ORIGINAL

MANCINI, WELCH & GEIGER LLP

PAUL R. MANCINI 1198-0
JAMES W. GEIGER 4684-0
305 E. Wakea Avenue, Suite 200
Kahului, Hawaii 96732
Telephone No.: (808) 871-8351
Facsimile No.: (808) 871-0732

Attorneys for Applicant
WAILUKU WATER COMPANY LLC

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Na Wai Eha Surface Water Management Areas of Waihee, Waiehu, Iao and Waikapu Streams, Maui	Case No. CCH-MA15-01 WAILUKU WATER COMPANY LLC'S OPENING BRIEF; REMAND DIRECT TESTIMONY OF AVERY B. CHUMBLEY; CERTIFICATE OF SERVICE

WAILUKU WATER COMPANY LLC'S OPENING BRIEF

Wailuku Water Company LLC ("WWC") filed an Application for a Surface Water Use Permit ("SWUP") seeking authorization for system losses of 3.174 million gallons per day ("MGD"), which was about 7.34 % of the average daily amount of surface water diverted from the Waihee, Waiehu, Iao and Waikapu Streams during the period from May 2007 through April 2008 ("WWC's Application").

WWC owns, maintains and operates a distribution system that delivers surface water diverted from the Waihee, Waiehu, Iao and Waikapu Streams (the "Na Wai Eha SWMA") to end users, some of whom are seeking SWUPs in this matter. WWC's Application seeks the amount of reasonable system losses incurred to deliver surface water through WWC's

distribution system to serve end users who obtain permits or other requisite authorization to use water diverted from the Na Wai Eha SWMA.

A. Description of WWC Distribution System.

WWC distribution system involves 11 registered stream diversions, 2 major ditches, 7 minor ditches, and 9 reservoirs. Divided into northern and southern sections, the northern section delivers water diverted from the Waihee River, North Waiehu Stream, and Iao Stream/Wailuku River while the southern section delivers water diverted from the Iao Stream/Wailuku River and Waikapu Stream. The two major ditches, Waihee and Spreckles, are about 14.7 miles in length. The six minor ditches are about 6.0 miles in length. The total design capacity of the system is about 160 million gallons.

B. System Losses.

A water delivery system cannot be operated without system losses. The Soil and Conservation Service of the United States Department of Agriculture issued a National Engineering Handbook that discusses the efficiency of systems that deliver water for irrigation. As a general standard, the Handbook indicates that a carefully managed, manually operated project should have system losses of ten percent (10%) or less.

The American Water Works Association ("AWWA") is an association that provides information and standards for potable water systems. The AWWA indicates that system losses for a potable water delivery system should be ten percent (10%) or less.

In 1988, WWC commissioned Edward W. Broadbent to review its water distribution system and report on losses and kuleana uses. Mr. Broadbent determined that system losses and kuleana uses averaged about 11.5 MGD. This amount was about 19 % of the total diversions that entered the water distribution system. Kuleana deliveries were about 5.1

MGD, making system losses about 6.4 MGD. Accordingly, system losses were determined to be about 11.6 % of all diversions. Mr. Broadbent identified a section of the Waihee Ditch that ran between Waihee and Wailuku as being the portion of the system which had the greatest system loss and recommended that this section receive priority in WWC's ongoing program to reduce system losses.

WWC repaired structures and ditches as a part of its program to reduce system losses. These efforts resulted in a reduction of system losses from 11.6 % to about 7.34% of the total inflow into the delivery system by 2007.

C. WWC's Application. Pursuant to the Commission on Water Resource Management's ("Commission") directions, WWC's Application was for reasonable system losses determined as a percentage of total inflows into the distribution system during the 2007-2008 time period. The average daily inflow for each month from May 2007 through April 2008 was quantified in MGD. WWC's records showed that 38.086 MGD was the average inflow into the system. Using the loss percentage of 7.34 %, WWC's Application resulted in a system loss request of 3.174 MGD.

In 2010, the Commission adopted findings in the related matter in which interim instream flow standards ("IIFS") for the Na Wai Eha Streams were established. One of the findings was that WWC should take steps to reduce system losses to 2.0 MGD which the Commission found to be the reasonable system losses. Upon appeal, the Hawaii Supreme Court remanded the decision to the Commission, directing the Commission, among other items, to review its determination of the reasonable amount of system losses.

Between the time of the Application and the remand proceedings in the IIFS matter, WWC continued its efforts to reduce system losses. These efforts included repair of

structures on the Spreckels Ditch at Field 25, on the Iao-Waikapu Ditch near Kuikahi Drive, on the Waihee Ditch at the South Waiehu Stream, and at Reservoir 10.

Additionally, WWC repaired structures on the Waihee Ditch at Field 8 and shut down the intake on the North Waiehu Stream. Moreover, structures at the Spreckels Ditch intake on Waihee River, and the Waihee Ditch where water is dropped to the Spreckels Ditch and Reservoir 45 were repaired. The Reservoir 27 intake from Waihee Ditch was sealed, resulting in the closure of Reservoir 27. Structures at the Waihee Ditch intake on Waihee River, the Waihee Ditch at Field 97, the Waihee Ditch in Maalaea, the Spreckels Ditch intake on Waihee River, and the Reservoir 97 intake ditch were also repaired.

The repairs and improvements made since 2010 resulted in a reduction of system losses of about 350,000 gallons per day. Reservoirs 6, 8, 13, 14, 27 and 29 were closed, resulting in a further reduction of system losses of about 790,000 gallons per day.

WWC achieved a further reduction in system losses by shutting down the North Waiehu diversion and the North Waiehu ditch. As this ditch distributed about 2.5 MGD prior to June, 2010, the system losses were reduced by another 183,500 gallons per day.

By repairing structures, removing reservoirs from service, and removing the North Waiehu ditch from the system, the Applicant reduced system losses by about 1.323 MGD by February, 2014. System losses equal to about 4.97 % of the water that flows into the delivery system were achieved.

<u>In the matter of the Iao Ground Water Management Area High-Level Source Water Use Permit Applications and Petition to Amend Interim Instream Flow Standards of Waihee, Waiehu, Iao and Waikapu Streams</u>, Contested Case No. CCH-MA06-1, the parties stipulated that the Applicant's reasonable system losses were approximately 4.97 % of the water

delivered through the distribution system. The stipulations of fact, which were adopted as findings of fact by the Commission, are:

> 1. In the Remand Proceeding, WWC submitted evidence that it has repaired portions of its system, removed reservoirs from service, and terminated use of the North Waiehu ditch system. These measures enabled WWC to reduce system losses to approximately 2.73 MGD. WWC acted to reduce system losses to about 4.97 %.
>
> 2. WWC also submitted testimony to the effect that:
>
> (a) The National Engineering Handbook issued by the Soil and Conservation Service of the United States Department of Agriculture which provides information and standards for nonpotable water distribution systems indicated that a carefully managed, manually operated irrigation water distribution system should have system losses of 10% or less. See Chumbley WT 1/7/14 at p.4.
>
> (b) The American Water Works Association which provides information and standards for potable water distribution systems indicated that system losses for a potable water distribution system should be 10% or less. Id; and
>
> (c) WWC's system losses are within the standards provided by the Soil and Conservation Service and the American Water Works Association. Id.
>
> 3. WWC estimated that it could reduce system losses by about 380,000 gallons per day by lining the unlined portions of the ditches used to deliver water at a cost of about $5,026,000. Id. at pp. 7-9.
>
> 4. Based on the supplemental findings, WWC's reasonable system losses are 2.73 MGD.

See Findings of Fact 62, 63, 64 and 65 of the Stipulation Re: Mediator's Report of Joint Proposed Findings of Fact, Conclusions of Law, Decision and Order dated March 24, 2014; and Commission on Water Resource Management Order Adopting: (1) Hearing Officer's Recommendation on the mediated agreement between the parties; and (2) Stipulation Re:

Mediator's Report of the Joint Proposed Findings of Fact, Conclusions of Law, Decision and Order dated April 17, 2014.

D. Legal Standard Upon Which to Review WWC's Application.

The four streams in Na Wai Eha were designated by the Commission as a surface water management area in April 2008. Such was the first, and only, designated surface water management area in the State. The effect of the designation was that individuals and entities using water from these streams were required to obtain use permits in order to continue any use after the interior instream flow standards (IIFS) were established.

Under the State Water Code: "No person shall make any withdrawal, diversion, impoundment of consumptive use of water in any designated water management area without first obtaining a permit from the Commission". HRS § 174C-48(a). System losses are considered a withdrawal and consequently WWC was required to obtain a permit for system losses arising from operation of the distribution system.

To obtain a water use permit each applicant must establish that the proposed use:

(a) Can be accomplished with the available water source;
(b) Is a reasonable-beneficial use as defined in Section 174C-3;
(c) Will not interfere with any existing legal use of water;
(d) Is consistent with the public interest;
(e) Is consistent with the State and County general plans and land use designations;
(f) Is consistent with County land use plans and policies; and,
(g) Will not interfere with the rights of the Department of Hawaiian Homelands as provided in Section 221 of the Hawaiian Homes Commission Act.

HRS § 174C-49(a).

Applicants have the burden of proving that any uses are reasonable-beneficial by establishing the lack of practicable mitigation measures. Waihole, 194 Haw. at 172-173, 9 P.3d at 484-85 and Waihole II, 105 Haw. at 27, 93 P.3d at 659.

With regard to WWC's Application, whether or not a permit is required for system losses, WWC and ultimately the Commission must account for system losses by adopting "provisions that encourage system repairs and limit the losses". Waihole II, 105 Haw. at 27, 93 P.3d at 659.

E. Conclusion. The original public notice for SWUP relates that there are 115 applications by existing users requesting 61.41 million gallons a day of surface water from the Na Wai Eha SWMA. Ninety-seven (97) of the applications are individuals and entities served by WWC's delivery system. WWC's delivery system serves most of the kuleanas user applicants. Accordingly, continued operation of WWC's delivery system is critical for the utilization and management of the surface water resource.

In addition to being subject to the jurisdiction of the Commission, WWC is subject to the Hawaii Public Utilities Commission ("PUC") as a utility. As such, WWC cannot service new users, modify its delivery rates, or make significant capital improvements without PUC approval. Only after the SWUP applications are processed and the issues of appurtenant rights resolved by this Commission can WWC proceed before the PUC to obtain authority to serve new users, to expand service to existing users, and to obtain a rate structure for deliveries that is consistent with the prudent management of the water delivery system.

Accordingly, WWC asks the Commission to determine the following:

(a) System losses of 4.97 % of surface water inflows into WWC's water delivery system are a reasonable and beneficial use; and,

(b) The permit for system losses should be issued as a percentage of water diverted for delivery to authorized users.

DATED: Kahului, Hawaii, FEB - 3 2016.

PAUL R. MANCINI
JAMES W. GEIGER
Attorneys for WAILUKU
WATER COMPANY LLC

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Na Wai Eha Surface Water Management Areas of Waihee, Waiehu, Iao and Waikapu Streams, Maui	)	Case No. CCH-MA15-01 DIRECT TESTIMONY OF AVERY B. CHUMBLEY

DIRECT TESTIMONY OF AVERY B. CHUMBLEY

My name is Avery B. Chumbley.

I am a manager of Wailuku Water Company, LLC (the "Company"). I previously testified in this matter providing my background and the Company's background. I incorporate by reference the testimony on my background and on the Company's background, which can be found in the Written Direct Testimony of Avery B. Chumbley dated September 12, 2007 and filed in Case No. CCH-MA06-01, which can be found in Folder 16c of such case file and which bears pages numbered 4508 to 4524.

The Commission on Water Resource Management ("Commission") directed that the Company's Surface Water Use Permit Application (the "Application") be limited to system losses that arise from the operation of the water delivery system owned and managed by the Company.

I previously provided testimony concerning system losses and the efforts the Company has made to reduce system losses. I incorporate that testimony by reference which can be found in the Remand Direct Testimony of Avery B. Chumbley dated January 7, 2014, which was filed in Case No. CCH-MA06-01. By way of summary, the Company has reduced its system losses to about 4.97% of the water delivered by the Company.

The parties that appeared in In the Matter of Iao Ground Water Management Area High-Level Source Water Use Permit Applications and Petition to Amend Interim Instream Flow Standards of Waihee, Waiehu, Iao & Waikapu Streams Contested Case Hearing stipulated that the Company's reasonable system losses were 4.97 % of the waters delivered. I ask the Hearings Officer to take judicial notice of Findings of Fact 62, 63, 64 and 65 of the Stipulated Findings of Fact, Conclusions of Law, Decision and Order in Case No. CCH-MA06-01.

By Order of April 17, 2014, the Commission approved the Recommendation and Stipulation which contained the findings concerning the Company's reasonable system losses. I ask the Hearing Officer to take judicial notice of the April 17, 2014, Commission on Water Resource Management Order adopting the Hearing Officer's Recommendations of the Mediated Agreement between the Parties and the Stipulation Re: Mediator's Report of Joint Proposed Findings of Fact, Conclusions of Law, Decision and Order.

I, Avery B. Chumbley, declare under penalty of law that the foregoing testimony is true and correct.

DATED: Wailuku, Hawaii, FEB - 2 2016.

AVERY B. CHUMBLEY

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Na Wai Eha Surface Water Management Areas of Waihee, Waiehu, Iao and Waikapu Streams, Maui	)	Case No. CCH-MA15-01 CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that on the date hereof, a copy of the foregoing document was served on the following by U.S. first class mail, postage prepaid, or by electronic service, as indicated below:

SERVICE BY MAIL

Commission on Water Resource Management
1151 Punchbowl Street, Room 227
Honolulu, HI 96813
(also sent via email: kathy.s.yoda@hawaii.gov)

Noelani & Alan Almeida
Gordon Almeida
P.O. Box 1005
Wailuku, HI 96793

Alan Birnie
175 W. Waiko Road
Wailuku, HI 96793

Thomas Cerizo
1740 Kamamalu Place
Wailuku, HI 96793

Joseph Alueta
P.O. Box 785
Wailuku, HI 96793

Albert Boyce
Waikapu Properties, LLC
MTP Operating Co., LLC
120 Manteca Avenue
Manteca, CA 95336

Cordell Chang
2315 Kahekili Highway
Wailuku, HI 96793

Michael Bailie
P.O. Box 1433
Wailuku, HI 96793

Gary & Evelyn Brito
2160-A Puuohala Road
Wailuku, HI 96793

Winifred and Gordon Cockett
1159 Piihana Road
Wailuku, HI 96793

Vernon Bal
230 Koeli Street
Wailuku, HI 96793

David & Anne Brown
2525 Kahekili Highway
Wailuku, HI 96793

Fred Coffey
1271 Malaihi Road
Wailuku, HI 96793

Dorothy Bell
1419 Nuna Place
Wailuku, HI 96793

Alex Buttaro
1299-A Malaihi Road
Wailuku, HI 96793

Pauline Kanegai Curry
P.O. Box 3172
Wailuku, HI 96793

Dwayne Betsill
Koolau Cattle Company, LLC
635 Kenolio Road
Kihei, HI 96753

Regino Cabacungan
304 Hoomalu Place
Wailuku, HI 96793

Charles Dando, Sr. & Jr.
85 E. Kanamele Loop
Wailuku, HI 96793

William Freitas
2644 Kahekili Highway
Wailuku, HI 96793

T&Z Harders FAM, Ltd.
E.H. Rogers and W.F. Rogers
1415 Kilohi Street
Wailuku, HI 96793

Kathy De Hart
P.O. Box 1574
Wailuku, HI 96793

Dave Gomes
Hawaiian Cement - Maui
Concrete & Aggregate Div.
P.O. Box 488
Kahului, HI 96732

Hawaiian Islands Land Trust
P.O. Box 965
Wailuku, HI 96793

Alfred & Patricia DeMello
El Ranchitos DeMello
P.O. Box 1394
Lockeford, CA 95237

Diannah Goo
2120-C Kahekili Highway
Wailuku, HI 96793

Darrell Higa
918 Kanakea Loop
Lahaina, HI 96761

James Dodd
P.O. Box 351
Wailuku, HI 96793

Russel Gushi
185 West Waiko Road
Wailuku, HI 96793

George & Yoneko Higa
592 S. Papa Avenue
Kahului, HI 96732

Michael Doherty
41 Waihee Valley Road
Wailuku, HI 96793

Richard Emoto
2032-B Ulei Lane
Wailuku, HI 96793

Valentine Haleakala
2160 Puuohala Road
Wailuku, HI 96793

Paul & Jennifer Higashino
P.O. Box 239
Wailuku, HI 96793

Stanley Faustino
384 Waihee Valley Road
Wailuku, HI 96793

Steve Haller
1060 East Kuiaha Road
Haiku, HI 96708

Hiolani Ranch, LLC
P.O. Box 34167
San Diego, CA 92163

Patricia Federcell
88 S. Papa Avenue, Apt. 404
Kahului, HI 96732

Robert Hanusa
895 Malaihi Road
Wailuku, HI 96793

Brian Ige
RCFC Kehalani, LLC
2005 Main Street
Wailuku, HI 96793

Rudy & Perlita Fernandez
P.O. Box 330808
Kahului, HI 96733

Roderick Fong
Fong Construction Co., Inc.
495 Hukilike Street, Bay 4
Kahului, HI 96732

Ronald Jacintho
Pohakulepo Recycling, LLC
150 Pakana Street
Wailuku, HI 96793

Ronald Jacintho
ROJAC Trucking, Inc.
150 Pakana Street
Wailuku, HI 96793

Amanda Jones
Spencer Homes, Inc.
P.O. Box 97
Kihei, HI 96753

Kaanapali Kai, Inc.
2145 Wells Street, Suite 3301
Wailuku, HI 96793

Kaui Kahalekai
202 Waihee Valley Road
Wailuku, HI 96793

Kenneth Kahalekai
240 Waihee Valley Road
Wailuku, HI 96793

Karl & Lee Ann Harders
1422 Nuna Place
Wailuku, HI 96793

Theodore & Zelie Harders
1415 Kilohi Street
Wailuku, HI 96793

Clifford & Cristal Koki
P.O. Box 442
Wailuku, HI 96793

Lawrence Koki
2585 Kahekili Highway
Wailuku, HI 96793

Mary Jane Kramer
Na Mala O Waihee Private
Water Co., Inc.
c/o Commercial Properties of
Maui Management, Inc.
1962-B Wells Street
Wailuku, HI 96793

Donald Kuemmeler
RCFC Kehalani, LLC
555 California St., Ste. 3450
San Francisco, CA 94104

Jonathan Kurtz
Living Waters Land
Foundation, LLC
P.O. Box 2327
Wailuku, HI 96793

Jane Laimana
45-520 Alokahi Street
Kaneohe, HI 96744

Greg Ibara
227 Kawaipuna Street
Wailuku, HI 96793

L. Ishikawa
Piko Ao, LLC
2839 Kalialani Circle
Pukalani, HI 96768

Kimberly Lozano
P.O. Box 2082
Wailuku, HI 96793

Nadao Makimoto
1480 Honoapiilani Highway
Wailuku, HI 96793

Anthony Manoukian
Anthony Aram & Downy
Rugtiv Manoukian Tr.
P.O. Box 1609
Waianae, HI 96792

Glenn McLean
350 West Waiko Road
Wailuku, HI 96793

Kenneth Mendoza
2160-B Puuohala Road
Wailuku, HI 96793

Lawrence Miyahira
Jason Miyahira
P.O. Box 762
Wailuku, HI 96793

Alfred Kailiehu, Sr.
Alfred Kailiehu, Jr.
3660 Kahekili Highway
Wailuku, HI 96793

Cindy Lee, Managing Agent
Waiolani Mauka Community
Association, Inc.
c/o Scott Nunokawa
P.O. box 946
Wailuku, HI 96793

Elsie Miyamoto
1455 Miloiki Street
Honolulu, HI 96825-3229

Leinaala Kihm
1415 Honua Place
Wailuku, HI 96793

David & Katherine Lengkeek
128 River Road
Wailuku, HI 96793

Jinsei Miyashiro Trust
P.O. Box 235
Wailuku, HI 96793

Sterling Kim
Hale Mua Properties, LLC
250 Alamaha Street, Ste. N18
Kahului, HI 96732

Glynnis Nakai
Maui National Wildlife
Refuge Complex, USFWS
P.O. Box 1042
Kihei, HI 96753

Lester Nakama
Aloha Poi Factory, Inc.
800 Lower Main Street
Wailuku, HI 96793

Isabelle Rivera
P.O. Box 364
Wailuku, HI 96793

Crystal Smythe
John Minamina Brown Trust
727 Wainee Street, Ste. 104
Lahaina, HI 96761

David Niehaus
1630 Piiholo Road
Makawao, HI 96768

Katherine Riyu
P.O. Box 696
Wailuku, HI 96793

Warren Soong
245-A West Waiko Road
Wailuku, HI 96793

David Nobriga
Nobriga's Ranch, Inc.
P.O. Box 1170
Wailuku, HI 96793

Michael Rodrigues
2518 W. Main Street
Wailuku, HI 96793

Yoshie Suehiro
Natalie Hashimoto
915 Malaihi Road
Wailuku, HI 96793

Nelson Okamura
Kihei Gardens & Landscaping
P.O. Box 1058
Puunene, HI 96784

Waldemar & Darlene Rogers
1421 Nuna Place
Wailuku, HI 96793

Takitani, Agaran & Jorgensen
24 N. Church Street, Suite 409
Wailuku, HI 96793

Francis Ornellas
340 Iao Valley Road
Wailuku, HI 96793

Burt Sakata & Peter Fritz
107 Waihee Valley Road
Wailuku, HI 96793

Noel & Katherine Texeira
P.O. Box 2846
Wailuku, HI 96793

Ken & Saedene Ota
2261 Aupuni Street, Suite 101
Wailuku, HI 96793

Alfred Santiago
Colin Kailiponi
2445-C Vineyard Street
Wailuku, HI 96793

Thomas & Patricia Texeira
Denise Texeira
205 Waihee Valley Road
Wailuku, HI 96793

Kalani & Tera Paleka
P.O. Box 342
Wailuku, HI 96793

Duke & Jean Sevilla
Christina Smith
702 Kaae Road
Wailuku, HI 96793

Waldo Ullerich
Emmanuel Lutheran Church
P.O. Box 331194
Kahului, HI 96733

Robert Pinto
c/o Claire Pinto
130 Pilikana Place
Wailuku, HI 96793

Ione Shimizu
219-K West Waiko Road
Wailuku, HI 96793

Melvin Riyu
Judith Yamanoue
P.O. Box 696
Wailuku, HI 96793

Milla Richardson
94 Laukahi Street
Kihei, HI 96753

Donnalee & David Singer
P.O. Box 3017
Wailuku, HI 96793

Roger & Kevin Yamaoka
1295 Old Waikapu Road
Wailuku, HI 96793

Kurt & Betsy Sloan
P.O. Box 310
Kihei, HI 96753

ELECTRONIC SERVICE

Douglas Bell
1420 Honua Place
Wailuku, HI 96793
sandi.doug@hawaiiantel.net

Francisco Cerizo
P.O. Box 492
Wailuku, HI 96793
cerizof@gmail.com

Heinz Jung & Cecilia Chang
P.O. Box 1211
Wailuku, HI 96793
cici.chang@hawaiiantel.net

Jordanella (Jorrie) Ciotti
484 Kalua Road
Wailuku, HI 96793
jorrieciotti@gmail.com

John V. & Rose Marie H. Duey
Hooululahui LLC
575-A Iao Valley Road
Wailuku, HI 96793
jduey@maui.net

Evelyn Kamasaki
Cynthia Ann McCarthy
Claire S. Kamasaki
1550 Nukuna Place
Wailuku, HI 96793
cmcmaui@live.com

Charlene E. & Jacob H. Kana, Sr.
P.O. Box 292
Wailuku, HI 96793
char1151@hawaii.rr.com

Renee Molina
P.O. Box 1746
Wailuku, HI 96793
myoheo@yahoo.com

Lorrin Pang
166 River Road
Wailuku, HI 96793
pangk005@hawaii.rr.com

Victor & Wallette Pellegrino
1420 Kilohi Street
Wailuku, HI 96793
hokuao44@msn.com

Bryan Sarasin, Sr.
c/o Bryan Sarasin, Jr.
P.O. Box 218
Wailuku, HI 96793
mauifishfarm@hawaiiantel.net

Jeff & Ramona Lei Smith
P.O. Box 592
Wailuku, HI 96793
ohianui.ohana@gmail.com

Murray & Carol Smith
P.O. Box 11255
Lahaina, HI 96761
murray@jps.net

Clayton Suzuki
Linda Kadosaki
Reed Suzuki
Scott Suzuki
P.O. Box 2577
Wailuku, HI 96793
cssuzuki@hawaiiantel.net

John Varel
191 Waihee Valley Road
Wailuku, HI 96793
jvarel@fusionstorm.com

Michele & Leslie Vida, Jr.
135 Pilikana Place
Wailuku, HI 96793
mikivida@hotmail.com

Leslie Vida, Sr.
c/o Donna Vida
115 Pilikana Street
Wailuku, HI 96793

dmlavida@yahoo.com

Caleb Rowe, Esq.
Kristin Tarnstrom, Esq.
County of Maui
Department of Corporation Counsel
200 South High Street
Wailuku, HI 96793

caleb.rowe@co.maui.hi.us
kristin.tarnstrom@co.maui.hi.us
susan.pacheco@co.maui.hi.us

Attorneys for COUNTY OF MAUI, DEPARTMENT OF WATER SUPPLY

Colin J. Lau, Esq.
Russell Kumabe
Holly McEldowney
465 South King Street, Room 300
Honolulu, HI 96813

colin.j.lau@hawaii.gov
russell.p.kumabe@hawaii.gov
holly.mceldowney@hawaii.gov

Attorney for DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF STATE PARKS

Yvonne Izu, Esq.
Morihara Lau & Fong, LLP
400 Davies Pacific Center
841 Bishop Street
Honolulu, HI 96813

yizu@moriharagroup.com

Attorney for HAWAIIAN COMMERCIAL & SUGAR CO.

Isaac Moriwake, Esq.
Summar Kupau-Odo
Earthjustice
850 Richards Street, Suite 400
Honolulu, HI 96813

imoriwake@earthjustice.org
skupau@earthjustice.org
jbrown@earthjustice.org
jparks@earthjustice.org

Attorney for HUI O NA WAI EHA and MAUI TOMORROW FOUNDATION

Avery & Mary Chumbley
363 West Waiko Road
Wailuku, HI 96793

abc@aloha.net

Jodi Yamamoto, Esq. jyamamoto@ychawaii.com
Wil Yamamoto, Esq. wyamamoto@ychawaii.com
Yamamoto Caliboso
1099 Alakea Street, Suite 2100
Honolulu, HI 96813

Attorneys for MMK MAUI, LP, THE KING KAMEHAMEHA GOLF CLUB, KAHILI GOLF COURSE

Pamela Bunn, Esq. pbunn@ahfi.com
Alston, Hunt, Floyd & Ing
1001 Bishop Street, Suite 1800
Honolulu, HI 96813

Attorney for OFFICE OF HAWAIIAN AFFAIRS

Craig Nakamura, Esq. cnakamura@carlsmith.com
Catherine L.M. Hall, Esq. chall@carlsmith.com
Carlsmith Ball LLP
2200 Main Street, Suite 400
Wailuku, HI 96793

Attorneys for WAHI HOOMALU LIMITED PARTNERSHIP

Brian Kang, Esq. bkang@wik.com
Emi L.M. Kaimuloa ekaimuloa@wik.com
Watanabe Ing LLP
First Hawaiian Center
999 Bishop Street, 23rd Floor
Honolulu, HI 96813

Attorneys for WAILUKU COUNTRY ESTATES IRRIGATION COMPANY

Lawrence H. Miike lhmiike@hawaii.rr.com
1151 Punchbowl Street, Room 227
Honolulu, HI 96813

HEARINGS OFFICER

Linda L.W. Chow, Esq.
Deputy Attorney General
State of Hawaii
465 South King Street, Room 300
Honolulu, HI 96813

linda.l.chow@hawaii.gov

FEB - 4 2016

DATED: Kahului, Hawaii, _____.

PAUL R. MANCINI
JAMES W. GEIGER
Attorneys for WAILUKU WATER COMPANY, LLC