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 and its supporters

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

In re Petitions to Amend Interim Instream Flow Standards for Honopou, Huelo (Puolua), Hanehoi, Waikamoi, Alo, Wahinepe'e, Puohokamoa, Haipua'ena, Punalau/Kōlea, Honomanu, Nu'ailua, Pi'ina'au, Palauhulu, Ohia (Waianu), Waiokamilo, Kualani, Wailuanui, West Wailuaiki, East Wailuaiki, Kopili'ula, Puaka'a, Waiohue, Pa'akea, Waiaka'a, Kapa'ula, Hanawī and Makapipi streams.

Case No. CCH-MA13-01

EXHIBIT LIST, AS AMENDED AND CORRECTED, OF MAUI TOMORROW FOUNDATION, INC. AND ITS SUPPORTERS;
 CERTIFICATE OF SERVICE

mt/exlistamcorr

**EXHIBIT LIST, AS AMENDED AND CORRECTED,
 OF MAUI TOMORROW FOUNDATION, INC. AND ITS SUPPORTERS**

EXHIBIT NUMBER	DESCRIPTION	REFERENCES	ADM
E-1	Lease/ Caretaker Agreement for TMK No. (II) 2-9-08:14- Schupp kuleana	Testimony of Ernest Schupp	
E-2	Map of TMK No. (II) 2-9-08:14; Schupp kuleana showing Puolua Stream	Testimony of Ernest Schupp	
E-3	<i>Wai O Ola-He Wahi Mo'olelo no Maui Hikina</i> , Kumu Pono Associates, 2001	Testimony of Ernest Schupp	
E-4	Copy of CWRM Declaration of Water Use of Lehua Lapenia for TMK No. (II) 2-9-08:14	Testimony of Ernest Schupp	
E-5	Hawaii DAR "Report on Hanehoi Stream Maui, Hawai'i" dated June, 2008 http://files.hawaii.gov/dlnr/cwr/activity/iifsmaui1/dar-6037.pdf	Testimony of Ernest Schupp	
E-6	A and B -photographs of "Trough-style" bypass/Honopou stream/New Haiku Ditch	Testimony of Ernest Schupp	

E-7	CWRM Staff submittal, dated September 24, 2008 http://files.hawaii.gov/dlnr/cwr/maui/iifsmaui1/pdf/20080924.pdf	Testimony of Ernest Schupp	
E-8	Map of Taro Lo'i along Puolua stream-by E. Schupp dated June 2011	Testimony of Ernest Schupp	
E-9	A Brief History of Land Titles in the Hawaiian Kingdom, W.D. Alexander. "Subdivisions of the Ahupua'a," 1891. http://hawaiiankingdom.org/land-system.shtml	Testimony of Ernest Schupp	
E-10	CWRM Staff Update: Implementation of East Maui IIIFS, Sept 24, 2009 CWRM meeting. http://files.hawaii.gov/dlnr/cwr/maui/iifsmaui1/pdf/20090924A.pdf	Testimony of Ernest Schupp	
E-11	TMK Map: location of properties on Hanehoi Stream in relationship to Puolua stream.	Testimony of Ernest Schupp	
E-12	A thru H Photographs, Puolua stream, overgrown above Schupp kuleana.	Testimony of Ernest Schupp	
E-13	A: Copy of IRS letter, February 17, 2005 re: TARO tax-exempt non-profit status; B: Copy of IRS Form 1023, Part II, describing TARO's mission and activities.	Testimony of Ernest Schupp for T.A.R.O.	
E-14	Copy of Right of Entry permit from DLNR Lands Division dated Jan 25. 2011	Testimony of Ernest Schupp for T.A.R.O.	
E-15	Copy of TMK Map No. (II) 2-9-06	Testimony of Ernest Schupp for T.A.R.O.	
E-16	DLNR Application and Qualification Questionnaire submitted by TARO to lease state land along Puolua Stream in Huelo. dated March, 2011	Testimony of Ernest Schupp for T.A.R.O.	
E-17	Map by Ernest Schupp of unrecorded enclosure above Puolua stream, thought to be ceremonial, Map dated, June 2011.	Testimony of Ernest Schupp for T.A.R.O.	
E-18	A to J Photographs of cultural sites along Puolua stream	Testimony of Ernest Schupp for T.A.R.O.	
E-19	Copy of Warranty Deed TMK No. (II) 2-9-11:14	Testimony of Neola Caveny	
E-20	Copy of TMK Map No. (II) 2-9-11	Testimony of Neola Caveny	
E-21	Copy of 1989 registration of water use for TMK No. (II) 2-9-11:14 by previous owner Stan Rushworth.	Testimony of Neola Caveny	
E-22	Copy of March 15, 2004 Letter from N. Caveny to CWRM asking for re: riparian rights	Testimony of Neola Caveny	
E-23	A-C Photos of 4" pipes at Hanehoi Stream/Lowrie ditch diversion	Testimony of Neola Caveny	
E-24	Map by Maui Tomorrow, December 2014, showing traditional ponds in Huelo	Testimony of Neola Caveny	

E-25	Copy General Excise Tax business registration and Farm Plan for Pualana Farms, owned by Neola Caveny	Testimony of Neola Caveny	
E-26	Copy of Maui County Parcel History and tax assessments: TMK no (II) 2-9-008: parcels 034, 035 and 007	Testimony of Solomon Lee Jr.	
E-27	Copy of TMK No. (2) 2-9-008 indicating parcels 034, 035 and 007	Testimony of Solomon Lee Jr.	
E-28	Alphabetical Index of Awards by Awardee (Mahele LCA)	Testimony of Solomon Lee Jr.	
E-29	Copy Royal Patent Grant 1080 to John Puha dated December 24, 1853 and transfer from from Puha to Samuel Kaiewe II and from Kaiewe to Kaili Kaea dated July 27, 1894	Testimony of Solomon Lee Jr.	
E-30	Portion of Reg Map 2745	Testimony of Solomon Lee Jr.	
E-31	Map showing approximate location of Lee family auwai, family lands: TMK Nos. (II) 2-9-008:007,034 and 035 and EMI parcels	Testimony of Solomon Lee Jr.	
E-32	CWRM Hanehoi IFSAR, Table 13-1 showing "Pancho intake" p. 86	Testimony of Solomon Lee Jr.	
E-33	Copy of abstract from First American Title Insurance showing 1926 Lease with Haiku Fruit & Packing Co., Ltd.	Testimony of Solomon Lee Jr.	
E-34	A-C Copies of 1989 CWRM Declarations of Water Use by Solomon Lee Sr. for TMK Nos. (II) 2-9-008: 007, 034,035.	Testimony of Solomon Lee Jr.	
E-35	Copy of December 10, 2009 letter from Solomon Lee Jr. to County Tax Appraiser re: agricultural activity and lack of water.	Testimony of Solomon Lee Jr.	
E-36	Copy of letter from S. Lee Jr. to CWRM dated January 11, 2012	Testimony of Solomon Lee Jr.	
E-37	Mission statement: Hale Akua Garden Farm by Lorraine Grace, owner Dec, 2014	Testimony of Michael D'addario	
E-38	A-C, Three Deeds to the Hale Akua property	Testimony of Michael D'addario	
E-39	Photo of 200 ft Hanehoi falls undated	Testimony of Michael D'addario	
E-40	Maui Tomorrow map of complete tributary system of Hanehoi stream	Testimony of Michael D'addario	
E-41	A: Copy of Warranty deed for Morf-Halley. TMK No. (II) 2-9-7:64 in Huelo. B: Plat map for TMK No. (II) 2-9-7:64 in Huelo.	Testimony of Christa Morf	
E-42	TMK (II) 2-9-007 showing de Naie property	Testimony of Lucienne de Naie	

E-43	Analyses by Lucienne de Naie of errors in section 13.1 and 13.2 of Hanehoi IFSAR, dated December 26, 2014.	Testimony of Lucienne de Naie	
E-44	Analyses by Lucienne de Naie of errors in Fig 1.4 stream map in Hanehoi IFSAR, dated October 31, 2009.	Testimony of Lucienne de Naie	
E-45	TMK (II) 2-9-009 showing “Huelo” stream	Testimony of Lucienne de Naie	
E-46	A-H Photographs of Hanehoi and Puolua streams	Testimony of Lucienne de Naie	
E-47	CWRM Minutes dated Sept 24-25, 2008 http://files.hawaii.gov/dlnr/cwrm/minute/2008/mn20080924.pdf	Testimony of Lucienne de Naie	
E-48	Waikamoi IFSAR, December, 2009 http://files.hawaii.gov/dlnr/cwrm/ifsar/PR200901.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-49	USGS map of east Maui streams showing East and West Wailua iki hikes	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-50	CWRM Staff submittal dated May 25, 2010	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-51	Photographs A-D East Wailua iki stream	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-52	CWRM testimony on E. Maui stream monitoring, dated Dec 18, 2014	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-53	USFWS report on Earwig Damselfly, Federal Register, 2007 as reported on line http://www.xerces.org/flying-earwig-hawaiian-damselfly/	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-54	Hawaii’s Comprehensive Wildlife Conservation Strategy Report, October 1, 2005	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-55	DAR Report ranking restoration potential of East Maui Streams, May, 2010	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-56	USGS Map showing Sierra Club Maui Waiohue and Makapipi stream hikes	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-57	Waiohue IFSAR, December, 2009 http://files.hawaii.gov/dlnr/cwrm/ifsar/PR200911.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	

E-58	Hawaii Stream Assessment, 1990	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-59	Screen shots: Trip Advisor and world of waterfalls websites http://www.tripadvisor.com/Attraction_Review-g29220-d1020424-Reviews-Pua_a_Ka_a_State_Park-Maui_Hawaii.html and http://www.world-of-waterfalls.com/hawaii-puaa-kaa-falls.html	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-60	CWRM May 25, 2010 Meeting minutes	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-61	USGS Map showing Sierra Club Maui Honomanu and Waikamoi stream hikes	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-62	<i>Hihūwai (Neritina granosa Sowerby) Recruitment in 'Īao and Honomanū Streams on the Island of Maui, Hawai'i, Hau, 2007</i>	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-63	Honomanu IFSAR December 2009, http://files.hawaii.gov/dlnr/cwrn/ifsar/PR200905.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-64	A-D Photographs of Honomanu stream	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-65	Reg. Map 2467 Honomanu Homesteads, dated Jan. 1909	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-66	2014 State of Hawaii Water Quality Monitoring and Assessment Report, Pursuant to 303(d) http://health.hawaii.gov/cwb/files/2014/11/Final-2014-State-of-Hawaii-Water-Quality-Monitoring-and-Assessment-Report.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-67	HSHEP study; dated November 2009 completed for DAR and Bishop Museum by Parham et al	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-68	Makapipi IFSAR December 2009 http://files.hawaii.gov/dlnr/cwrn/ifsar/PR200916.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-69	USGS report sir 2005- 5213 <i>Effects of Surface-Water Diversions on Habitat Availability for Native Macrofauna, Northeast Maui, Hawaii</i> http://pubs.usgs.gov/sir/2005/5213/pdf/sir2005-5213.pdf	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	

E-70	A – M; Photographs of Makapipi stream and native plants from Sierra Club Hikes 2008 on.	Testimony of Lucienne de Naie on behalf of Sierra Club Maui	
E-71	Screen shot of website: http://mauidebook.com/road-to-hana-maui/waikamoi-stream-waterfalls/	Testimony of Miranda Camp	
E-72	Hawaii DAR Report to CWRM on East Maui Streams, dated May, 2010	Testimony of Miranda Camp	
E-73	Curricula Vitae of Richard “Dick” Mayer	Testimony of Richard “Dick” Mayer	
E-74	Maui Island Plan, 2012 Acknowledgement page	Testimony of Richard “Dick” Mayer	
E-75	Maui Economic Development Board Conference Report, December, 1986	Testimony of Richard “Dick” Mayer	
E-76	Agricultural Lands Assessment for Alexander and Baldwin, Inc Maui Lands EX. “A”, April 2009	Testimony of Richard “Dick” Mayer	
E-77	A - B photos of HC&S ditches in central Maui c. 2008	Testimony of Richard “Dick” Mayer	
E-78	screen shot of <i>Rainfall Atlas of Hawaii</i> website Giambelluca, T.W., Q. Chen, A.G. Frazier, J.P. Price, Y.-L. Chen, P.-S. Chu, J.K. Eischeid, and D.M. Delparte, 2013: Online Rainfall Atlas of Hawai‘i. Bull. Amer. Meteor. Soc. 94, 313-316, doi: 10.1175/BAMS-D-11-00228.1. http://rainfall.geography.hawaii.edu/rainfall.html	Testimony of Richard “Dick” Mayer	
E-79	<i>Low-Flow Frequency and Stochastic Analysis of Irrigation Ditch Flows for Central Maui, Hawaii Final Report</i> , UH Water Resources Research Center, Yu-Si Fok, et al. 1976	Testimony of Richard “Dick” Mayer	
E-80	Waiale Final EIS Vol. 1 prepared for A&B, Inc, 2011	Testimony of Richard “Dick” Mayer	
E-81	Map comparing lands in A&B’s IAL petition with lands proposed for urban entitlements in the Maui Island Plan process (2006-08).	Testimony of Richard “Dick” Mayer	
E-82	ML&P annual 10-K report, to SEC, 2013.	Testimony of Richard “Dick” Mayer	
E-83	Maui County Water Use and Development Plan, 1990.	Testimony of Richard “Dick” Mayer	
E-84	Maui Gold pineapple website http://www.pineapplemaui.com/history.php	Testimony of Richard “Dick” Mayer	
E-85	Maui County Water rates: from County website http://co.maui.hi.us/index.aspx?NID=216	Testimony of Richard “Dick” Mayer	
E-86	HC&S Rebuttal brief, Na Wai Eha Stream Petition, dated Feb.18, 2014	Testimony of Richard “Dick” Mayer	
E-87	photo of popular water fall area with visitor cars lined up	Testimony of Richard “Dick” Mayer	

E-88	Central Maui Recycled Water Verification Study, December, 2010	Testimony of Irene Bowie	
E-89	Update of the Hawaii Reuse Survey and Report, 2013	Testimony of Irene Bowie	
E-90	MECO External Stakeholders Meeting PSIF 070214 page 12	Testimony of Irene Bowie	
E-91	Canegrowers Best Practices, http://www.canegrowers.com.au/page/IndustryCentre/advocacy/environment-reports/	Testimony of Irene Bowie	
E-92	<i>Sugar Water</i> by Carol Wilcox (1996)	Testimony of Irene Bowie	
E-93	Agreement Between Hamakua Ditch Company and the Hawaiian Government, dated September 13, 1876	Testimony of Irene Bowie	
E-94	Castle 1876 Attorney General Opinion	Testimony of Irene Bowie	
E-95	Indenture between Territory of Hawaii and EMI, dated March 18, 1938	Testimony of Irene Bowie	
E-96	Huelo License, General Lease No. 3578, 1960	Testimony of Irene Bowie	
E-97	EMI Water Report to State, 10/24/85	Testimony of Irene Bowie	
E-98	Comparison of Private and State Water Ownership	Testimony of Irene Bowie	
E-99	East Maui Ditch System Map dated February 28, 2004	Testimony of Irene Bowie	
E-100	EMI Monthly Water Use Report to State, 1/12/11, pp. 064-087	Testimony of Irene Bowie	
E-101	EMI Monthly Water Use Report to State, 2/3/12, pp. 100-110	Testimony of Irene Bowie	
E-102	EMI Monthly Water Use Report to State, 2/18/14, pp. 111-132	Testimony of Irene Bowie	
E-103	EMI Monthly Water Use Report to State, 3/14/11, pp. 88-99	Testimony of Irene Bowie	
E-104	County BWS Water Consumption, 2/1/14 – 2/28/14	Testimony of Irene Bowie	
E-105	Memorandum of Understanding Concerning Settlement of Water and Related Issues between the BWS, County of Maui and A&B dated April 13, 2000	Testimony of Irene Bowie	
E-106	Monsanto Parcels on Maui, 2014	Testimony of Irene Bowie	
E-107	License and Water Transmission Agreement by and among EMI, A&B and Maui Pineapple Company (“ML&P”), originally dated May 22, 1991	Testimony of Irene Bowie	

E-108	Direct Testimony of Wesley M. Nohara	Testimony of Irene Bowie	
E-109	HC&S Field Water Sources Map	Testimony of Irene Bowie	
E-110	Third Amendment to Memorandum of Understanding between EMI, BWS, and others, dated January 3, 1996	Testimony of Irene Bowie	
E-111	Newspaper Article in Star Bulletin dated December 13, 2008	Testimony of Irene Bowie	
E-112	A&B 2013 Annual Report	Testimony of Irene Bowie	
E-113	EMI Monthly Water Use Report to State, 1/21/08	Testimony of Irene Bowie	
E-114	CDUA Application for Waikamoi Flume Replacement Project dated June 2012	Testimony of Irene Bowie	
E-115	Fourth Amendment to Memorandum of Understanding between EMI, BWS, and other, dated December 30, 1996	Testimony of Irene Bowie	
E-116	Agreement Re 1973 Memorandum of Understanding, Repairs to Waikamoi Water System, Construction of Reservoir at Kamole Weir dated March 21, 1996	Testimony of Irene Bowie	
E-117	Fifth Amendment to Memorandum of Understanding between EMI, BWS, and other, dated January 20, 1998	Testimony of Irene Bowie	
E-118	County BWS Number of Services by Meter Size for Fiscal Year ended June 30, 2013	Testimony of Irene Bowie	
E-119	BLNR Staff Submittal dated August 23, 1985	Testimony of Irene Bowie	
E-120	BLNR Staff Submittal dated May 26, 2000	Testimony of Irene Bowie	
E-121	BLNR Board Submittal for May 25, 2001	Testimony of Irene Bowie	
E-122	Memorandum of Understanding between BWS, EMI and HC&S, dated December 31, 1973	Testimony of Irene Bowie	

DATED: Wailuku, Maui, Hawaii

1.17.15



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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the parties listed below by email originally on December 30, 2014 and, as Amended and Corrected, on January 15, 2015.

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