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-MA 15-01 DECLARATION OF: Mark M.K. Suehiro

DECLARATION OF Mark M.K. Suehiro

I, Mark M.K. Suehiro, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 25 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 306

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 15, 2015.

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-MA 15-01 DECLARATION OF: Wayne M. Watanabe

DECLARATION OF Wayne M. Watanabe

I, Wayne M. Watanabe, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 26 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 307

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 30, 2015.

Wayne M. Watanabe

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Fruit Trees: (bananas, papayas, mangoes, avocadoes, rambutan, lychee, mountain apples, etc.)	25%
Macadamia Nut Trees:	25%
Yams:	25%
Taro (Kalo):	25%

100% use of property for agriculture

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-MA 15-01 DECLARATION OF: Michael H. Ueki

DECLARATION OF Michael H. Ueki

I, Michael H. Ueki, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 37 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 308

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/16/15.

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-MA 15-01 DECLARATION OF: Burton Kawada

DECLARATION OF Burton Kawada

I, Burton Kawada, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 28 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 309

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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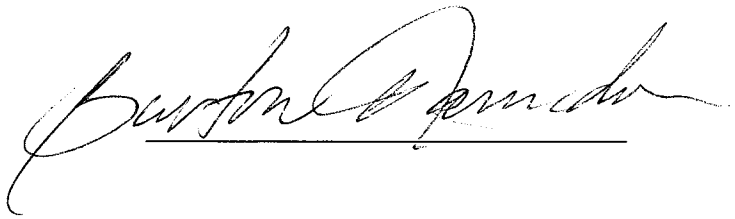
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Dec. 31 2015.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I'm ready to retire from my job. My new job is to take care of the land further.

I plan to use whatever space is available, like my lawn area to plant more diverse crops.

Water is the source of everything.

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-MA 15-01 DECLARATION OF: Charles M. Yane

DECLARATION OF Charles M. Yane

I, Charles M. Yane, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 29 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 310

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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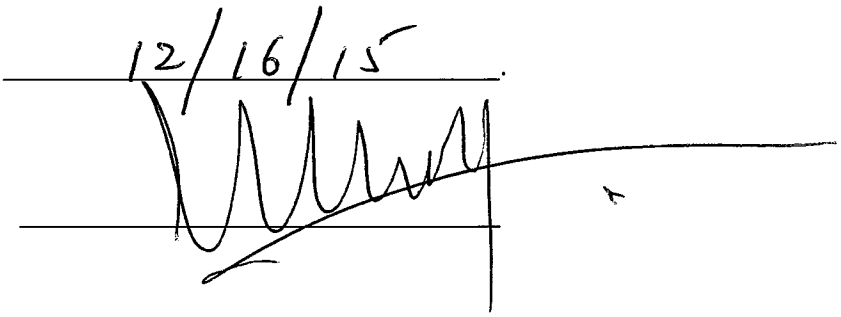
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/16/15.



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-MA 15-01 DECLARATION OF: Jose + Estrelita Lampitoc

DECLARATION OF Jose + Estrelita Lampitoc

We I, Jose + Estrelita, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 30 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 311

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 30, 2015.

Jose Lampitoc

Roberta R. Lampitoc

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Since we purchased our lot in Wailuku Country Estates, we have been growing bananas, papayas, dry land taro, various vegetables (eggplant, bittermelon, squash) and coconut trees. We plan on planting more.

We sell our vegetables about once every week to the vendor at the farmer's market.

We also have livestock (goats).

We use drip irrigation for all of our crops. We need continued irrigation water for our crops.

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-MA 15-01 DECLARATION OF: ROMEO YANOS

DECLARATION OF ROMEO YANOS

I, Romeo Yanos, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 31 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 312

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/19/15.

12/19/15

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-MA 15-01 DECLARATION OF: NORMA BARROGA

DECLARATION OF NORMA BARROGA

I, NORMA BARROGA, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 034 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 313

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 11, 2015.

Norma Barroga

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-MA 15-01 DECLARATION OF: Jon Hunt

DECLARATION OF Jon Hunt

I, Jon Hunt, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 35 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 314

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

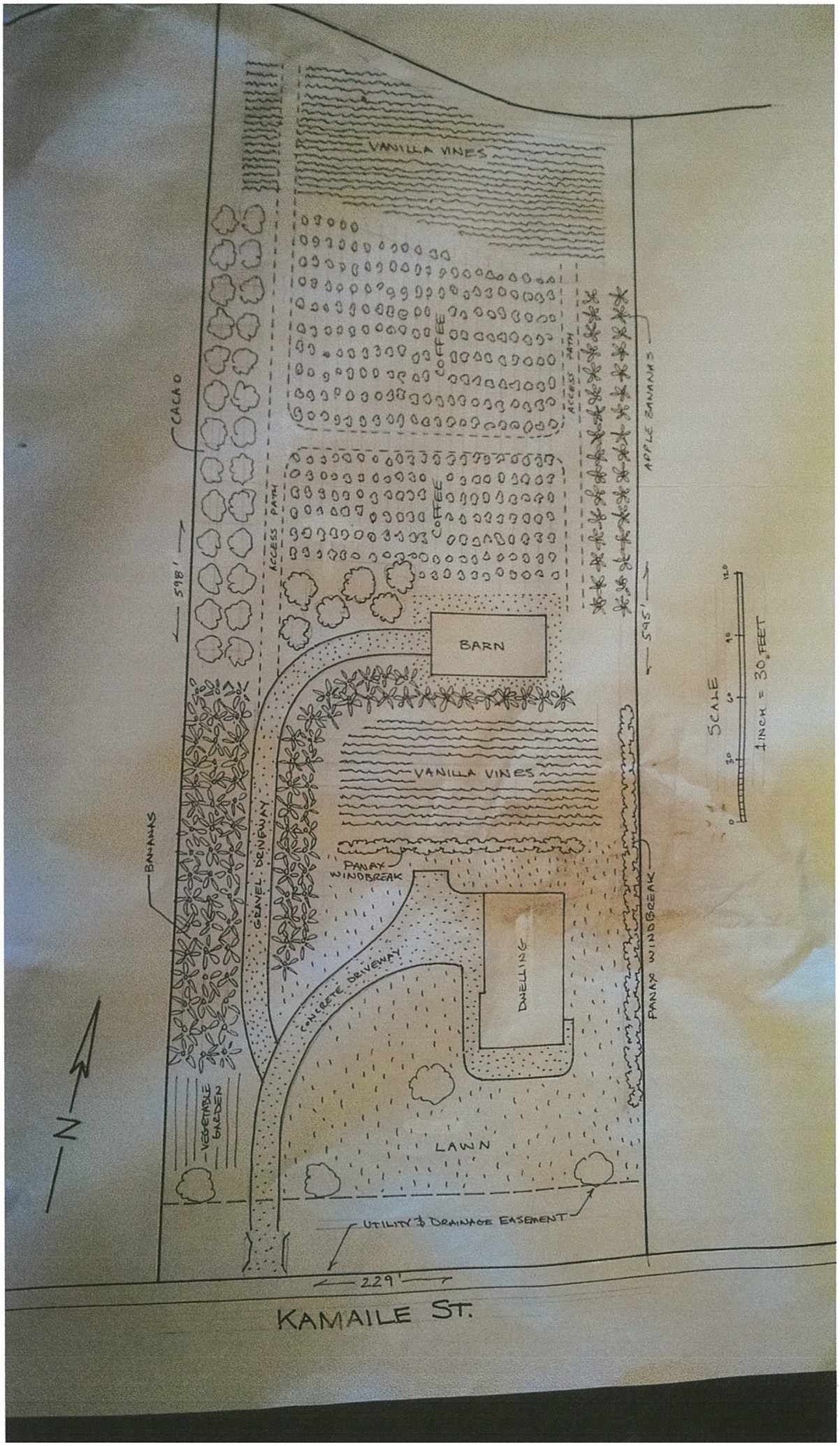
DATED: Wailuku, Hawaii, Dec. 30, 2015.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

In addition to the areas currently planted (bananas), an additional area of approximately 1.75 acres is currently being developed for cultivation of coffee, cacao and vanilla. Current irrigation water required will approximately double when areas are fully cultivated.

See attached farm plan.


VANILLA VINES
COFFEE
ACCESS PATH
APPLE BANANAS
CACAO
598'
595'
BARN
VANILLA VINES
BANANAS
GRAVEL DRIVEWAY
PANAX WINDBREAK
PANAX WINDBREAK
DWELLING
CONCRETE DRIVEWAY
VEGETABLE GARDEN
LAWN
UTILITY & DRAINAGE EASEMENT
229'
KAMAILE ST.
N
SCALE
0
30
60
120
1 INCH = 30 FEET

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-MA 15-01 DECLARATION OF: Alan Maenchen

DECLARATION OF Alan Maenchen

I, Alan Maenchen, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 36 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 315

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 26, 2015

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Since purchasing my lot at Wailuku Country Estates in 2014, I have maintained the existing crops and plan to expand as room and water availability permit. Almost 2 acres of my 2.7 acre lot are devoted to these crops. I presently have these crops which I sell to a local family market:

Coconut trees; 21

Papaya trees; 20 (expanded from four when I moved here)

Mango trees; 12

Lychee trees; 3

Avacado trees; 7 (expanded from 4)

Brazilian cherry trees; 2

Soursap trees; 6 (expanded from 1)

Bamboo clumps; 12

Fig trees; 3

Orange trees; 5

Banana trees; 10 (expanded from 5)

My plan is to expand by adding about 10-20 coffee bushes by removing some of the bamboo. All of the above except the bamboo are on a drip irrigation system which uses about 90% of my agricultural water allotment. Without the continued availability of agricultural water, this farming would not be possible.

Some photos are included here:

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-MA 15-01 DECLARATION OF: Eric Taketa

DECLARATION OF Eric Taketa

I, Eric Taketa, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 37 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 316

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/10/15.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I currently grow various citrus trees, bananas, lychee, mango, avocado trees, mountain apple, kukui nut trees.

I have a substantial amount of mac-nut trees.

I also grow a vegetable garden and plan to triple its size upon retirement.

I need (requesting) non-potable water for not only my current use, but for future use in truly working and living off the land.

Note: I am born and raised on Maui. It was very fortunate that I could acquire this land and being from Maui, I realize there are responsibilities and an obligation to care for the land. While still on the workforce, my involvement with the land is not where I want to be but upon retirement I will use the land to its potential.

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-MA 15-01 DECLARATION OF: Carol DeForest

DECLARATION OF Carol DeForest

I, Carol DeForest, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 38 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 317

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 31, 2015.

Carol Defonte

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

One acre of a variety of "tea" plants will be planted for agricultural purposes. Keiki plants are now being prepared for planting.

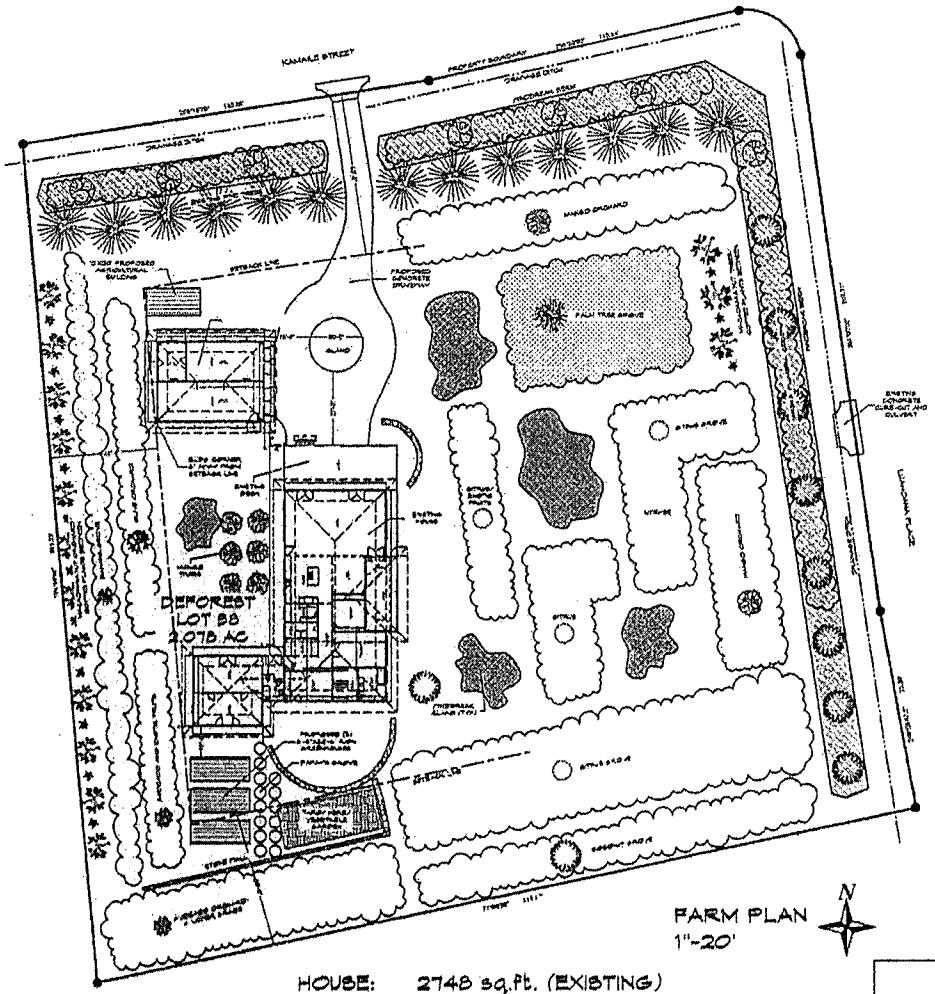
FARM PLAN LEGEND (ULTRA HIGH DENSITY PLANTING)

TYPE	SPECIES	O.C.	EXISTING	PROPOSED
Citrus Fruit Trees	Lemon, Lime, Orange, Grapefruit, Tangelo	15'	20	20
Coconut Trees	Dwarf Samoan	12'	18	18
Avocado Trees	Green Gold, Kahalu'u, Malama, Murashige, Sharwil, Yamagata	10'	26	26
Olive Trees	Fenolino, Frantoio, Arbequina, Koroneitel	8'	5	8
Mango Trees	Variety of cultivars	18'	12	6
Macadamia Nut Trees	Hawaiian Typical	15'	12	12
Palm Trees	Foxtail, Queen, King, Manilla, Bottle, Triangle, Fan, Alexander, Date	6'	101	101
Banana Trees	Dwarf Apple, Chinese Red, Native Hawaiian Varigated	8'	16	28
Fruiting Reeve	Hawaiian Typical	25'	7	7
Papaya Trees	Sunrise	8'	15	15
Other Fruit	Lychee, Starfruit, Guava, Kumquat, Mountain Apple, Jabaticuba, Cherry, Acerola, Longhan, Fig, Reeva, Passionfruit	8'-12'	30	28
Other Commercial	Coffee Arabia Cashew, Dry Taro, Native Hawaiin Herbs, Squash, Molokai Potato	Varies	10	25
Pine Trees	Cook Pine	15'	14	0
Wind Break Island	Monkey Pod, Samoan Coconut, Coffee		5	5
5 Commercial Greenhouses	Lettuce, Tomato, Cucumber, Sprouts, Herbs, Hydroponics, Propogation			
	Total		286	294

NOTE: All landscaping to be provided with drip irrigation (typ)

NOTE: All citrus trees to be planted in straight rows, if possible.

AREA	SIZE	VALUATION	TOTAL



FARM PLAN
1"-20'

HOUSE: 2748 sq.ft. (EXISTING)

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE DONE UNDER MY OBSERVATION.

INTEGRAL DESIGN STUDIO
P.O. BOX 503, MT SHASTA, CA 96067
530-918-5070

NOTES:

DATE: 10/18/2010
Revised: 1/18/2011
DRAWN BY: TS

DEFOREST
641 LUAHOA PL, WAILUKU, HI

Needs Home:

Acerola 3
Coffee 3
Starfruit 2
Longan 1
Cherry 1
Soursop 1
Jabotikaba 2

D - Date Palm - (5)
(P) = Coconut palm (17)
Pf = Foxtail Palm (80)
Q = Queen palm

G = Grapefruit - (6)
O = Orange - (4)
T = Tangelo - (3)
L = Lime - (2)
L lemon - (4)
19

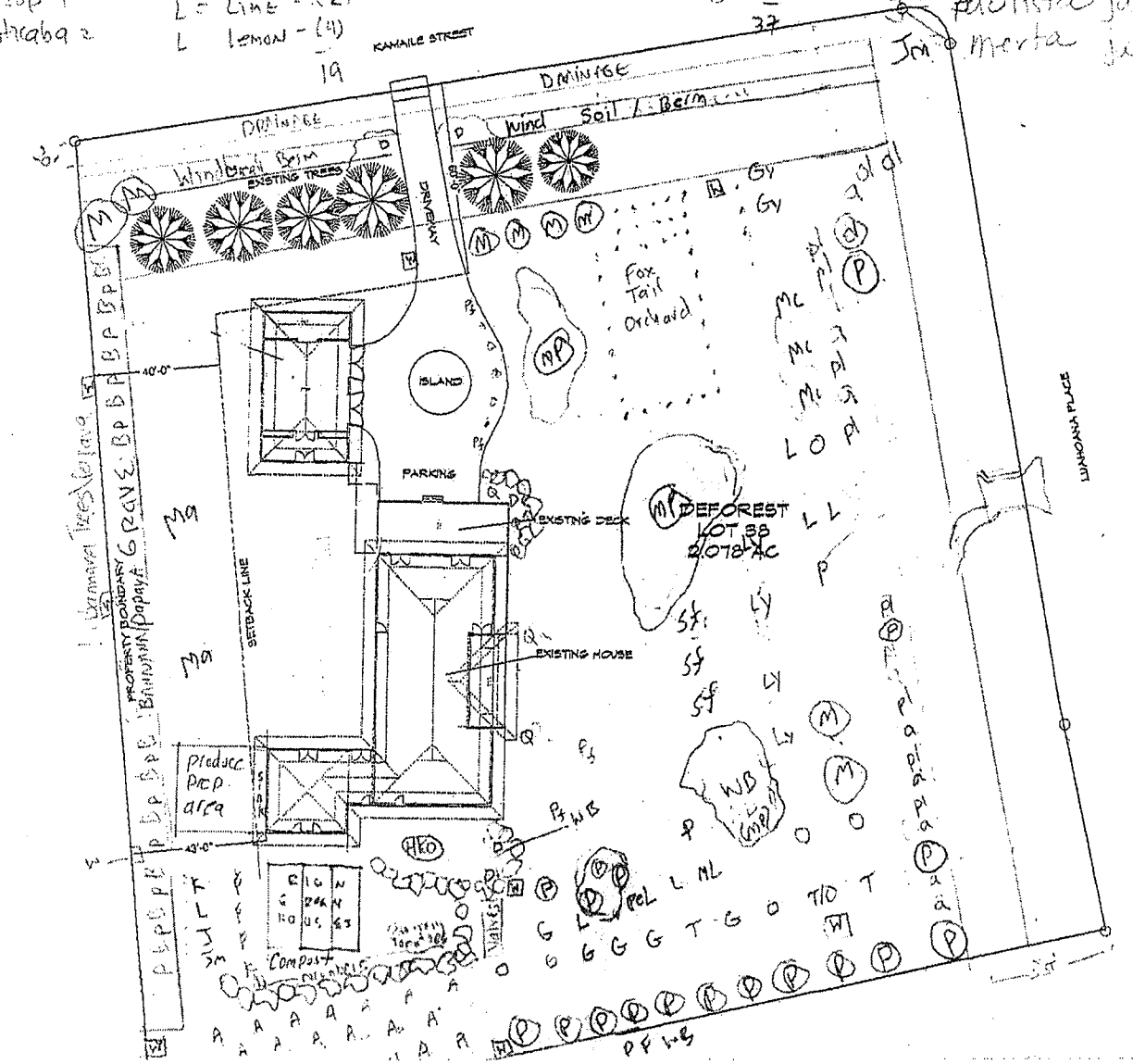
A = Avocado Orchards (25)
K = Meiwa Kumquat - (1)
Ly = Lychee - 4
Ma = Mountain Apple - (2)
Ac = Manoa Sweet Acerola (1)
Cl = Curry Leaf - (1)
P = papaya
HKO = Hawaiian Orchid (2)
Lon = Brewster Longan (1)
37

MP = Monkey pod (3)
Sf = Star fruit - (3)
F = Fig (3)
Gv = Guava - (2)
Ca = Coffee Arabica (3)
Cs = Surinam Cherry (1)
Ss = Soursop (1)
J = paulista jabotikaba (1)
Jm = merta jabotikaba (1)
(M) = Mangoe (8)

23

37
23
19
79 + papaya
17 + coconuts
96
+ papayas
+ Date palm
101 + papaya + Bananas

Ornamentals
120 palms



INTEGRAL DESIGN STUDIO
P.O. BOX 923, MT SHASTA, CA 96067
530-918-8370

NOTES:

DWGS: 239
DATE: 3/25/2010
DRAWN BY:

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-MA 15-01 DECLARATION OF: Lonnie Larson

DECLARATION OF Lonnie Larson

I, Lonnie Larson, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 40 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 318

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1/1/2016.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

We have over a hundred macadamia nut trees on our property, if you count the siblings (small trees). We have over five hundreds trees. We bought the property at WCE knowing that we were entitled to the water rights.

If we don't have access to this water our future investment and agricultural growth will be seriously hampered or even eliminated. Thank you for your consideration on this matter.

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-MA 15-01 DECLARATION OF: Moses + Jennifer Ahmerkt

DECLARATION OF Moses + Jennifer Ahmerkt

I, Moses and Jennifer Ahmerkt declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 41 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 319

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1/1/16.

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-MA 15-01 DECLARATION OF: Clyde M. Hamai + Gail S. Hamai

DECLARATION OF Clyde M. Hamai + Gail S. Hamai

I, Clyde M. Hamai + Gail S. Hamai, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 43 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 320

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Dec. 30, 2015.

Gail S. Hamai

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

We are growing taro plants on 1 acre of our land. We need the use of the non-potable water from WCE Irrigation Co. to irrigate the taro.

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWA

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-MA 15-01 DECLARATION OF: AUDREYJ. MONIZ

DECLARATION OF AUDREYJ. MONIZ

I, Audrey O. Moniz, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 44 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates igation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates igation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 321

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates igation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 23, 2015.

Audrey J. Moniz

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Crops growing on Lot 44:

Beans
Leafy vegetables
Bananas

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-MA 15-01 DECLARATION OF: DELA CRUZ, ERMINIO

DECLARATION OF DELA CRUZ, ERMINIO

I, DELA CRUZ ERMINIO declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 41 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 322

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/31/15.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

1. Existing plants, bananas, fruit trees, vegetables
2. Irrigation water for my plants
3. Give away & eat the fruit

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-MA 15-01 DECLARATION OF: HEIZEL B ALLADO

DECLARATION OF HEIZEL B ALLADO

I, HEIZEL B ALLADO, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 46 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 323

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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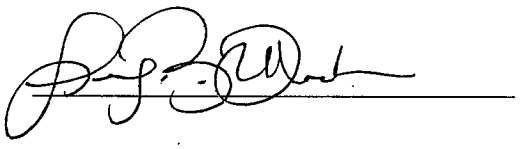
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Jan. 04, 2016.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

80% of property is currently being used as agriculture.

Since day 1 that we bought our property here at Wailuku Country Estates we have been planting crops.

List of vegetables that we currently have:

- String Beans
- Tomato
- Banana surrounds our property
- Papaya's
- Bitter mellon
- Eggplant
- Coconut
- A couple of macnuts
- Pumpkin
- Okra
- Squash
- Ginger
- Guava
- Sour sop
- Pomelo
- Chinese squash
- Wing beans
- Marrungay
- Lime
- Lemon
- Hawaiian chili pepper
- Green onions
- Bay leaf
- Garlic, etc...

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-MA 15-01 DECLARATION OF: Howard Orite

DECLARATION OF Howard Orite

I, Howard Orite, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 47 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 324

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 31, 2015.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

The following crops are grown on my lot to be used in my restaurant, Tiffany's Bar & Grill, 1424 Lower Main Street, Wailuku, Maui, Hawaii:

Bananas, chives, green onions, chili peppers, lilikoi, macadamia nuts, snap peas, bitter melon, okra, Chinese parsley, mint.

These are grown in plots with dedicated irrigation systems. There are also ornamentals such as roses, plumeria trees and ginger which are used from time to time to adorn table settings at Tiffany's.

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-MA 15-01 DECLARATION OF: ARTHUR & AGNES OBRERO

DECLARATION OF ARTHUR & AGNES OBRERO

I, Arthur & Agnes Obrero, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 48 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 325

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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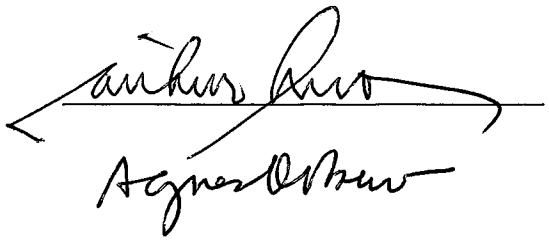
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 10, 2015.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

The non-potable water is necessary and very important for us now and in the future for our farming operation and our lifestyle of living off and working the land. Our family came from generations of farming and it's in our blood. Our 2 acre lot is all usable and we have been farming since 2003 when we first bought it. 50% of our lot is planted with bananas and different trees like papayas, avocadoes, marrungays, mangos, jack fruits, "pakak" and all of this requires water to get a good harvest. The Filipinos love to eat cooking bananas, boiled or dessert and has a good demand in the market. Some we share to neighbors, co-workers, and friends. Also 50% of our operation is planted with green leafy vegetables, such as bitter melon, sweet potato, "saluyot" "sayote", string beans which is all part of the Filipino diet and there's a good demand in the market. We practice organic farming, all the green waste we make compost to make the rich soil. We also raised chickens for our food.

If there's no water, we cannot farm. The cost of living is so high here on Maui. The income we get helped pay our mortgage and also we provide for most of our food. We practice the "farm to table" and organic movement which is a healthier way of eating and if we are healthy we are wealthy and happy.

The other advantage too of living the land is teaching our kids the value of work and the beauty of harvesting your own food. They learn firsthand when the right time to harvest bananas, to cut vegetables and how to market it. It's an interactive ay of learning and living. Hopefully whatever they learn they will teach it to their future offspring. This is our legacy that we intended and hopefully pass it on.

So please don't take away the irrigation water. Water is life. Mahalo!

Arthur Obrero
Agnes Obrero
December 10, 2015

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-MA 15-01 DECLARATION OF: VEDAMURTHY G REDDY

DECLARATION OF VEDAMURTHY G REDDY

I, VEDAMURTHY G REDDY, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 49 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 326

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12-24-15.

Kedamun Reddy

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

1. Avocado trees
2. Citrus trees

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-MA 15-01 DECLARATION OF: Richard Peck

DECLARATION OF Richard Peck

I, Richard Peck, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 50 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 327

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, RICHARD PEJ January 17, 2016.

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ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I purchased my lot at Wailuku Country Estates in 2006. I have planted vegetables and fruit trees like mangoes, jackfruit, sour sop, star fruit, guavas, lychees, sugar apple, dragon fruit and many more and I plan to add more.

I have about ¼ acre of fruit trees. I sell my fruits and vegetables to small family owned stores and to friends and co-workers to help us financially.

I need continue irrigation for my vegetables and fruits.

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-MA 15-01 DECLARATION OF: KIM SA DO

DECLARATION OF KIM SA DO

I, Kim Sa Do, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 53 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 328

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/12/15.

Kim Sa DO

Kim Sa DO

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

On my 2+ acres at Wailuku Country Estates I raise large quantities of bananas, dragon fruit, squash, mac nuts, and other tropical fruits, papayas, avocados, sour sop, citrus, etc. etc. Annual income from the farm is about $6,000.00. These funds are necessary for maintenance and living costs. We need the use of non-potable water to accomplish this. We have had some breaks in the underground pipes but these have been repaired and we are mostly hand-watering the crops. Our use of the land and water is "reasonable and consistent with the state and county land use plans and the public interest." Thank you. We also raise chickens, ducks and other live-stock. Our income-producing crops have grown considerably since the photos were taken.

SWUPA-E (NA WAI EHA, MAUI)

PHOTOS OF EXISTING AGRICULTURAL USE

TMK: 3-3-017-053

Section F – end use of area photos

Bananas/ papaya

Macadamia nuts/ livestock

Bananas/ landscape

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-MA 15-01 DECLARATION OF: MICHAEL AGIDEPPA

DECLARATION OF MICHAEL AGIDEPPA

I, MICHAEL AGIDEPPA, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 54 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 329

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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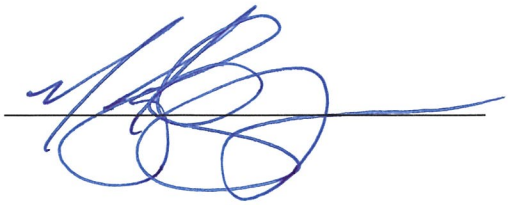
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, DECEMBER 14, 2015.



December 20, 2015

Aloha,

My Name is Rolando Agdeppa. I am the owner of Lot 54. I was born and raised in the Philippines where my family owned a rice farm. In the 70's moved to Lahaina, Maui where I worked for the Pioneer Mill till it closed in 1999. Since, I've worked in the hospitality industry, specializing in landscaping. I've always enjoyed working in the farm and greenhouses watching nature do her work. In 2004, I had an opportunity to own my farm with my son, Michael Agdeppa, at Wailuku Country Estates. I built a home in 2007 and have been living there since. During this time I have grown and harvested Avocado, Banana's, Bitter Melon, Egg Plants, Macadamia Nuts, Papaya, Peanuts, Pumpkin, String Beans, Squash, Tapioca, Taro, and Tomatoes. In addition to these crops, I also raise Egg Laying Chickens, and Goats.

My wife Rosie has just recently retired and I too am planning my retirement in a couple of years. My wife loves working in the farm and tending to her orchids and roses. I have just recently purchased a tractor and plow to help me with preparing the soil and to help me during harvest. In the future, I plan to continue with my farming. I would like to add corn, onion, ginger, and an herb garden to my list of crops to rotate.

If you have any questions, please feel free to reach out to me anytime.

Mahalo,

Rolando Agdeppa
Lot# 54
448 Maika St.
Wailuku Hi, 96793
(808) 281-5736

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-MA 15-01 DECLARATION OF: Kenneth Chan

DECLARATION OF Kenneth Chan

I, Kenneth Chan, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 55 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 330

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1-4-16.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Banana, papaya, herbs

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-MA 15-01 DECLARATION OF: Jonnie Rios

DECLARATION OF Jonnie Rios

I, Jonnie Rios, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 56 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 331

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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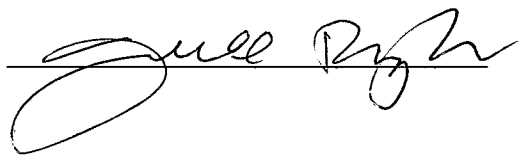
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/30/15.



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-MA 15-01 DECLARATION OF: STEVEN POWELL

DECLARATION OF STEVEN POWELL

I, STEVEN POWELL, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 057 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 332

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/9/2015.

Steven Powell

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-MA 15-01 DECLARATION OF: ROBERT SHIMADA

DECLARATION OF ROBERT SHIMADA

I, ROBERT SHIMADA, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 58 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 333

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, DECEMBER 21, 2015.

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-MA 15-01 DECLARATION OF: Glenn Y Kadohiro

DECLARATION OF Glenn Y Kadohiro

I, Glenn Y Kadohiro, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 60 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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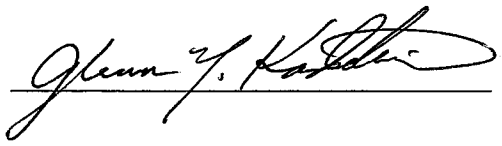
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12-25-15.



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-MA 15-01 DECLARATION OF: CARLOS M. DELGADO JR

DECLARATION OF CARLOS M. DELGADO JR

I, CARLOS M. DELGADO JR, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 61 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 335

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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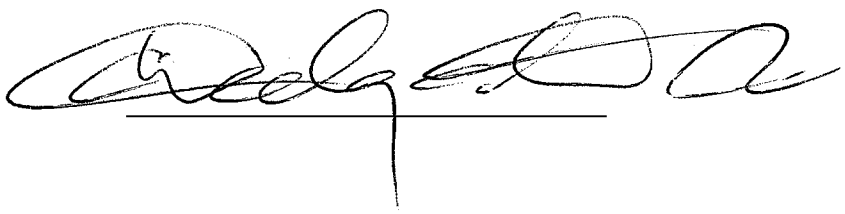
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 15, 2015.



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-MA 15-01 DECLARATION OF: David Mincavage

DECLARATION OF David Mincavage

I, David Mincavage, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 62 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 336

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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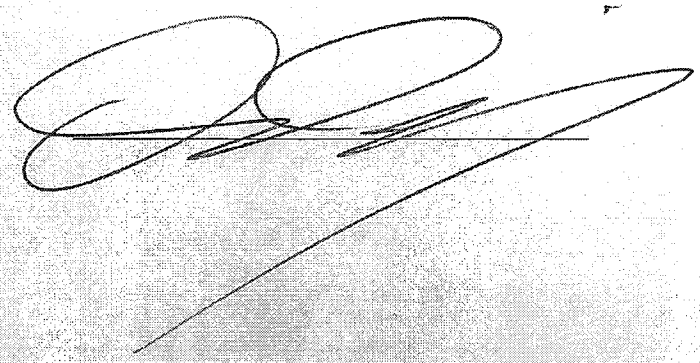
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: ~~Wailuku, Hawaii,~~ New Bern, NC 1/2/16.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

My lot at Wailuku Country Estates is used, and has been used for years, exclusively by my family on Maui to grow bananas, okra, bitter melons, watermelons, peanut, eggplant, papaya, avocados and macadamia nuts (about 2 acres). We use drip irrigation for all our crops. My family uses the crops for their own consumption, but occasionally sell the excess at the farmer's market.

I plan to grow more including: mangoes, lychee and flowers to sell (about 1 acre). I need continued irrigation water for my crops.

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-MA 15-01 DECLARATION OF: Duane Watanabe

DECLARATION OF Duane Watanabe

I, Duane Watanabe, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 63 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 337

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1-4-16.

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-MA 15-01 DECLARATION OF: Talbot Shibley

DECLARATION OF Talbot Shibley

I, Talbot Shibley, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 64 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 338

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 29, 2015.

Talbot Shibley

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-MA 15-01 DECLARATION OF: Henry Chan & Daisy Chan

DECLARATION OF Henry Chan

I, Henry Chan, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot UO 65 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 339

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1-4-2016.

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ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Papaya, banana & taro.

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-MA 15-01 DECLARATION OF: Bernard Paet

DECLARATION OF Bernard Paet

I, Bernard Paet declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 66 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 340

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/31/15.

Bernard Pat

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

My roosters.

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-MA 15-01 DECLARATION OF: PHYLLIS REDFERN

DECLARATION OF PHYLLIS REDFERN

I, PHYLLIS REDFERN, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 69 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 341

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Phyllis Redfern

Phyllis Redfern

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-MA 15-01 DECLARATION OF: Wayne T and Joyce K. Nanuse

DECLARATION OF Wayne T and

I, Joyce K. Nanuse, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 70 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 342

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12-30-15.

Wayne T. Nanuse

Joyce K. Nanuse

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-MA 15-01 DECLARATION OF: AL Hashimoto

DECLARATION OF AL Hashimoto

I, AL Hashimoto, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 71 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 343

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Jan. 4, 2016.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I am the owner of Lot 71. I am now growing bananas, ti leaf, guava, mac-nut, lemon, lime, orange, avocado, noni, kukui nut and mango – I use non-potable water for all crops.

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-MA 15-01 DECLARATION OF: Jacques Pauvert

DECLARATION OF _____

I, Jacques Pauvert, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 73 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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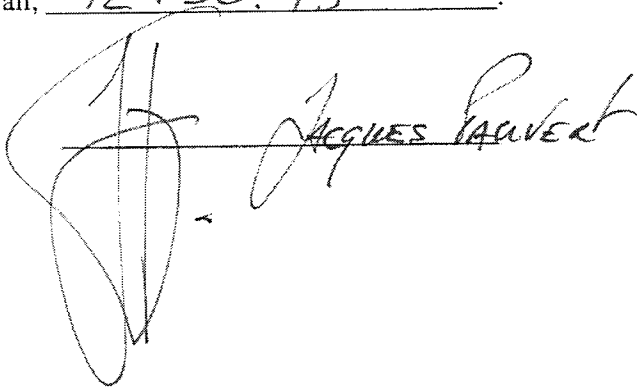
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12.30.15.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

38 Fruit trees 8 ft.

26 Papaya trees

20 purple lilikoe

12 rare bamboo 60 ft.

45 plants and trees nursery

10 macadamia nuts

85 ariba palm 12 ft.

I use 3 small pads 10,000 square feet total to provide herbs and vegetables for my restaurant and other one.

45% of my land as ground cover that resist to long summer – out water and my other grass I use to keep from avoiding any erosion. Wish my lot as big slope.

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-MA 15-01 DECLARATION OF: RANDALL H. TANAKA

DECLARATION OF RANDALL H. TANAKA

I, RANDALL H. TANAKA, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 74 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 345

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, DECEMBER 20, 2015.

Randall D. Zander

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I have grown vegetables (i.e. tomatoes, green beans, eggplant, squash, etc.) and plan to do so in the future.

There are avocado, papaya, citrus and macadamia nut trees. I hope to add more avocado and citrus trees.

Irrigation water is needed in order to grow them.

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-MA 15-01 DECLARATION OF: Thomas + Ann Emmsley

DECLARATION OF Thomas + Ann Emmsley

I, Ann + Thomas, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 75 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 346

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, January 3, 2016.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

PLEASE SEE ATTACHED

LOT 75 Existing and New Use 1/3/16

Irrigated Acreage:

Crop	Acres	Use & type of irrigation
Ti	0.25	cut and sold - specialize in large leaf for skirts Drip Irrigation
Gardenia & stephanotis	0.15	cut and sold to florist - seasonal Drip Irrigation
Taro (sweet corn, strawberries, vegetables, cover crops,fallow)	0.45	sales as poi to personal contacts and home use, and provide poi to extended family All Taro fields are rotated between other crops - sweet corn is sold, other vegetables are home use, and cover crops and fallows are employed between plantings. Drip Irrigation when in taro or vegetables Cover crops - occasional hand water Fallow - no water
Awa	0.40	0.20 A Just reaching maturity now - will sell processed roots , remaining acres currently being planted Drip Irrigation
Nursery	0.03	On ground and benches - potted plants sold, cuttings for planting on farm Drippers and micro spray
Native Plant Landscape	0.25	Steep area on road frontage - all native plants Use - cuttings and lei material Drip Irrigation
Asparagus	0.02	Home consumption Drip Irrigation
Sod	0.15	Unsold - used as erosion control & water retention & top area for recreation Sprinkler
Landscaping and turf around house	0.10	Lawn and foundation plantings Sprinkler lawn, foundation drip
Windbreaks and hedge plantings	0.10	Windbreaking, foliage and materials for cuttings

Area	Acres	Use - Unirrigated
Steep Cliff	0.23	Conservation
Access "roads"	0.10	Access to fields
Unplanted flat area	0.15	Future use - planting - drip irrigation currently mowed guinea grass

Notes on Irrigation:

Sod - planted 'El Toro' and 'Links' Zoysia with intent to sell but drop in market in 2008 - never panned out. Original 'Links' area reduced and planted to Taro. Sod is sprinkler irrigated but is only watered to keep alive when dry - not watered as a commercial sod anymore. Because the lot is quite sloped the sod has turned out to be good as an erosion barrier between the taro fields. Water from very steep driveway is now directed onto sod area with swales and berms. Also downspouts from roof directed to top sod area.

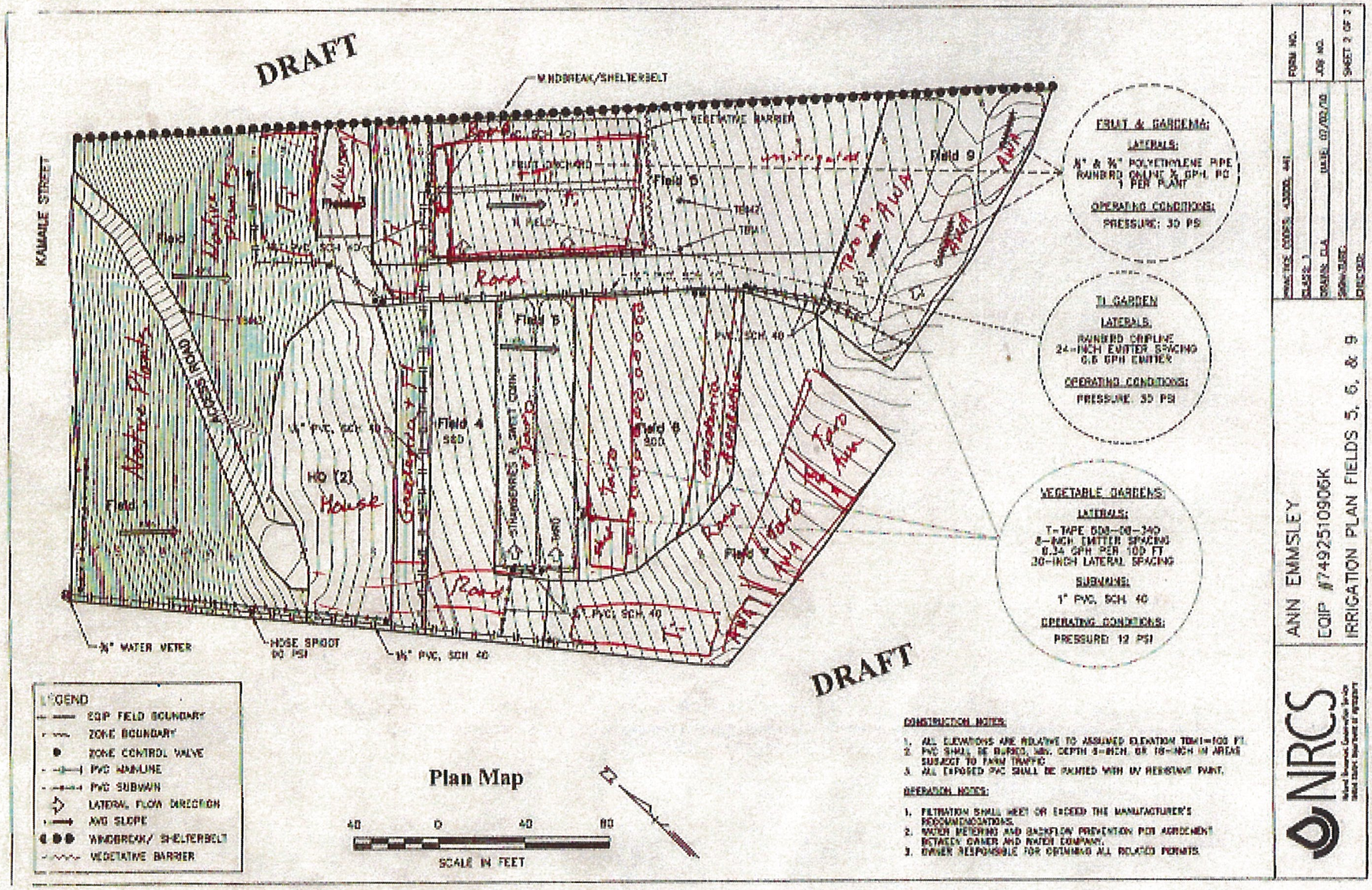
Lawn area is also sprinkler irrigated but as minimal as possible. And turned on only when turf shows signs of being dry.

All other watering is done via drip irrigation. All driplines are low flow - either rainbird landscape or t-tape in row crops. Irrigation times are determined by PET rates for Wailuku, gpm of driplines and rate of use of crop.

For example Taro is irrigated 1 hour 10 minutes 4 times per week in the summer. But for 1 hour in winter. In contrast - Native plants are irrigated only twice per week for 1 hour. Irrigation is turned off when rainfall exceeds 0.5". Generally stay in 80,000 GPM/month limit. In dry summer this can be difficult and means keeping some crops below their optimal watering times. Shift water to ti, taro, and awa. -our commercial crops.

New Uses
-Sprinkler area has been reduced from 0.5 to 0.25 A
- **Total New use from 1.0 A to 1.9 A. 1.65 A is in Drip, 0.25 A sprinkler**
-Taro (row crop Fields) increased from .25 to .4 A
-"Ornamental" plants - Ti, Gardenia, Stephanotis, nursery - increased from .25 to .38
-Landscape - Native plant area, Sod, lawn area, windbreaks - from 0.5 to 0.6 - the increase was due to additional plantings of the native plant area above the driveway. This was not installed during 2008. (with reduction in sod but increase in that area - total now is 0.6) with only 0.25 of this total now in sprinkler irrigation.
-Awa - these plantings are all new - 0.40 A
-Ti- some additions here - see map
-Home use - bananas, coconut, ulu, citrus, avocado - scattered in ti & awa fields -drip
Future - only .15 area left for potential expansion - final would be about 2 A under irrigation

Jan 2016


DRAFT
WINDBREAK/SHELTERBELT
VEGETATIVE BARRIER
KAMAILE STREET
FRUIT & GARDENS:
LATERALS:
½" & ¾" POLYETHYLENE PIPE
RAINBIRD ON-LINE & GPH PC
1 PER PLANT
OPERATING CONDITIONS:
PRESSURE: 30 PS
TI GARDEN
LATERALS:
RAINBIRD CROPLINE
24-INCH EMITTER SPACING
0.6 GPH EMITTER
OPERATING CONDITIONS:
PRESSURE: 35 PSI
VEGETABLE GARDENS:
LATERALS:
T-TAPE 508-08-340
8-INCH EMITTER SPACING
0.34 GPH PER 100 FT
30-INCH LATERAL SPACING
SUBMAINS:
1" PVC, SCH 40
OPERATING CONDITIONS:
PRESSURE: 12 PSI
Field 1
Field 4
Field 5
Field 6
Field 7
Field 8
Field 9
HD (2)
¾" WATER METER
HOSE SPIGOT
60 PSI
1½" PVC, SCH 40
DRAFT
LEGEND
EQIP FIELD BOUNDARY
ZONE BOUNDARY
ZONE CONTROL VALVE
PVC MAINLINE
PVC SUBMAIN
LATERAL FLOW DIRECTION
AVG SLOPE
WINDBREAK/ SHELTERBELT
VEGETATIVE BARRIER
Plan Map
40 0 40 80
SCALE IN FEET
CONSTRUCTION NOTES:
1. ALL ELEVATIONS ARE RELATIVE TO ASSUMED ELEVATION TBM1=100 FT.
2. PVC SHALL BE BURIED, MIN. DEPTH 8-INCH, OR 18-INCH IN AREAS SUBJECT TO FARM TRAFFIC.
3. ALL EXPOSED PVC SHALL BE PAINTED WITH UV RESISTANT PAINT.
OPERATION NOTES:
1. FILTRATION SHALL MEET OR EXCEED THE MANUFACTURER'S RECOMMENDATIONS.
2. WATER METERING AND BACKFLOW PREVENTION PER AGREEMENT BETWEEN OWNER AND WATER COMPANY.
3. OWNER RESPONSIBLE FOR OBTAINING ALL RELATED PERMITS.
NRCS
ANN EMMSLEY
EQIP #74925109065K
IRRIGATION PLAN FIELDS 5, 6, & 9
FORM NO.
JOB NO.
SHEET 2 OF 3

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-MA 15-01 DECLARATION OF: GEORGE CARTER

DECLARATION OF GEORGE CARTER

I, GEORGE CARTER, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 4076 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 347

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12.13.2015.

George A. Cartwright

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-MA 15-01 DECLARATION OF: SAMUEL IRELAND

DECLARATION OF SAMUEL IRELAND

I, SAMUEL IRELAND, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 77 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 348

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 1/04/2016.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Vacant Lot

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-MA 15-01 DECLARATION OF: JOHN D. PASALO

DECLARATION OF JOHN D. PASALO

I, JOHN D. PASALO, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 78 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 349

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Dec. 29, 2015.

John D. Pinalo

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-MA 15-01 DECLARATION OF: JOSEPH BLACKBURN II

DECLARATION OF ~~JOSEPH BLACKBURN II~~

I, ~~JOSEPH BLACKBURN II~~, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 81 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 350

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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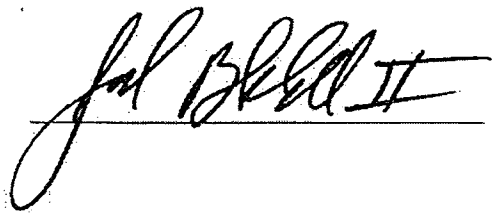
I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 8, 2015.



ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I purchased this lot in 2014 and since purchase have planted an orchard of 7 mango trees and about 30 avocado trees which are now about 1 1/2 years old about 1 acre. I put in both drip and sprinkler irrigation for the trees. No fruit yet. I also have native plants including A'ali'i, Ilima, Native Morning Glory and beach Glory, Pili Grass and Ohia Lehua on the hillside about 1/4 acre. I also have dry land taro about 50 plants which I give away luau leaf to charity and home consumption. About 40 banana trees for home consumption and friends. Plan to plant citrus, lychee and breadfruit on about 1/4 acre. I use the non potable water for theses plants and trees. Without irrigation water these trees and crops have a hard time to survive.

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-MA 15-01 DECLARATION OF: David McGregor

DECLARATION OF David McGregor

I, David McGregor, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 82 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 351

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Dec 30, 2015.

ADDENDUM TO DECLARATIONS

I further declare as follows, which shall be incorporated by reference in the declarations to which this addendum is attached:

Since purchasing lot 82 in Wailuku Country Estates in October, 2007 I've planted over 50 fruit trees, as well as over 50 bamboo and other plants for erosion control on steep areas. The trees growing in the orchard include:

- Mango
- Loquat
- Citrus (various)
- Lilikoi
- Avocado
- Papaya
- Sapote
- Fig
- Olives

Other income producing farming activities include:

- Green house
- Bamboo

The fruit is sold to local businesses (ono gelato, wowee lemonade, etc.) bamboo and green house starts are sold via craigslist to private parties.

All watering is done via drip or sprinklers on irrigation timers with water sensors to avoid watering during rainy periods. Even using these conservation methods the average water usage has averaged 70,000 gallons per month.

Mango Orchard

Fruit trees and Green house

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-MA 15-01 DECLARATION OF: David McGregor

DECLARATION OF David McGregor

I, David McGregor, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 83 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 352

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, Dec 30, 2015.

ADDENDUM TO DECLARATIONS

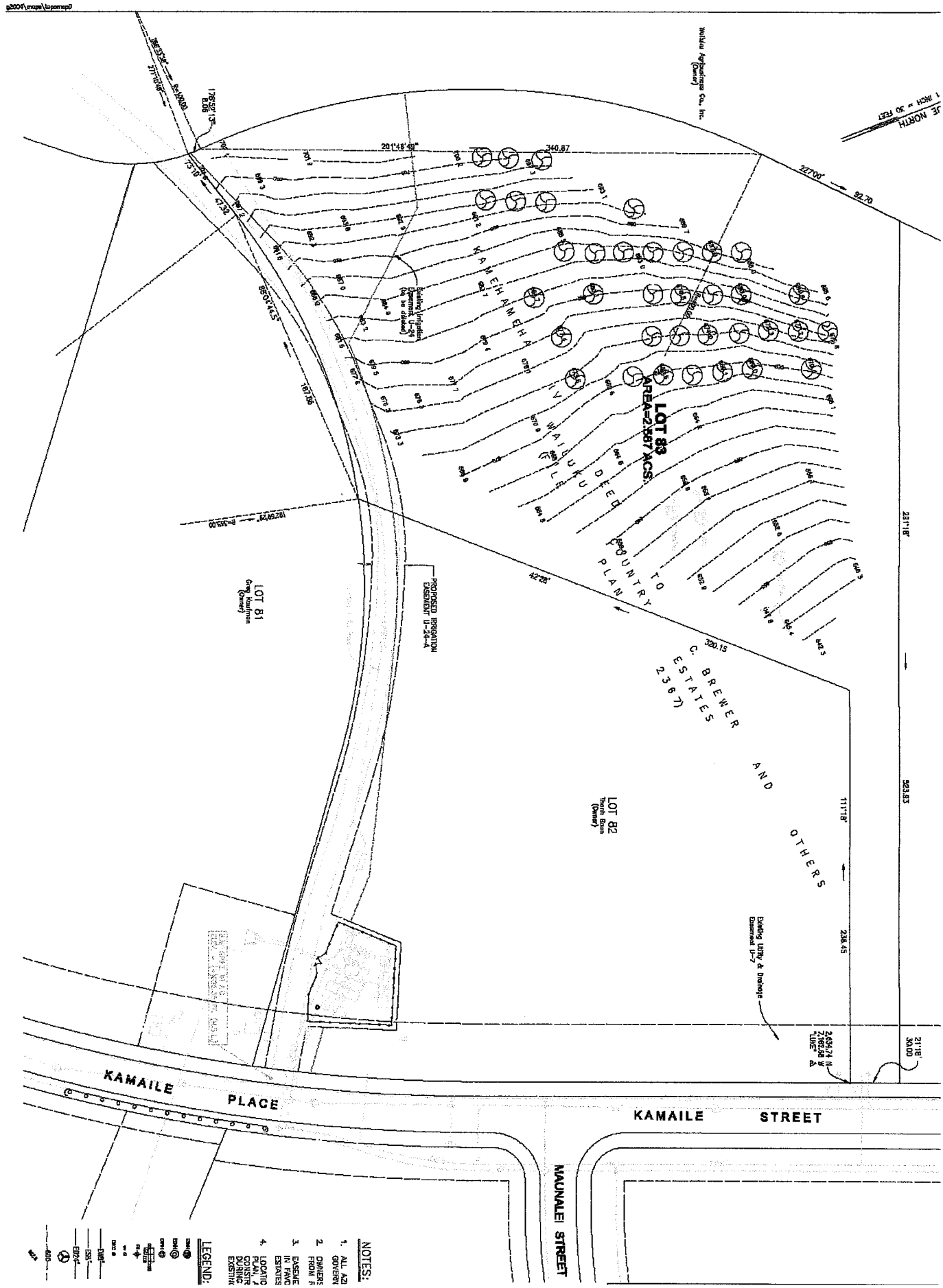
I further declare as follows, which shall be incorporated by reference in the declarations to which this addendum is attached:

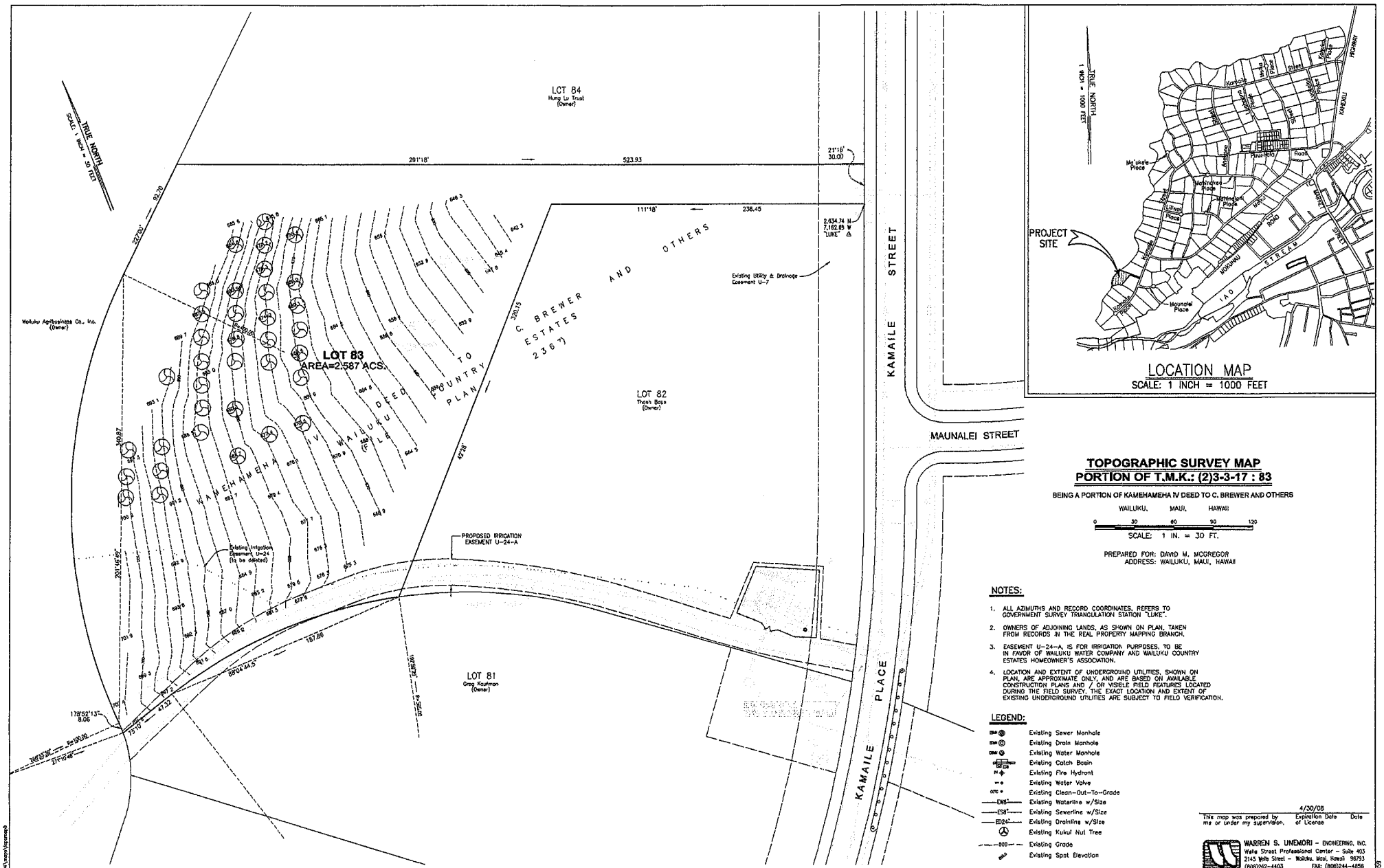
Since purchasing lot 82 in Wailuku Country Estates in September, 2005 I've planted various fruit trees, as well as bamboo and other plants for erosion control. The lot is very steep in areas as depicted in the attached topographic survey dated April, 2008.

As of April, 2008 macadamia nut trees covered approximately one-third of the lot.

All watering is done via drip or sprinklers on irrigation timers with water sensors to avoid watering during rainy periods.

Onemori Engineering April 30, 2008





TOPOGRAPHIC SURVEY MAP
PORTION OF T.M.K.: (2)3-3-17 : 83

BEING A PORTION OF KAMEHAMEHA IV DEED TO C. BREWER AND OTHERS

WAILUKU, MAUI, HAWAII

0 30 60 90 120

SCALE: 1 IN. = 30 FT.

PREPARED FOR: DAVID M. MCGREGOR
ADDRESS: WAILUKU, MAUI, HAWAII

NOTES:

1. ALL AZIMUTHS AND RECORD COORDINATES, REFERS TO GOVERNMENT SURVEY TRIANGULATION STATION "LUKE".
2. OWNERS OF ADJOINING LANDS, AS SHOWN ON PLAN, TAKEN FROM RECORDS IN THE REAL PROPERTY MAPPING BRANCH.
3. EASEMENT U-24-A, IS FOR IRRIGATION PURPOSES, TO BE IN FAVOR OF WAILUKU WATER COMPANY AND WAILUKU COUNTRY ESTATES HOMEOWNER'S ASSOCIATION.
4. LOCATION AND EXTENT OF UNDERGROUND UTILITIES, SHOWN ON PLAN, ARE APPROXIMATE ONLY, AND ARE BASED ON AVAILABLE CONSTRUCTION PLANS AND / OR VISIBLE FIELD FEATURES LOCATED DURING THE FIELD SURVEY. THE EXACT LOCATION AND EXTENT OF EXISTING UNDERGROUND UTILITIES ARE SUBJECT TO FIELD VERIFICATION.

LEGEND:

- Existing Sewer Manhole
- Existing Drain Manhole
- Existing Water Manhole
- Existing Catch Basin
- Existing Fire Hydrant
- Existing Water Valve
- Existing Clean-Out-To-Grade
- Existing Waterline w/Size
- Existing Sewerline w/Size
- Existing Drainline w/Size
- Existing Kukui Nut Tree
- Existing Grade
- Existing Spot Elevation

4/30/08

This map was prepared by me or under my supervision, Expiration Date of License Date

WARREN S. UNEMORI - ENGINEERING, INC.
Wells Street Professional Center - Suite 403
2145 Wells Street - Wailuku, Maui, Hawaii 96793
(808)242-4403 FAX: (808)244-4858

05055

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-MA 15-01 DECLARATION OF: JANNY GIANG

DECLARATION OF JANNY GIANG

I, JANNY GIANG, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot U084 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 353

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, DECEMBER 30, 2015.

Jennyhiang

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-MA 15-01 DECLARATION OF: MICHAEL V. McELLIOTT

DECLARATION OF MICHAEL V. McELLIOTT

I, MICHAEL V. McELLIOTT declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an ~~owner~~ COOWNER of Lot 085 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 354

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, 12/28/2015.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Lily Lao and myself have been owners of this property since November of 2012. The types of consumables grown on this property include but are not limited to:

Macadamia Nuts
Bananas
Papayas
Mangoes
Avocados
Taro

The current water usage to maintain the property and landscaping is approximately 1,900 gal. per day.

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-MA 15-01 DECLARATION OF: Mark Elliott Short

DECLARATION OF Mark Elliott Short

I, Mark Elliott Short, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 86 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 355

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 30, 2015.

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

I am currently producing 36 different varieties of tropical fruit trees and 28 different varieties of bananas. These all need irrigation water to continue production.

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-MA 15-01 DECLARATION OF: Stacy A. Otomo

DECLARATION OF Stacy A. Otomo

I, Stacy A. Otomo, declare as follows.

1. I am competent to make this declaration, and I make this declaration upon personal knowledge.

2. I am an owner of Lot 81 at the Wailuku Country Estates agricultural subdivision in Wailuku, Maui, Hawaii.

3. I am a member of the Wailuku Country Estates Community Association.

4. As with all of the agricultural lots at Wailuku Country Estates, my lot receives non-potable water for irrigation and agricultural purposes from the Wailuku Country Estates Irrigation Company.

5. I am a party to the Agreement Regarding Irrigation Water (Individual Lots) with Wailuku Country Estates Irrigation Company, a true and accurate copy of which is marked as an exhibit in this proceeding. Pursuant to that agreement, I agreed that I would use the non-potable water supplied by the Wailuku Country Estates Irrigation Company only for irrigation and agricultural activities on my lot (and only on my lot). Since entering into the agreement, I have been in compliance with the agreement regarding non-potable water.

EXHIBIT NO.
2189 WCEIC - 356

6. As a member of the Wailuku Country Estates Community Association, I understand that agreements signed by the developer of Wailuku Country Estates, including a Unilateral Water Use Agreement dated November 28, 2002 and a Modification of Subdivision Requirements Agreement No. 2 dated December 26, 2006, have provisions regarding the use of County-supplied potable water and the use of non-potable water supplied by the Wailuku Country Estates Irrigation Company.

7. As with all agricultural lots at Wailuku Country Estates, my lot has a water meter that measures the amount of non-potable water received from the Wailuku Country Estates Irrigation Company.

8. If applicable, the tables relating to my lot attached to the surface water use permit application (for existing use) dated April 22, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information: a) the average daily use of the non-potable water on my lot; b) the amount of water requested relating to my lot for existing use; and c) irrigation information relating to my lot.

9. A true and accurate copy of the existing use application, including the tables relating to my lot, if applicable, is marked as an exhibit in this proceeding.

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10. If applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture, and the amount of non-potable water used for that agriculture, as of the date of the submission of the surface water use permit application (for existing use), is included and summarized in a spreadsheet entitled, "Wailuku Country Estates Irrigation Company Agricultural Spreadsheet for Wailuku Country Estates Owners TMK 3-3-017-Lot#." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

11. If applicable, true and accurate photographs of agricultural activities on my lot as of the date of the submission of the surface water use permit application (for existing use) are marked as exhibits in this proceeding.

12. The tables relating to my lot attached to the surface water use permit application (for new use) dated April 15, 2009 and filed with the Commission on Water Resource Management by the Wailuku Country Estates Irrigation Company states, among other information, estimated irrigation information for agricultural activities and the requested amount of non-potable water for those agricultural activities on my lot after April 30, 2008. A true and accurate copy of the new use application, including the tables relating to my lot, is marked as an exhibit in this proceeding.

13. As applicable, best estimates of the type(s) of agriculture (including landscaping) on my lot, the acreage of that agriculture and the amount of non-potable water used for that agriculture after April 30, 2008, is included and summarized in a spreadsheet entitled, "Na Wai Eha New Use Spreadsheet for Wailuku Country Estates Irrigation Company." A true and accurate copy of the spreadsheet is marked as an exhibit in this proceeding.

14. To the best of my knowledge and belief, the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company reflected in the documents relating to irrigation and agricultural activities on my lot described above are necessary for economic and efficient utilization of my agricultural property in a manner that is not wasteful, and is both reasonable and consistent with state and county land use plans and the public interest.

15. To the best of my knowledge and belief, there are no practical alternatives to the use and quantity of non-potable water from Wailuku Country Estates Irrigation Company for the irrigation and agricultural activities described in the documents relating to my agricultural property.

16. If applicable, supplemental information regarding the agricultural activities on my lot and other matters is attached hereto, which is incorporated herein by reference.

17. I reserve the right to amend and/or supplement this declaration, including, but not limited to, for rebuttal purposes in this proceeding.

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I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Wailuku, Hawaii, December 11, 2015.

Stacy A. Otmo

ADDENDUM TO DECLARATION

I further declare as follows, which shall be incorporated by reference in the declaration to which this addendum is attached:

Since purchasing my lot at Wailuku Country Estates (WCE) in 2003, I have been growing sod, various citrus trees (lemon, lime and tangerine), avocado, banana, lychee, mango, mountain apple, and various palm trees (foxtail, manila, areca, triangle, and royal) on about ¾ acre. All of the irrigation is on a drip system with a battery timer.

I plan on expanding the palm tree area. I currently live in Wailuku Heights where I germinate the palm seeds and grow the seedlings to a height between 2 and 3 feet. Presently, I have more than 200 trees which will be transported to my lot in WCE, potted, and prepared to be sold. I am working with several Landscape Architects and Landscape companies to sell the palm trees. I will continue to grow the citrus and other fruits for personal consumption.

In addition to the expansion of the palm tree area, I am planning to use about 2,000 to 3,000 square feet to grow vegetables (green beans, bitter melon, corn, tomatoes and eggplant) for personal consumption.

In view of the foregoing, I need a continuous source of irrigation water for my crops.