held.
2 Excluding voters from participating in elections where they reside violates the
3 Constitutional right to vote secured by both the California and Federal Constitutions (Cal
4 Courts Article 1, & § 2, 22; U.S. Constitution Amendments 1, 5, and 14), and further
5 amounts to a statutory basis for preventing the election from occurring and invalidating
6 the election once it occurs pursuant to the provisions of Elections Code § 16100 (c) and
7 Elections Code § 13314. The failure and refusal of ROV to allow the filing of candidacy
8 nomination papers and / or the return and tally or canvass of ballots by registered voters
9 residing within that portion of the District's territory in which it provides sewer service
10 only, deprives such voters of their rights to vote. This petition is authorized explicitly
11 both by CCP § 1085 and Elections Code § 13314. Petitioner, Pinedale, has no plain,
12 speedy, or adequate remedy in the ordinary course of law unless this court grants the
13 relief requested herein. In the absence of such relief, Respondent, ROV will
14 disenfranchise large portions of Pinedale's service areas as defined by LAFCo, based
15 upon nothing more than the ROV's unwillingness to accept the mandate of law that
16 makes LAFCo the exclusive, final authority to establish and define the District's service
17 areas, and, therefore, its jurisdictional boundaries with respect to the conduct of any
18 election. The ROV has no authority to determine Pinedale's boundaries for the purpose
19 of administering or conducting any election. LAFCo has the exclusive authority to
20 determine Pinedale's boundaries and the ROV is required to use LAFCo's most recent
21 maps which define the boundaries of Pinedale. The ROV abused discretion by
22 disregarding LAFCo's maps defining Pinedale's boundaries opting to rely on one of two
23 maps, which defines Pinedale's water service area and ignoring a second map defining
24 Pinedale's sewer service area.

25 4. Venue is proper in this court because the Fresno County Clerk / ROV, is
26 an elected official in control of the Office of the County Clerk / ROV in the County of
27 Fresno (CCP § 394). The office of the Fresno County Clerk / ROV is a subdivision or
28 department of the County of Fresno. The ROV is charged with the responsibility of

1 conducting all elections in the County of Fresno, including the taking of nomination /
2 candidacy filings of persons running for office of a local agency in Fresno County and
3 the tallying and certification of votes of registered voters residing in each local agency.

4 PARTIES

5 5. Petitioner, Pinedale County Water District is a California County Water
6 District organized and existing under the County Water District Law, Water Code §
7 30000 et seq. The County Water District Law mandates that each District shall have a
8 Board of Directors, whom, whether elected or appointed, shall be a voter of the District.
9 Each Director on the Board of Directors following the first Board of Directors are
10 required to be elected or appointed to fill an unexpired term of four (4) years of an
11 elected director. (Water Code § 30500, 30502).

12 6. James A. Kus is the elected Fresno County Clerk and Registrar of Voters
13 ("ROV"), charged with the obligation to conduct elections throughout Fresno County,
14 including elections of the Board of Directors for Pinedale County Water District and all
15 local public entities including elections within Fresno County for County wide offices,
16 elections of City Council members and officers of cities within the county and elections
17 of Board of Directors and other officers of all special districts situated within the County
18 of Fresno. The ROV has no authority whatsoever, by virtue of statute or otherwise, to
19 determine the boundaries of any special district, including a county water district,
20 because the sole authority for determining the boundaries of any local public entity is
21 vested exclusively in Fresno County LAFCo. (Gov. Code § 56100, 56325; City of
22 Patterson v. City of Turlock (2014) 227 Cal. App. 4th 484) (LAFCo's authority over
23 boundaries of local agencies includes the power to change the boundaries of any
24 existing district).

25 7. Pinedale is a "Registered Voter District", which is a District whose principal
26 act provides that registered voters residing within the District are entitled to vote for the
27 election of directors, officers, incurring a bonded indebtedness, or other district matter.
28 (Gov. Code § 56072). By law, California Elections Code § 10521 mandates that

1 qualifications of voters of a district, the number of votes each voter may cast, and the
2 method of determining that number of votes shall be governed by the principal act of the
3 District. (Elections Code § 10521). The principal act under which Pinedale was created,
4 the County Water District Law, provides that the terms "elector", "voter" and "precinct
5 board" have respectively the same meaning as defined in the Elections Code, and an
6 "elector" or "voter" shall also be a resident of the district or "proposed district involved".
7 The term "voter", as defined in the Elections Code, means any elector who is registered
8 under provisions of the Elections Code. (Elections Code § 359). The term "elector" is
9 defined by Elections Code § 321 as a person who is a United States citizen, eighteen
10 years of age or older, with exceptions not relevant here, who is a resident of an election
11 precinct in this state on or before the day of the election. Elections Code § 2000
12 provides that every person who qualifies and complies with the Elections Code
13 provisions governing registration of electors, may vote at any election held within the
14 territory within which he or she resides and the election is held. (Elections Code §
15 2000). The Uniform District Election Law defines a "District" or "Agency" to mean any
16 district or agency of the type designated by and formed pursuant to the provisions of
17 any principal act that incorporates the Uniform District Election Law. It defines a
18 "director" to mean a member of the governing body and an "elected office" as any office
19 that may, under the principal act of the district or agency, be filled by way of an election.
20 An "elective office" is defined as an elective officer as defined by the principal act of
21 each district or agency, or if not defined, any officer of a district or agency holding an
22 office that can be filled by an election. (Elections Code § 10500). A "resident voting
23 district" is defined to mean "any district other than a landowner voting district" and a
24 "voter" means a voter or elector as respectively defined in the principal act of each
25 district or agency, while the "principal act" refers to the law providing for the creation of a
26 particular district, agency, or type of district or agency. Directors of the Board of
27 Directors of Pinedale are, according to the principal act, to be elected by voters who
28 reside within the district. (Id; Gov. Code § 56072).

1 8. Petitioner does not know the true names of capacities, whether individual,
2 corporate, associate, or otherwise of respondent Does 1 through 10, (collectively the
3 "Does"), inclusive, and therefor sues said Does under fictitious names. Petitioner alleges,
4 upon information and belief that each of the fictitiously named Does is responsible in
5 some manner for committing the acts or omissions upon which this petition is based.
6 Petitioner will amend this petition to show the true names and capacities of the Does if
7 and when the same have been ascertained.

8 BACKGROUND ALLEGATIONS

9 9. On or about August 8, 2024, in connection with the filing of candidacy or
10 nomination papers for election of directors to Pinedale's Board of Directors, occurring
11 November 5, 2024, the ROV expressly refused to use the map approved and issued by
12 LAFCo on October 10, 2007, to identify that portion of the District's service area in
13 which the District provides sewer service, but not water service, based on the claim that
14 the map was merely a "sphere of influence" (SOI) designation. The ROV claimed he
15 could not "rely upon [the SOI map] to define the District's physical boundaries for
16 purposes of the District's November 5, 2024, election". That conclusion was based on
17 the ROV's "understanding" that the map of the sewer service area was merely a "plan
18 for the probable physical boundaries and service area of a local agency, as determined
19 by LAFCo". (Citing Gov. Code § 56076). Pursuant to that determination on or about
20 August 8, 2024, the last date on which candidacy or nomination papers were required to
21 be filed by persons seeking election to Pinedale's Board of Directors the ROV refused
22 to accept the filing of legitimate candidacy papers required for the re-election of an
23 incumbent board member based upon his conclusion that the boundaries of Pinedale
24 for purposes of determining who the electors of the District were could not be based on
25 the "sphere of influence map" adopted by LAFCo on October 10, 2007. The ROV's
26 refusal to accept the filing of candidacy papers of the incumbent director, who resides in
27 a portion of the District in which Pinedale provides sewer service, but not water service,
28 caused the filing of candidacy papers for election to the Board of Directors to be

1 extended beyond August 8, 2024, by a period of ten days for all persons residing in the
2 water service area of the District, but not those residing in the sewer service area.
3 Because the candidacy papers attempted to be filed by the incumbent director were not
4 accepted by the ROV the number of persons filing for election to Pinedale's Board of
5 Directors did not exceed the available positions on the Board of Directors and those
6 persons filing after the close of the candidacy filing period were appointed to the Board
7 of Directors in lieu of an election by the Board of Supervisors based on the
8 recommendation of the ROV.

9 10. To correct the designation of the sewer service area map generated by
10 LAFCo on October 10, 2007, Pinedale applied for and on February 2, 2006, LAFCo
11 approved and issued new maps specifying the entirety of the boundaries of the district
12 in three separate maps depicting its service area for the provision of water services,
13 sewer services, and solid waste collection and disposal services. On May 18, 2026, and
14 for months prior thereto, Pinedale and LAFCo provided to the ROV the newly adopted
15 February 2, 2026, service area maps and requested that the ROV confirm that these
16 maps, all of which are attached to Resolution No. 2026-02, Exhibit A to this Petition,
17 reflect the entirety of the service areas of the District, and therefore, its boundaries for
18 purposes of conducting the election. The entirety of the District's service areas, whether
19 for sewer or water service are required by law to be used by the ROV for purposes in
20 conducting the consolidated statewide election on November 3, 2026.

21 11. On or about May 20, 2026, the ROV solicited from Pinedale and from
22 every local agency within the county adoption of a Resolution under Elections Code §
23 10002 requesting that the Board of Supervisors of the county permit the County
24 Elections Official to render its services relating to the conduct of the November 3, 2026,
25 general consolidated election, a requirement also referred to in Elections Code §
26 100502 and 10403, both of which require the governing board of any local agency or
27 district to permit the ROV to conduct the General Consolidated Election of November 3,
28 2026, to be consolidated with the statewide election, among other specifications,

1 including a requirement that the local agency pay for the services of the ROV in so
2 conducting the election.

3 12. Accordingly, on June 10, 2026, the Board of Directors of Pinedale adopted
4 a Resolution ordering the "even year board of director's election, consolidation of
5 elections, and specification of the election order and territory of the district for purposes
6 of the election", Exhibit A to this petition. The resolution attaches and incorporates by
7 reference each of the three maps adopted by LAFCo on February 2, 2026, depicting the
8 "district area" with respect to "sewer service area", "water service area", and "solid
9 waste collection and disposal service area". These maps are attached to the Resolution
10 No. 2026-02, and incorporated by reference therein and the resolution recites that the
11 term "Territory of the District" as used in the resolution means and refers to the territory
12 specified by all three maps adopted by LAFCo on February 2, 2026, fixing the water and
13 sewer service areas of Pinedale County Water District and that the District orders and
14 directs that the election "shall be held within and including the entirety of the Territory of
15 the District on Tuesday, on the third day of November, 2026, for the purposes of
16 electing members to the Board of Directors" of the District for three positions occupied
17 the persons named in the Resolution whose terms expire on the date of ROV's
18 certification of the results of the election following election day on November 3, 2026.
19 The Resolution further requests the Board of Supervisors to permit the County Clerk /
20 Registrar of Voters to provide all necessary election services and to canvas the results
21 of the election and agrees to reimburse the county for the actual cost incurred by the
22 county elections official in conducting the election upon receipt of a bill stating the
23 amount due as determined by the elections official. The resolution does not authorize
24 the ROV to conduct the November 3, 2026, election in a part, but not all of the territory
25 of the district as defined by the maps duly adopted by LAFCo on February 2, 2026.

26 13. On June 18, 2026, through the office of the Fresno County Counsel the
27 ROV belatedly acknowledged receipt of Pinedale's May 18, 2026, request for
28 confirmation that the ROV would use the February 2, 2026, maps generated by LAFCo

1 for the purpose of defining the District's boundaries or area and the District's Resolution
2 No. 2026-02. The County Counsel implies, but does not actually state that the ROV
3 would, in connection with the November 3, 2026, election, refuse to include as voters or
4 allow candidacy filings by persons residing within the District's sewer service area as
5 defined by LAFCo's February 2, 2026, map for the purposes of conducting the
6 November 3, 2026, General Election. Counsel's reasons for refusing to recognize the
7 "sewer service area" map of February 2, 2026, is based on assertions for which there is
8 no rational basis, or any supporting evidence including, but not limited to, that the sewer
9 service area map developed by LAFCo which has the exclusive authority to define the
10 boundaries of the District "shows areas within the District's sewer service area that are
11 outside of the District's jurisdictional boundaries". This assertion is based on the ROV's
12 "understanding" these areas include customers who do not reside within the
13 jurisdictional boundaries of the District but receive sewer services from the District
14 through an extended services contract or agreement pursuant to identified provisions of
15 the Government or Water Codes when in fact the sewer service area identified on the
16 February 2, 2026, map has been in existence since the 1950s before LAFCo was even
17 formed. Additionally, the refusal to recognize LAFCo's designation of the District's
18 sewer service area appears to be premised on a recorded "Pinedale County Water
19 District Reorganization 2014" which reflects only annexations and detachments from
20 and to the water service area and not the sewer service area by the terms of the very
21 map and certificate of completion that the ROV identifies. Finally, the ROV asserts,
22 through County Counsel, that without a recorded Certificate of Completion reflecting
23 "these changes", that is the annexations and detachments from the water service area
24 only, that the ROV does not "have authority to adjust the jurisdictional boundaries of the
25 District through the District's Resolution No. 2026-02". Despite subsequent
26 communications from the District and despite requests that it identify the precise map
27 showing the boundaries that the ROV intended to use for the 2026 election, the ROV,
28 primarily through the office of Fresno County Council, refused to use all or any part of

1 the "sewer service area" map adopted by LAFCo on February 2, 2026, and refuses to
2 correct its erroneous conclusions concerning what is depicted by that map and
3 expressly refused to allow any candidacy filings by any person residing solely in the
4 sewer service area of the district or to allow persons within that area to vote in the
5 election of Directors of Pinedale County Water District and has failed and refuses to
6 issue ballots to all such persons that are registered voters in violation of Elections Code
7 § 2000 and the California and United States Constitutions.

8 14. The ROV, through Fresno County Counsel, refused until July 2, 2026, to
9 provide the purported map of the "jurisdictional boundary" of Pinedale County Water
10 District that the ROV intended to use for the November 3, 2026, general election which
11 purports to have been prepared in 2026 by the ROV although Fresno County Counsel's
12 office has repeatedly falsely asserted that the ROV has used the same map as that
13 was used in 2014 and every election thereafter although that assertion was qualified on
14 July 2, 2026, to state that the map produced on July 2, 2026, was only in use since
15 2018. A true and correct copy of the map purportedly prepared by the ROV depicting
16 Pinedale's jurisdictional boundaries that the ROV is using for purposes the November 3,
17 2026, election is attached and incorporated by reference as Exhibit B. These maps are
18 tied to Fresno County Public Works "GIS" system and Pinedale has confirmed through
19 multiple engineers that the map produced by Fresno County Counsel on July 2, 2026, is
20 identical to the "water service area map" adopted by LAFCo on February 2, 2026.

21 15. Because LAFCo is the sole and exclusive authority for defining the
22 boundaries of any special district, including a county water district, the ROV has a
23 ministerial mandatory obligation and legal duty to use both the "sewer service area" and
24 "water service area" maps adopted by LAFCo on February 2, 2026, to conduct the
25 election within the entirety of the area depicted by both maps. The ROV abuses his
26 authority and discretion, of which it has none, by interpreting the maps generated by
27 LAFCo on February 2, 2026, in a manner that is inconsistent with what is depicted by
28 those maps and based upon non-existent evidence concerning such things as

1 extension of services through contract without LAFCo approval, or the failure to obtain a
2 certificate of completion establishing the sewer service area which existed long before
3 LAFCo was even created.

4 16. Attached and incorporated by reference as Exhibit C is a true and correct
5 copy of a map developed by the District's Engineer which merges the two maps
6 adopted February 2, 2026, by LAFCo, showing its "sewer service area" and "water
7 service area" depicting the entirety of the area in which voters and electors of the
8 District are being disenfranchised, willingly, by the ROV on specious grounds and as a
9 result of his failure and refusal to perform mandatory ministerial obligations concerning
10 identification of the area within which the November 3, 2026, general consolidated
11 election must be conducted with respect to the election of members of the Board of
12 Directors of Pinedale County Water District. The disenfranchisement of approximately
13 three hundred voters is a violation of the provisions of the Elections Code, the County
14 Water District Law, and multiple Federal Statutes which prohibit the interference with an
15 election. The disenfranchisement of voters by the ROV violates the Constitutional
16 Rights of every registered voter residing within that part of Pinedale's sewer service
17 area in which the District does not also provide water service. These actions in refusing
18 to recognize the "sewer service area" depicted by LAFCo in the February 2, 2026, maps
19 and refusing, repeatedly to identify and disclose what it intended to do with respect to
20 the November 3, 2026, election deprives approximately three hundred individuals of
21 their Constitutional Rights to vote in the election of directors or become candidates to fill
22 the Office of Director of Pinedale.

23 FIRST CAUSE OF ACTION

24 (WRIT OF MANDATE – CCP § 1085)

25 Against Respondent and Does 1 Through 10

26 17. Petitioner realleges and incorporates by reference paragraphs 1 through
27 16 above, as though fully set forth herein.
28

1 18. Pinedale is a District or Local Agency in which an election is to be
2 conducted for the election of members of the Board of Directors on November 3, 2026.
3 The ROV refuses to allow voters to participate in that election who reside in the part of
4 Pinedale sewer service area where it does not also provide water service in defiance of
5 LAFCo's identification of the precise jurisdictional boundaries of Pinedale. Petitioner is
6 entitled to an ordinary Writ of Mandate pursuant to CCP § 1085 which provides in
7 relevant part "a Writ of Mandate may be issued by any court to any inferior tribunal,
8 corporation, board, or person to compel the performance of an act which by law is
9 specifically enjoined as a duty resulting from an office, trust, or station". Respondent has
10 a duty resulting from his office to properly identify the territory within which the election
11 of Pinedale's Directors is to be conducted and canvased, and the area from which
12 otherwise qualified voters may file candidacy papers. In making its determination
13 relative to the identification of Pinedale's boundaries for this purpose, Respondent is
14 required to use the February 2, 2026, maps approved by LAFCo, the exclusive authority
15 for the establishment of boundaries of any local public agency.

16 19. Respondent has and will continue to abuse his discretion and fail to
17 proceed in the manner required by law in refusing to recognize the "sewer service area"
18 in the 2026 LAFCo map as defining a part of the District's territory within which people
19 who otherwise meet the required qualifications beyond residency are permitted to vote
20 and / or file candidacy or nomination papers to seek election to the office of Director of
21 Pinedale.

22 20. Petitioner has no plain, speedy or adequate remedy in the ordinary course
23 of law for the purpose of obtaining and securing to those persons residing within that
24 portion of Pinedale where the District provides sewer service, but not water service,
25 which area is shown by the map which is Exhibit C to this petition unless the court
26 directs Respondent to refrain from certifying the results of the November 3, 2026,
27 election as it relates to Directors of the District and to conduct a new election to allow for
28 the filing of candidacy / nomination papers by those residing in the sewer service area

1 only and require Respondent to mail ballots to and tally the votes of persons residing in
2 the sewer service area only. To the extent the November 3, 2026, results of the election
3 as they relate to members of the Board of Directors of Pinedale are certified, the court is
4 authorized and required to invalidate the election and to order the conduct of a new
5 election, at the expense of the County of Fresno, of Directors of Pinedale's Board of
6 Directors because the election conducted by ROV will deprive registered voters residing
7 in the territory of the district to which it provides sewer service only from voting or
8 participating in those elections in violation of mandatory statutory provisions in the
9 Elections Code, and specifically amounts to grounds for issuance of a preemptory writ
10 of mandate requiring invalidation of the results of the November 3, 2026, election
11 because of an error, omission or neglect in violation of the Elections Code or of the
12 Constitution within the meaning of Elections Code § 13314 and Elections Code § 16100
13 (e) in that eligible voters have been and continued to be denied their right to vote for or
14 otherwise participate in the election of Directors of Pinedale County Water District.

15 21. Petitioner seeks enforcement of its principal act, the Elections Code, and
16 Cortese-Knox-Hertzberg, the LAFCo Law. Instead of following the ROV's personal
17 predilections which lead to the unwarranted disqualification of persons residing within
18 the sewer service area only to become candidates for election to that office or to vote
19 for their representatives in that office, Respondent is required by law to allow such
20 registered voters to seek election to the office of Director of Pinedale and to vote for
21 candidates for Director of Pinedale and to have the votes counted by Respondent.

22 PRAYER

23 Petitioner prays as follows:

24 1. For issuance of an alternative writ restraining and enjoining Respondent
25 from certifying or publishing any tally or canvass of voters voting in the November 3,
26 2026, election of Pinedale's Directors, pending a hearing on the preemptory writ.

27 2. For the issuance of a preemptory Writ of Mandate enjoining and
28

1 restraining Respondent from certifying the results of the election of Directors for
2 Pinedale County Water District elected to the Board of Directors at the November 3,
3 2026, election; or, alternatively, invalidating Respondent's certification of the results of
4 that election, should it occur, and ordering Respondent to conduct at Respondent's cost
5 a new election of Directors of Pinedale County Water District in which registered voters
6 residing within the territory of the District, including the territory to which the District
7 provides sewer service only, as depicted by LAFCo's maps attached to the District's
8 Resolution No. 2026-02.

9 2. The issuance of a preemptory writ of mandate compelling and
10 commanding Respondent to allow registered voters residing within that portion of
11 Pinedale in which the District provides sewer service only, in perpetuity, or until LAFCo
12 adopts a different map showing Pinedale's boundaries, to participate fully in the election
13 of Directors of Pinedale County Water District.

14 3. An order for such costs of suit, including attorneys' fees, incurred in this
15 proceeding as allowed by law.

16 //

17
18
19 DATE: October 2, 2026

COSTANZO & ASSOCIATES

20 By 

21 Neal E. Costanzo, Attorney for
22 Respondents, Pinedale County
23 Water District
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25
26
27
28

Exhibit A

RESOLUTION NO. 2026-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF PINEDALE COUNTY WATER DISTRICT ORDERING EVEN-YEAR BOARD OF DIRECTORS ELECTION; CONSOLIDATION OF ELECTIONS; AND SPECIFICATIONS OF THE ELECTION ORDER AND TERRITORY OF THE DISTRICT

WHEREAS, California Elections Code requires that a General District Election be held in each District to choose a successor for each Elective Officer whose term is scheduled to expire following the General Election held on the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, the term "Territory of the District" shall mean and refer to that territory specified by those certain maps adopted by the Fresno County Local Agency Formation Commission on February 2, 2026, fixing the Sewer and Water Service Areas of the Pinedale County Water District ("District") copies of which are attached to this Resolution. Other elections may be held in whole or in part of the Territory of the District and it is to the advantage of the District to consolidate pursuant to Elections Code §10400; and

WHEREAS, Elections Code §10520 requires each District involved in a General Election to reimburse the County for the actual costs incurred by the County Elections Official in conducting the election for that District; and

WHEREAS, Elections Code §13307 requires that before the nominating period opens, the District Board must determine whether a charge shall be levied against each candidate submitting a Candidate's Statement to be sent to the voters; determine the number of words, may estimate the cost; and state the estimate must be paid in advance; and

WHEREAS, Elections Code §12112 requires the Election Official of the principal County to publish a Notice of Election once in a newspaper of general circulation in the District.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the foregoing recitals are true and correct.
2. The District orders and directs that an election shall be held within and including the entirety of the Territory of the District on Tuesday, the 3rd day of November, 2026, for the purpose of electing members to the Board of Directors of the District for the following seats:

INCUMBENT
Bradly Peranick
David Rodriguez
Christine P. Silva

END OF TERM
12/04/2026
12/04/2026
12/04/2026

3. The current term of each of the aforementioned Board of Directors seats occupied by the aforementioned incumbents expires December 4, 2026. The candidate elected to fill each seat at the election shall be elected at large from the Territory of the District and each shall serve a four-year term.

4. The District has determined that the candidate will pay for the optional Candidate's Statement. The Candidate's Statement will be limited to 200 words. As a condition of having the Candidate's Statement published, the candidate shall pay the estimated cost at the time of filing. The District hereby accepts the estimated cost as estimated by the County Clerk/Registrar of Voters.

5. The District directs that the Fresno County Clerk/Registrar of Voters publish the Notice of Election in a newspaper of general circulation that is regularly circulated in the territory.

6. The Board hereby requests and consents to the consolidation of this election with other elections which may be held in whole or in part of the District, pursuant to the Elections Code §10400, et. seq. In accordance with the provisions of Elections Code §10403, the Board of Directors acknowledges that the consolidated election will be held and conducted in accordance with the applicable provisions of law regulating the statewide General Election, pursuant to Elections Code §10418.

7. The Board hereby requests the Board of Supervisors to permit the County Clerk/Registrar of Voters to provide all necessary election services and to canvass the results of the election.

8. The District will reimburse the County for the actual cost incurred by the County Elections Official in conducting the General District Election upon receipt of a bill stating the amount due as determined by the Elections Official.

9. The Clerk of this Board is ordered to deliver copies of this Resolution to the Registrar of Voters, and if applicable, to the Registrar of Voters of any other County in which the election is to be held.

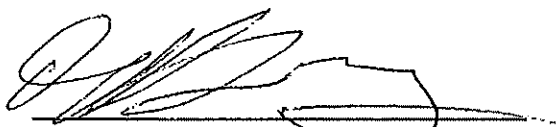
The foregoing Resolution has duly passed, approved and adopted on June 10, 2026, by the following vote:

AYES: DIRECTORS RODRIGUEZ; VALDEZ; PERANICK; DUTCHER; SILVA

NOES: NONE

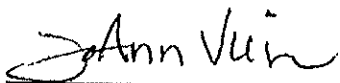
ABSENT: NONE

ABSTAIN: NONE

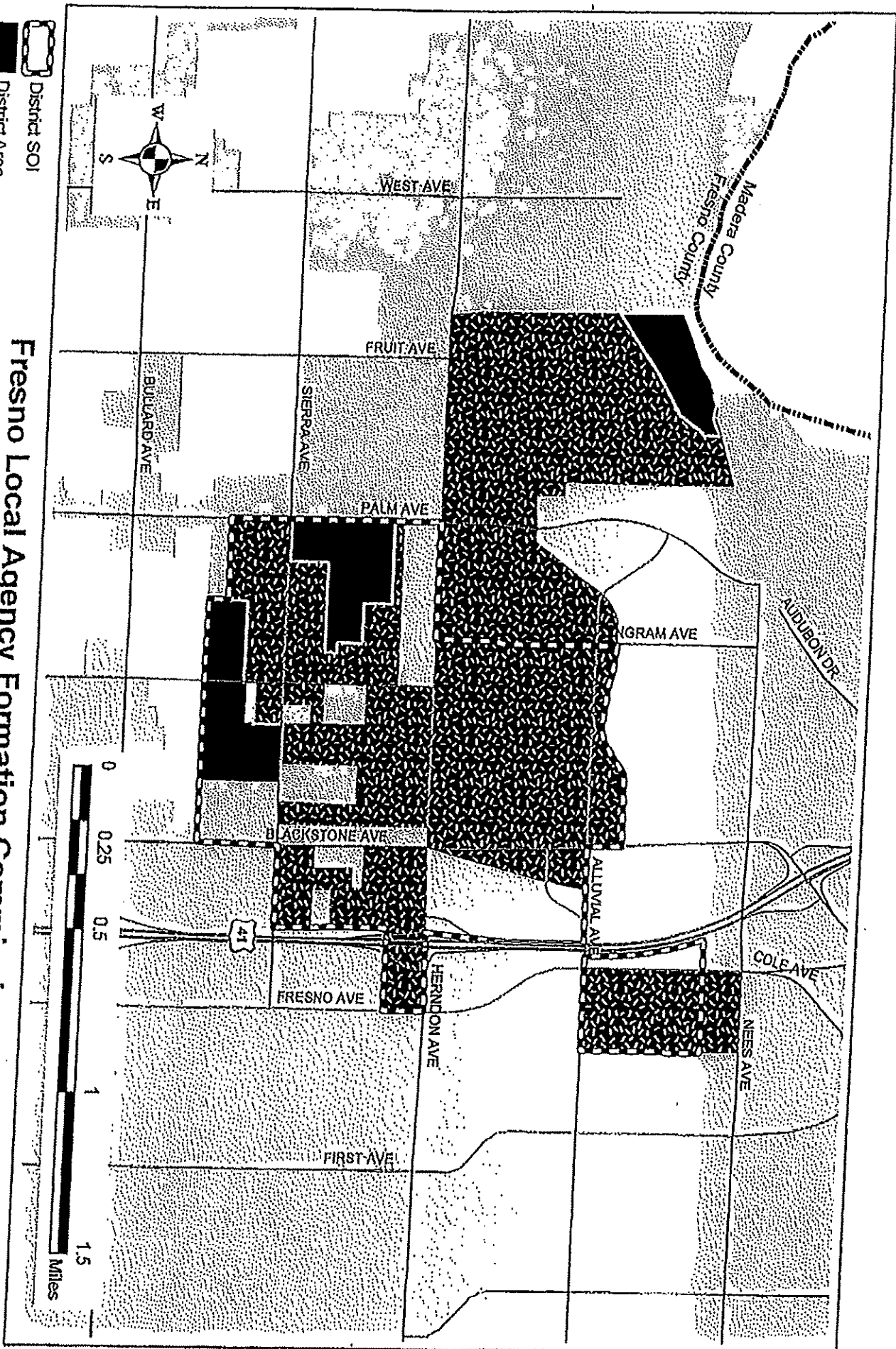


David Rodriguez, President of the Board
of Directors of the Pinedale County Water District

ATTEST:



JoAnn Vierra, Secretary to the Board
of the Pinedale County Water District



Fresno Local Agency Formation Commission Pinedale County Water District Sewer Service Area

District Formed: 1954

SOI Adopted: 03/14/1975

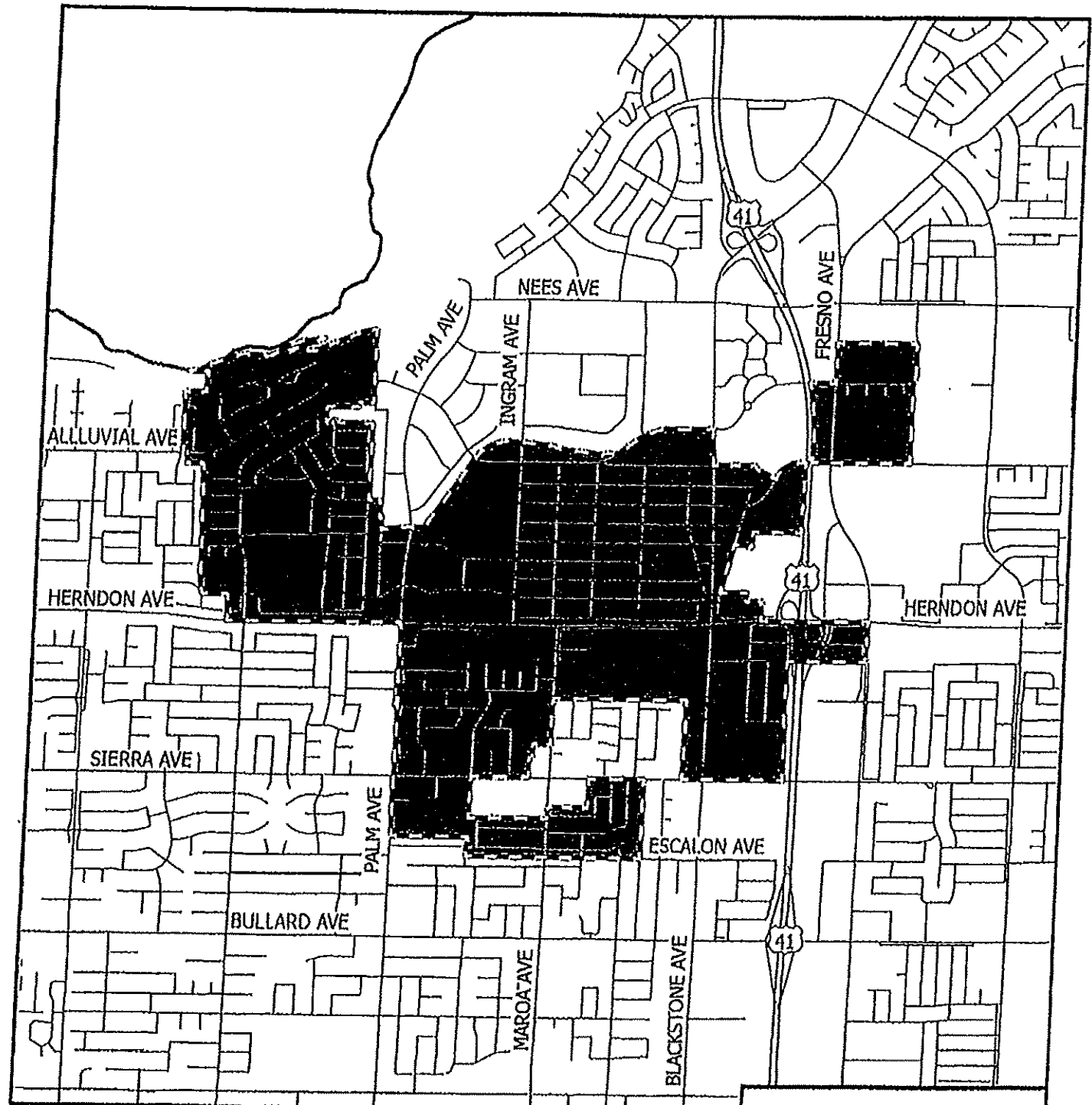
SOI Updated: 10/10/2007

Map Date: February 2026

District Area: 850 Acres

Sphere Area: 699 Acres

Pinedale County Water District Service Area



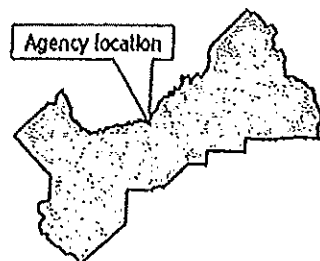
Fresno Local Agency Formation Commission

-  District Sphere of Influence
-  District Service Area



District Formed: 1954
SOI Adopted: 08/06/1978
SOI Updated: 06/08/2016
Water Service Area: 886 Acres
Sphere Area: 886 Acres
Map Date: 02/02/2026

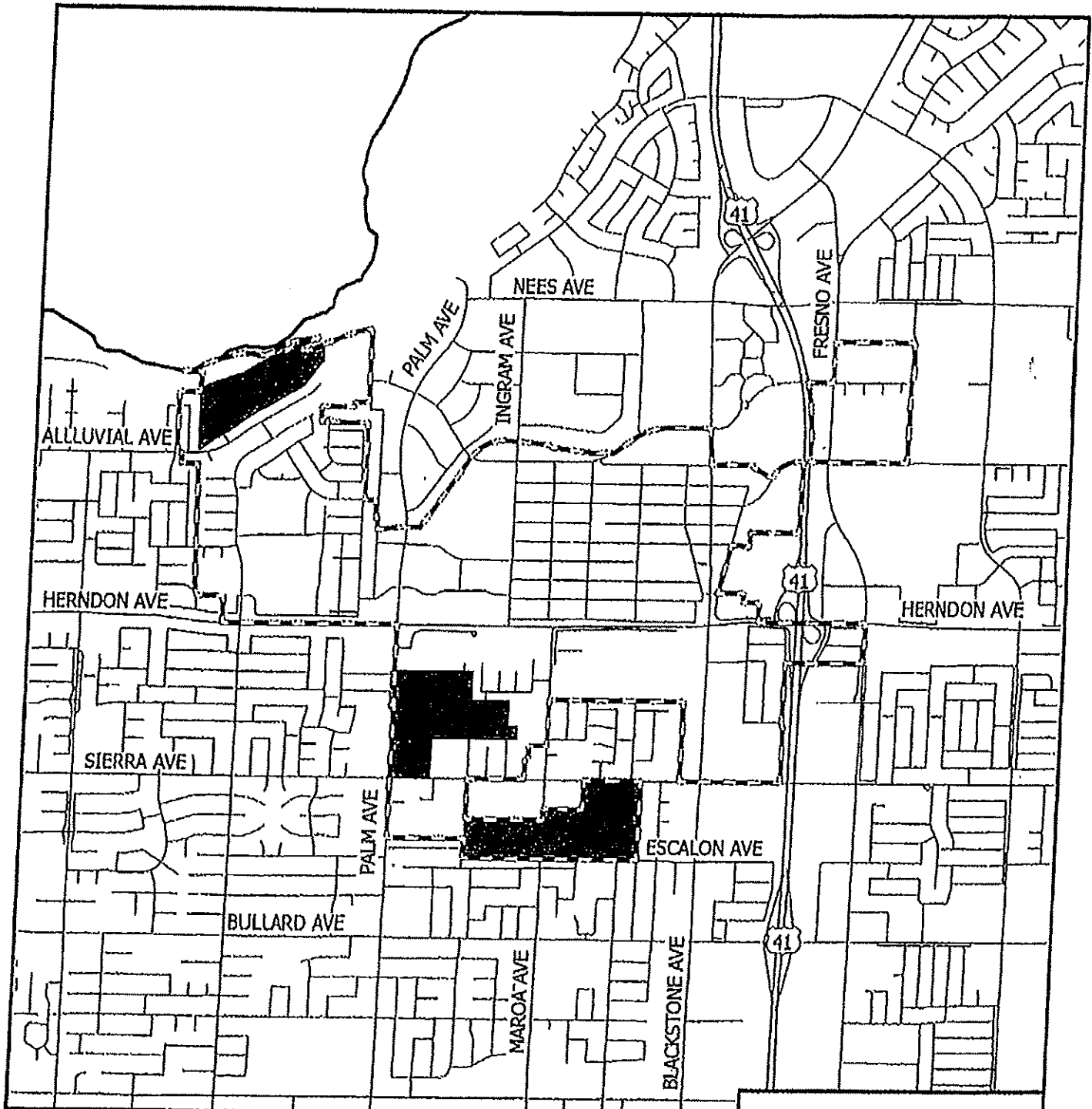
Agency location



County of Fresno

Pinedale County Water District

Solid Waste Service Area



Fresno Local Agency Formation Commission



District Sphere of Influence

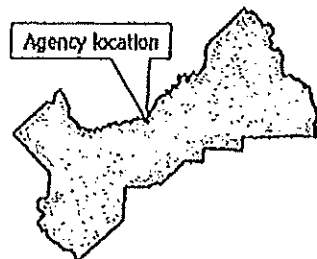


Solid Waste Service Area



District Formed: 1954
 SOI Adopted: 08/06/1978
 SOI Updated: 06/08/2016
 Solid Waste Service Area: 120 Acres
 Sphere Area: 886 Acres
 Map Date: 02/23/2026

Agency location



County of Fresno

Exhibit B

Election's District Lines

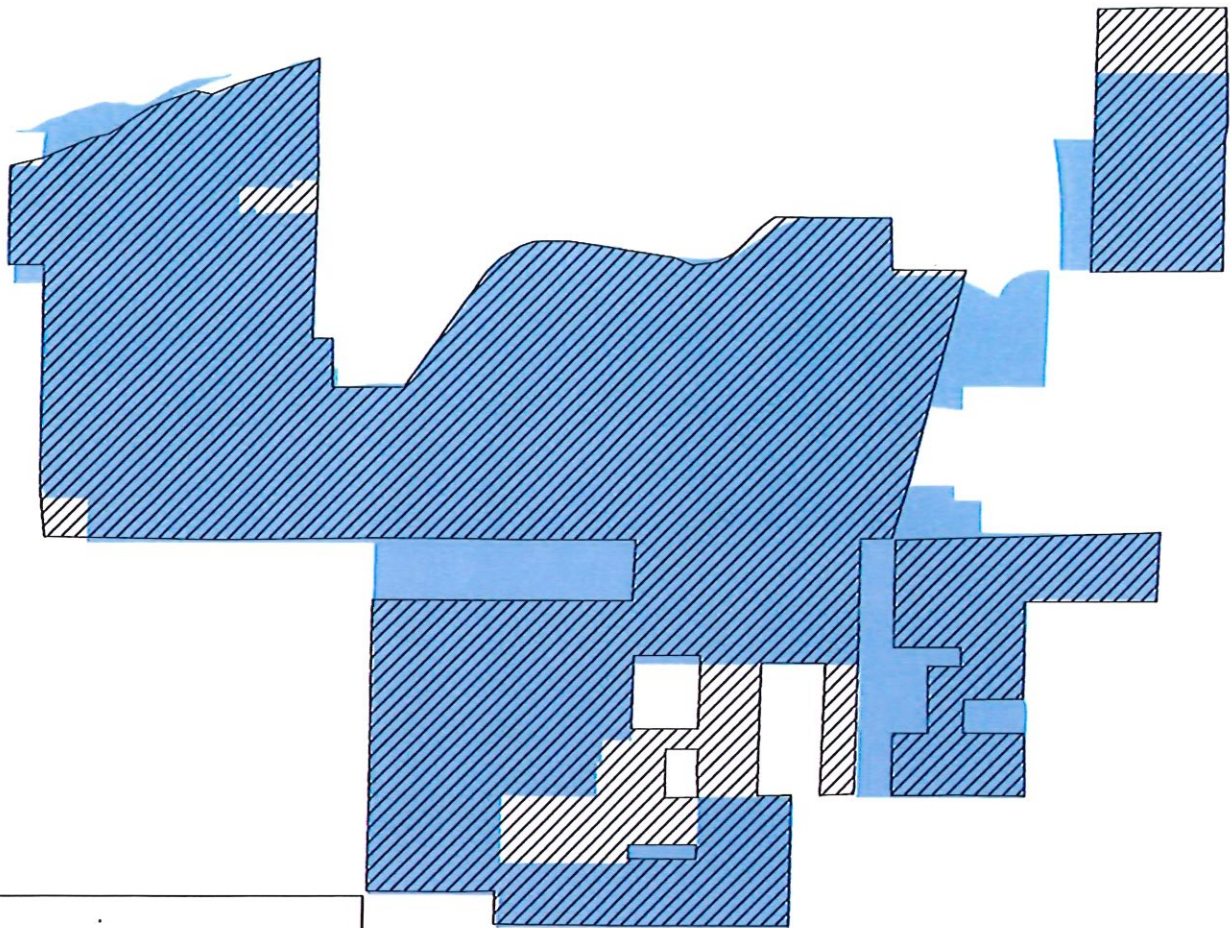
Date: 5/13/2026



On behalf of the district, I hereby certify that I have reviewed the map boundaries and/or files for the district and approve them for the use of the November 3rd 2026 Statewide General Election to be held on November 3rd, 2026.

Signature	Date	Email
Print name	Title	Phone Number

Exhibit C



Legend

-  Pinedale County Water District - Sewer Service Area
-  Pinedale County Water District - Water Service Area



Pinedale County Service Areas

DRAFT

**PROVOST &
PRITCHARD**

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PROOF OF SERVICE

The undersigned declares:

Matt Acuna, the undersigned, declare that:

I am employed in the County of Fresno, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is 575 E. Locust Avenue, Suite 115, Fresno California 93720.

On October 2, 2026, I served the foregoing documents described below via:

☐ U.S. Mail Delivery: Depositing in a sealed envelope with postage prepaid with the United States Postal Service.

☒ Electronic Mail: My electronic mail address is: assistant@costanzolaw.com

FIRST AMENDED PETITION FOR WRIT OF MANDATE [CODE OF CIVIL PROCEDURE § 1085]

on all parties to this action as addressed below:

James A. Kus

jkus@fresnocountyca.gov

pwall@fresnocountyca.gov

kroberson@fresnocountyca.gov

reropkin@fresnocountyca.gov

Case No: 26CU02177

PINEDALE COUNTY WATER DISTRICT,
a California County Water District (Water
Code § 30000 et seq) ,

v.

James A. Kus,

Fresno County Clerk and Registrar of Voters
and DOES 1-10, inclusive

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: October 2, 2026


Matt Acuna