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COMMISSION ON WATER  
RESOURCE MANAGEMENT  
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BEFORE THE COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications,	)	Case No. CCH-MA15-01
Integration of Appurtenant Rights and	)	
Amendments to the Interim Instream Flow	)	<b>OFFICE OF HAWAIIAN AFFAIRS'</b>
Standards, Nā Wai 'Ehā Surface Water	)	<b>RESPONSE TO HAWAIIAN</b>
Management Areas of Waihe'e, Waiehu, 'Īao	)	<b>COMMERCIAL &amp; SUGAR COMPANY</b>
and Waikapū Streams, Maui	)	<b>AND MAHI PONO, LLC'S JOINT</b>
	)	<b>MOTION FOR WITHDRAWAL AND</b>
	)	<b>SUBSTITUTION OF PARTIES FOR</b>
	)	<b>SWUPA 2206, FILED MAY 14, 2019;</b>
	)	<b>CERTIFICATE OF SERVICE</b>
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**OFFICE OF HAWAIIAN AFFAIRS' RESPONSE TO HAWAIIAN COMMERCIAL & SUGAR COMPANY AND MAHI PONO, LLC'S JOINT MOTION FOR WITHDRAWAL AND SUBSTITUTION OF PARTIES FOR SWUPA 2206, FILED MAY 14, 2019**

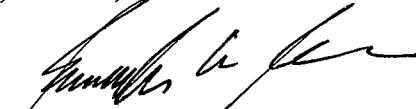
Office of Hawaiian Affairs ("OHA"), by and through its counsel Dentons US LLP, pursuant to Minute Order No. 14, hereby submits its response to *Hawaiian Commercial & Sugar Company and Mahi Pono, LLC's Joint Motion for Withdrawal and Substitution of Parties for SWUPA 2206, Filed May 14, 2019* ("HC&S-MP Joint Motion")..

With the understanding that Mahi Pono, LLC (“MP”) will step into and be bound by the record created by Hawaiian Commercial & Sugar Company (“HC&S”) regarding SWUPA 2206, such that OHA’s *Exceptions to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order Filed November 1, 2017*, filed on January 5, 2018, and *Hui o Nā Wai Ehā’s and Maui Tomorrow Foundation, Inc.’s Exceptions to the Proposed Findings of Fact, Conclusions of Law, and Decision and Order, dated November 1, 2017*, filed on January 5, 2018, in which OHA joined, will be deemed to apply to MP to the extent they bear on HC&S or SWUPA 2206, OHA takes no position on the HC&S-MP Joint Motion.

To the extent OHA’s assumption is incorrect, OHA reserves the right to respond further.

OHA joins Hui o Nā Wai Ehā and Maui Tomorrow Foundation, Inc. in respectfully urging that the Commission expedite the completion of this proceeding. By the time the HC&S-MP Joint Motion is heard on August 28, 2019, almost two years will have elapsed from the filing of the Parties’ exceptions to the Hearing Officer’s Proposed Decision, which exceptions have not yet been scheduled for hearing.

DATED: Honolulu, Hawai‘i, June 21, 2019.



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COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

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

On February 17, 2017, I caused true and correct copies of the foregoing documents to be served on the following parties by electronic service. Service on those Parties who have not agreed to electronic service is via the Commission website pursuant to Minute Order #4.

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