

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

IN THE MATTER OF) Case No. CCH-KA19-01
)
CONTESTED-CASE HEARING) MINUTE ORDER NO. 1
REGARDING AMENDED INTERIM)
INSTREAM FLOW STANDARDS FOR THE) Exhibit 1
SURFACE WATER HYDROLOGIC UNIT OF)
WAILUA (2040): WAIKOKO STREAM AND) Certificate of Service
NORTH FORK WAILUA RIVER)
(WAI'ALE'ALE STREAM), KAUA'I)
_____)

MINUTE ORDER NO. 1

Notice is hereby given that ELIJAH YIP has been selected as the Hearing Officer in the above-entitled contested-case hearing. Mr. Yip's disclosure is attached hereto as Exhibit 1.

Any objections to the appointment of Mr. Yip must be received no later than 4:30 p.m. on Friday, September 20, 2019, at the Commission Office, 1151 Punchbowl Street, Room 227, Honolulu, HI, 96813. Objections submitted by mail shall be sent to the same address, c/o Kathy S. Yoda.

DATED: Honolulu, Hawai'i, Sep 9, 2019.

Suzanne Q. Case

SUZANNE CASE, Chairperson
Commission on Water Resource
Management



LUMINATE LAW

Elijah Yip
Direct Dial: (808) 892-3301
Email: eyip@luminatelaw.com

August 14, 2019

Suzanne Case, Chairperson
Board of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809

Via Email to: dean.d.uyeno@hawaii.gov

Re: Contested Case Hearing Regarding Amended Interim Instream Flow Standards For the Surface Water Hydrologic Unit of Wailua (2040): Waikoko Stream and North Fork Wailua River (Wai'ale'ale Stream), Kaua'i

Dear Chair Case:

Thank you for your interest in having me serve as a hearing officer in the above-referenced contested case. I make the following disclosures to address any potential conflicts of interest.

I do not have any relationship with any of the following persons or organizations:

- Hui Ho'opulapula Nā Wai O Puna
- James Torio
- Kaua'i Island Utility Cooperative ("**KIUC**")
- Grove Farm Company, Inc.
- Department of Hawaiian Home Lands ("**DHHL**")

I understand that Hui Ho'opulapula Nā Wai O Puna is represented by Earthjustice. I am acquainted with some of the attorneys at Earthjustice, but I do not have a business relationship with the law firm and do not have a close personal relationship with any of the attorneys in the firm.

I understand that Grove Farm Company, Inc. is represented by Mauna Kea Trask of Cades Schutte LLP. I worked for the Cades firm from 2001 to July 31, 2018. Mr. Trask began

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Lighting the Way Forward.

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EXHIBIT 1

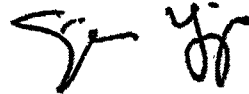
Suzanne Case
August 14, 2019
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working at the Cades firm after my departure from the firm. I do not have any relationship with Mr. Trask and have never met him. I have never represented Grove Farm. I do maintain personal relationships with some of the attorneys and staff at the Cades firm. I am entitled to receive early retirement payments from the Cades firm beginning in 2028.

I understand that KIUC is represented by Laurel Loo of McCorriston Miller Mukai MacKinnon LLP. I am acquainted with some of the attorneys at the McCorriston firm, but I do not have a business relationship with the law firm and do not have a close personal relationship with any of the attorneys in the firm. I have litigated cases against the County of Kauai while Ms. Loo was a deputy County Attorney. I do not otherwise have any relationship with Ms. Loo. I have never represented KIUC in any capacity.

DHHL might have been a party to matters before the Circuit Courts of the State of Hawaii, the Department of Land and Natural Resources, or the Commission on Water Resource Management while I worked at the Cades firm. I have never represented DHHL.

Very truly yours,

A handwritten signature in black ink, appearing to read 'E. Yip', written in a cursive style.

Elijah Yip
for
LUMINATE LAW

c: Dean D. Uyeno, CWRM
David Day, Deputy Attorney General (david.d.day@hawaii.gov)

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

IN THE MATTER OF)	Case No.
)	
CONTESTED-CASE HEARING)	CERTIFICATE OF SERVICE
REGARDING AMENDED INTERIM)	
INSTREAM FLOW STANDARDS FOR THE)	
SURFACE WATER HYDROLOGIC UNIT OF)	
WAILUA (2040): WAIKOKO STREAM AND)	
NORTH FORK WAILUA RIVER)	
(WAI'ALE'ALE STREAM), KAUA'I)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was duly served on the following persons via email and by depositing the same in the United States mail, postage prepaid, on September 10, 2019 :

Hui Ho'opulapula Nā Wai O Puna
c/o Earthjustice
850 Richards Street, Suite 400
Honolulu, HI 96813

Petitioner

James Torio
P.O. Box 51
Anahola, HI 96703

Petitioner

David D. Day
Territorial Building
465 So. King Street, Room 300
Honolulu, HI 96813

Deputy Attorney General

DATED: Honolulu, Hawai'i, September 10, 2019 .

/s/ Kathy S. Yoda
KATHY S. YODA