

**MAKANI OLU PARTNERS LLC
SWUPA 2207 & 2208N**

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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)	
Standards, Na Wai Eha Surface Water)	MAKANI OLU PARTNERS LLC
Management Areas of Waihee, Waiehu,)	EXCEPTIONS TO HEARINGS OFFICER'S
Iao and Waikapu Streams, Maui)	PROPOSED FINDINGS OF
)	FACT, CONCLUSIONS OF
)	LAW, AND DECISION & ORDER
)	

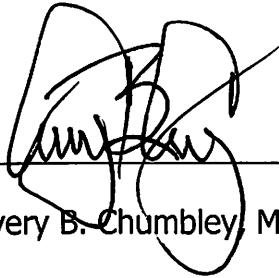
MAKANI OLU PARTNERS LLC'S EXCEPTIONS TO HEARINGS OFFICER'S
PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION & ORDER

Makani Olu Partners LLC (MOP), pursuant to Minute Order 12, submits its written exceptions to the Hearings Officer's Proposed Findings of Fact, Conclusions of Law, and Decision & Order filed on November 1, 2017 (the "Proposed Order").

Makani Olu Partners accepts the Hearing Officer's Recommendation as it relates only to Conclusions of Law (COL) #300 located on pages 436 to 444, and declines to file any exceptions thereto. At this time MOP will operate within the parameters recommended by the Hearing Officer on COL #300, if there are future additional needs under the recognized appurtenant rights of MOP within this proposed Findings of Fact, Conclusions of Law and Decision and Order, MOP will seek to amend its water use permit's. Unless and until such occurs, MOP is willing to accept the permit allocation and conditions recommended by the Hearing Officer.

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

DATED: Waikapu Maui, Hawai'i, January 5, 2018.

A handwritten signature in black ink, appearing to read 'Avery B. Chumbley', is written over a horizontal line. The signature is stylized and somewhat obscured by the line.

Avery B. Chumbley, Manager

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

Surface Water Use Permit Applications,)
Integration of Appurtenant Rights and) Case No. CCH-MA 15-01
Amendments to the Interim Instream Flow)
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 Makani Olu Partners 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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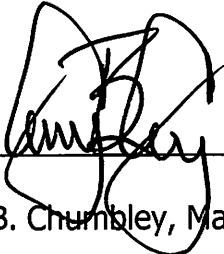
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DATED: Waikapu, Hawaii, January 5, 2018.



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