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COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications,)	Case No. CCH-MA 15-01
Integration of Appurtenant Rights and)	
Amendments to the Interim Instream Flow)	HAWAIIAN COMMERCIAL AND
Standards, Na Wai Eha Surface Water)	SUGAR COMPANY'S PROPOSED
Management Areas of Waihee, Waiehi,)	FINDINGS OF FACT, CONCLUSIONS
lao and Waikapu Streams, Maui)	OF LAW, AND DECISION & ORDER;
)	CERTIFICATE OF SERVICE
)	

HAWAIIAN COMMERCIAL AND SUGAR'S RESPONSE TO
HEARING OFFICER'S PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION AND ORDER

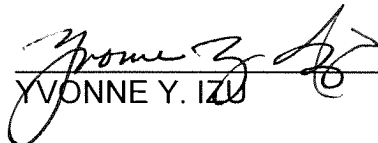
HAWAIIAN COMMERCIAL AND SUGAR (HC&S), through its counsel, Morihara Lau & Fong, LLP, submits this statement in response to the Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order ("Recommendation") in the above-captioned proceeding in accordance with Minute Order 12.

HC&S accepts the Hearing Officer's Recommendation and declines to file any exceptions thereto. As HC&S indicated in the contested case hearing, and as the Hearing Officer acknowledged in his Recommendation, the transition from sugar cane to diversified agriculture creates uncertainty with respect to irrigation recharge and the consequent availability of brackish water from Well No. 7 to offset surface water. HC&S

will work within the parameters recommended by the Hearing Officer while continually monitoring water levels and quality of Well No. 7. In the event that assumptions regarding Well No. 7 as an alternative source of water cannot be sustained, HC&S will, at that time, seek to amend its water use permit. Unless and until such occurs, HC&S is willing to accept the permit allocation and conditions recommended by the Hearing Officer.

Although HC&S is not filing exceptions to the Recommendation, HC&S reserves the right to respond, either in writing, orally, or both, to any other party's exceptions or comments that may impact HC&S's interests.

DATED: Honolulu, Hawai'i, January 5, 2018.



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COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications,)
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Standards, Na Wai Eha Surface Water) CERTIFICATE OF SERVICE
Management Areas of Waihee, Waiehi,)
Iao and Waikapu Streams, Maui)
_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this date, a true and correct copy of the Hawaiian Commercial & Sugar Company's Response to Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order was duly served on the following parties by electronic service, as indicated below:

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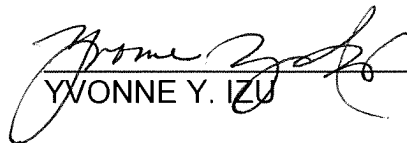
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