

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) MINUTE ORDER #7 – CONTINUED
 Standards, Na Wai Eha Surface Water) HEARING DATE, TIME AND PLACE;
 Management Areas of Waihee, Waiehu, Iao) CERTIFICATE OF SERVICE
 and Waikapu Streams, Maui)
 _____)

Minute Order #7:

CONTINUED HEARING DATE, TIME AND PLACE

The hearing in this contested case shall be continued to the following dates, times and place:

DATES: September 19 and 20, 2016

TIME: 8:30 a.m. to 4:30 p.m., both days

PLACE: J. Walter Cameron Center
 95 Mahalani Street
 Wailuku, Hawaii 96793

Following are the witnesses that will be testifying during these days:

SEPTEMBER 19, 2016					
Date Testify	SWUPA* No.	Applicant	Hydro Unit	Witnesses	Cross Exam
9/19/16 (Skype)	2290N Amended	Smith , Murray and Carol	Waiehu	Murray M. Smith	
09/19/16	2320	Anakalea, Ramsay and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee	Lester Nakama	
09/19/16	2316 / 2317N	Apo, Gordon and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2322 / 2323N	Barrett, Robert and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2326 / 2327N	Ciacci, Mary and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		

Date Testify	SWUPA* No.	Applicant	Hydro Unit	Witnesses	Cross Exam
09/19/16	2318 / 2319N	Ideoka, Nolan and Merle, and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2324 / 2325N	Laa, William, Emmett and Renette Rodrigues, Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2330 / 2331N	Lee, Peter and Lester Nakama (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2328 / 2329N	Nakama, Lester (Aloha Poi Factory, Inc.)	Waihee		
09/19/16	2348	Baillie, Michael	Waihee	Michael Baillie	
09/19/16	2215/ 2216N	Brito, Gary and Evelyn	Iao	Gary Brito	
09/19/16	2223	Cockett, Winfred and Gordon	Waihee	Gordon Cockett	
09/19/16	2287	Haller, Steve	Waihee	Steve Haller	
09/19/16	2153	Hanusa, Robert	Waihee	Robert Hanusa	
09/19/16	4442N	Hee, Gerald Lau	Iao	Kaeo Lau Hee	
09/19/16	2183	Kihei Gardens & Landscaping	Iao	John Okamura	
09/19/16	4443N	Kitagawa, Roy	Iao	Roy Kitagawa	
09/19/16	2144	Living Waters Land Foundation	Waihee	Noel Baloaloe Justina Evangelista	
09/19/16	2256 / 2257N	Mendoza, Kenneth	Iao	Gerald Mendoza	
09/20/16	2298 / 2299N	Varel, John	Various	John Varel	
09/20/16	3470N	Emmanuel Lutheran Church	Waihee		
09/20/16	2593N	Koolau Cattle Company, LLC	Waihee		
09/20/16	2262 / 2263N	Paleka, Kalani and Tera	Waihee		
09/19/16	4445N	Victorino, Shane	Iao	Michael Victorino for Shane Victorino	

SEPTEMBER 20, 2016					
Date Testify	SWUPA* No.	Applicant	Hydro Unit	Witnesses	Cross Exam
09/20/16	2203/2356	Waikapu Properties/MTP	Waikapu	Michael Atherton	
			Waikapu	Grant Schule	
			Waikapu	William Jacintho	
			Waikapu	Robert Pahia	
09/20/16	2151	Pohakulepo Recycling, Inc.	Various	Ronald Jacintho	
09/20/16	2181	Kaanapali Kai, Inc.	Waihee	Sheryl-Lynn Suzuki	
09/20/16	2351N	Wahi Hoomalu Limited Partnership	Iao	John Russell	Na Wai Eha OHA
09/20/16	2189 / 2190N	WCEIC	Iao	Thomas Nance	Na Wai Eha OHA

UNABLE TO CONTACT					
Date Testify	SWUPA* No.	Applicant	Hydro Unit	Witnesses	Cross Exam
	2213 / 2214N	Birnie, Alan	Waikapu	Alan Birnie	
	2315	Kihm, Leinaala	Waikapu	Leinaala Kihm	
	3623N	Almeida, Gordon	Iao	Noelani Almeida	
	2271	Rogers, Waldemar and Darlene	Waikapu	Waldemar Rogers	

New testimony has been submitted for some of the above witnesses. All testimony is posted on the website: <http://dlnr.hawaii.gov/cwrn/newsevents/cch/cch-ma15-01/>.

DATED: Honolulu, Hawaii, September 14, 2016.



LAWRENCE H. MIIKE, Hearings Officer
Commission on Water Resource Management

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)
Standards, Na Wai Eha Surface Water)
Management Areas of Waihee, Waiehu, Iao and)
Waikapu Streams, Maui)
_____)

CERTIFICATE OF SERVICE

On September 14, 2016, a copy of the foregoing document was posted on the Commission on Water Resource Management's website and served on the parties that have opted for electronic service.

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

David & Anne Brown
2525 Kahekili Hwy.
Wailuku, HI 93793-9233

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

Michael Bailie
PO Box 1433
Wailuku, HI 96793

Regino Cabacungan
2192 Mokuhaui Road
Wailuku, HI 96793

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

Vernon Bal
230 Koeli Street
Wailuku, HI 96793

Thomas Cerizo
1740 Kamamalu Place
Wailuku, HI 96793

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

Dorothy Bell
1419 Nuna Place
Waikapu, HI 96793

Cordell Chang
2315 Kahekili Hwy.
Wailuku, HI 96793

Michael Doherty
41 Waihee Valley Road
Wailuku, HI 96793

Alan Birnie
175 W. Waiko Road
Wailuku, HI 96793

Joshua Chavez
P.O. Box 6240
Kahului, HI 96733

Richard Emoto
2032 B Ulei Lane
Wailuku, HI 96793

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

Winifred and Gordon Cockett
1159 Piihana Road
Wailuku, HI 96793

Patricia Federcell
88 S Papa Avenue, Apt. 404
Kahului, HI 96732-3307

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

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

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

Russel Gushi
185 West Waiko Road
Wailuku, HI 96793

Valentine Haleakala
2160 Puuohala Road
Wailuku, HI 96793

Steve Haller
1060 East Kuiaha Road
Haiku, HI 96708

Robert Hanusa
895 Malaihi Road
Wailuku, HI 96793

Darrell Higa
918 Kanakea Loop
Lahaina, HI 96761

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

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

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

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

Ronald Jacintho
Pohakulepo Recycling, LLC
150 Pakana Street
Wailuku, HI 96790

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

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

Kaanapali Kai, Inc.
P.O. Box 910
Wailuku, HI 96793

Kauai Kahalekai
202 Waihee Valley Road
Wailuku, HI 96793

Kenneth Kahalekai
240 Waihee Valley Road
Wailuku, HI 96793

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

Leinaala Kihm
1415 Honua Place
Wailuku, HI 96793

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

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

Lawrence Koki
2585 Kahekili Highway
Wailuku, HI 96793

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

Donald Kuemmeler
RCFC Kehalani, LLC
555 California Steet, Suite
3450
San Francisco, CA 94104

Living Waters Land
Foundation, LLC
P.O. Box 7
Santa Barbara, CA 93102

Jane Laimana
45-520 Alokahi Street
Kaneohe, HI 96744

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

David & Katherine Lengkeek
128 River Road
Wailuku, HI 96793

Nadao Makimoto
1480 Honoapiilani Highway
Wailuku, HI 96793-5930

Glenn McLean
350 West Waiko Road
Wailuku, HI 96793

Kenneth Mendoza
2160 B Puuohala Road
Wailuku, HI 96793-0463

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

Jerri Jane K. Young
1455 Miloiki Street
Honolulu, HI 96825-3229

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

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

David Niehaus
1630 Piipholo Road
Makawao, HI 96768

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

Francis Ornellas
340 Iao Valley Road
Wailuku, HI 96793

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

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

Milla Richardson
94 Laukahi Street
Kihei, HI 96753

Isabelle Rivera
c/o Regino Cabacungan
2192 Mokuahu Road
Wailuku, HI 96793

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

Peter Fritz
107 Waihee Valley Rd.
Wailuku, HI 96793

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

Noel & Katherine Texeira
P.O. Box 2846
Wailuku, HI 96793-7846

Alfred Santiago & Colin
Kailiponi
2445C Vineyard St.
Wailuku, HI 96793

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

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

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

Warren Soong
245A West Waiko Road
Wailuku, HI 96793

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

Yoshie Suehiro & Natalie
Hashimoto
915 Malaihi Road
Wailuku, HI 96793

Melvin Riyu & Judith
Yamanoue
PO Box 696
Wailuku, HI 96793

ELECTRONIC SERVICE

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

alana89@juno.com

Douglas Bell
1420 Honua Place
Waikapu, HI 96793

puna.papabell@gmail.com

Doyle Betsill
c/o Betsill Brothers
P.O. Box 1451
Wailuku, HI 96793

teresa@bbcmaui.com

Francisco Cerizo
PO Box 492
Wailuku, HI 96793

cerizof@gmail.com

Heinz Jung and Cecilia Chang
P.O. Box 1211
Wailuku, HI 96793

cici.chang@hawaiiantel.net

Jordanella (Jorrie) Ciotti
484 Kalua Road
Wailuku, HI 96793

gorrieciotti@gmail.com

Fred Coffey
1271 Malaihi Road
Wailuku, HI 96793

hawaii50peleke@yahoo.com

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

jimdodd47@gmail.com

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

kdehart17@gmail.com

John V. & Rose Marie H. Duey
Hoolulahu LLC
575 A Iao Valley Rd.
Wailuku, HI 96793
cc: Nani Santos

jduey@maui.net

nanisantos808@gmail.com

Stanley Faustino
c/o Kanealoha Lovato-Rodrigues
384 Waihee Valley Road
Wailuku, HI 96793

kanealoha808@gmail.com

William Freitas
c/o Kapuna Farms LLC
2644 Kahekili Highway
Wailuku, HI 96793

kapunafarms@gmail.com

Diannah Goo
c/o April Goo
2120 C Kahekili Hwy.
Wailuku, HI 96793

ag2517@aol.com

Nicholas Harders on behalf of: waikapu@me.com
Karl & Lee Ann Harders
1422 Nuna Pl.
Wailuku, HI 96793

Theodore & Zelig Harders
T&Z Harders FAM LTD PTNSHP
Theodore and Zelig Harders Family Ltd. Partnership
1415 Kilohi St.
Wailuku, HI 96793

Greg Ibara gregibara56@gmail.com
227 Kawaipuna Street
Wailuku, HI 96793

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

Charlene E. and Jacob H. Kana, Sr. char1151@hawaii.rr.com
PO Box 292
Wailuku, HI 96793

Kimberly Lozano pauahi808@aol.com
P.O. Box 2082
Wailuku, HI 96793

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

Douglas Myers upperwaiehu@yahoo.com
1299 Malaihi Road
Wailuku, HI 96793

Nelson Okamura nokamura@kiheigardens
Kihei Gardens & Landscaping Co. LLP
P.O. Box 1058
Puunene, HI 96784

Lorrin Pang
166 River Road
Wailuku, HI 96793

pangk005@hawaii.rr.com

Victor and Walette Pellegrino
c/o Hokuao Pellegrino
213 West Waiko Road
Waikapu, HI 96793

hokuao.pellegrino@gmail.com

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

lorilei@hawaii.edu

Michael Rodrigues
2518 W. Main Street
Wailuku, HI 96793

mikerodmaui@yahoo.com

Waldemar & Darlene Rogers
1421 Nuna Place
Wailuku, HI 96793

rogersw001@hawaii.rr.com

Burt Sakata
107 Waihee Valley Rd.
Wailuku, HI 96793

waihee89@yahoo.com

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

mauifishfarm@hawaiiantel.net

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

sevillad001@hawaii.rr.com

Jeff and Ramona Lei Smith
P.O. Box 592
Wailuku, HI 96793

ohianui.ohana@gmail.com

Murray and Carol Smith
P.O. Box 11255
Lahaina, HI 96761

murray@jps.net

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

cytl@maui.net

Clayton Suzuki
Linda Kadosaki
Reed Suzuki
Scott Suzuki
P.O. Box 2577
Wailuku, HI 96793

csuzuki@wailukuwater.com

John Varel
191 Waihee Valley Road
Wailuku, HI 96793

jvarel@fusionstorm.com

Michele and Leslie Vida, Jr.
135 Pilikana Place
Wailuku, HI 96793

mikievida@hotmail.com

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

dmlavida@yahoo.com

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

rryamaoka@aol.com
kty@hawaii.rr.com

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

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

Colin J. Lau, Esq.
465 S. King Street, Room 300
Honolulu, Hawaii 96813
cc: Russell Kumabe
Holly McEldowney
(Department of Land and Natural Resources, Division of State Parks)

colin.j.lau@hawaii.gov

russell.p.kumabe@hawaii.gov
holly.mcelandowney@hawaii.gov

Yvonne Izu, Esq. yizu@moriharagroup.com
Wayne E. Costa, Jr., Esq. wcosta@moriharagroup.com
Kris N. Nakagawa, Esq. knakagawa@moriharagroup.com
Moriwaka Lau & Fong LLP
400 Davies Pacific Center
841 Bishop Street
Honolulu, HI 96813
cc: Garret Hew ghew@hcsugar.com
(Hawaiian Commercial & Sugar Co. (HC&S))

Tina Aiu, Esq. christina@hilt.org
Oahu Island Director
Hawaiian Islands Land Trust, HILT
P.O. Box 965
Wailuku, HI 96793
cc: Scott Fisher scott@hilt.org
Penny Levin pennysfh@hawaii.rr.com

Isaac Moriwake, Esq. imoriwake@earthjustice.org
Summer Kupau-Odo skupau@earthjustice.org
Earthjustice jbrown@earthjustice.org
850 Richards Street jparks@earthjustice.org
Suite 400
Honolulu, HI 96813
(Hui O Na Wai Eha and Maui Tomorrow Foundation)

Avery & Mary Chumbley abc@aloha.net
363 West Waiko Road
Wailuku, HI 96793
(Makani Olu Partners LLC)

Jodi Yamamoto, Esq. jyamamoto@ychawaii.com
Wil Yamamoto, Esq. wyamamoto@ychawaii.com
Yamamoto Caliboso
1099 Alakea Street
Suite 2100
Honolulu, HI 96813
(MMK Maui, LP, The King Kamehameha Golf Club, Kahili Golf Course)

Pamela Bunn, Esq. pbunn@ahfi.com
Alston, Hunt, Floyd & Ing
1001 Bishop Street, Suite 1800
Honolulu, HI 96813
(Office of Hawaiian Affairs)

Craig Nakamura, Esq.
Catherine L.M. Hall, Esq.
Carlsmith Ball LLP
2200 Main Street, Suite 400
Wailuku, HI 96793
(Wahi Hoomalu Limited Partnership)

cnakamura@carlsmith.com
chall@carlsmith.com

Peter A. Horovitz, Esq.
Kristine Tsukiyama, Esq.
Merchant Horovitz LLLC
2145 Wells Street, Suite 303
Wailuku, HI 96793
(Waikapu Properties, LLC and MTP (Maui Tropical Plantation) Operating Company, LLC)
cc: Albert Boyce

pah@mhmaui.com
kkt@mhmaui.com

albertboyce@gmail.com

Brian Kang, Esq.
Emi L.M. Kaimuloa
Watanabe Ing, LLP
First Hawaiian Center
999 Bishop Street, 23rd Floor
Honolulu, HI 96813
(Wailuku Country Estates Irrigation Company (WCEIC))

bkang@wik.com
ekaimuloa@wik.com

Paul R. Mancini, Esq.
James W. Geiger, Esq.
Paul Mancini, Esq.
Mancini, Welch, & Geiger LLP
RSK Building
305 Wakea Avenue, Suite 200
Kahului, HI 96732
cc: Avery Chumbley
(Wailuku Water Company, LLC)

pmancini@mrwlaw.com
jgeiger@mrwlaw.com

Tim Mayer, Ph.D.
Supervisory Hydrologist
Water Resources Branch
US Fish and Wildlife Service
911 NE 11th Avenue
Portland, OR 97232-4181
cc: Frank Wilson

tim_mayer@fws.gov

frank.wilson@sol.doi.gov

Earleen Tianio
Takitani, Agaran & Jorgensen, LLLP
24 North Church Street, Suite 409
Wailuku, HI 96793

earleen@tonytlaw.com

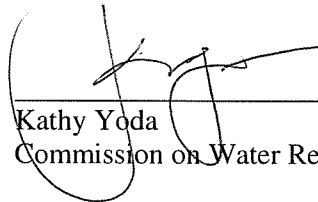
(Ken Ota, Saedence Ota, Kurt Sloan, Elizabeth Sloan, Anthony Takitani, Audrey Takitani, Kitagawa Motors, Inc., SPV Trust and Gerald W. Lau Hee)

Lawrence H. Miike
Hearings Officer
1151 Punchbowl Street, Room 227
Honolulu, Hawaii 96813

lhmiike@hawaii.rr.com

Linda L.W. Chow, Esq.
Deputy Attorney General
465 S. King Street, Room 300
Honolulu, Hawaii 96813

linda.l.chow@hawaii.gov



Kathy Yoda
Commission on Water Resource Management