

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case)	DLNR File No. CCH-LD-21-01
Regarding the Continuation of Revocable)	
Permits (RPs) for Tax Map Key Nos.)	MINUTE ORDER NO. 3
(2) 1-1-001:044 & 050; (2) 2-9-014:001,)	
005, 011, 012 & 017; (2) 1-1-002:002)	ORDER SETTING BRIEFING SCHEDULE
(por.) and (2) 1-2-004:005 & 007 for)	ON "SIERRA CLUB'S MOTION TO
Water Use on the Island of Maui to)	OBTAIN ESSENTIAL INFORMATION"
Alexander & Baldwin, Inc. (A&B) and)	FILED SEPTEMBER 27, 2021 AND
East Maui Irrigation Company, LLC)	REGARDING ELECTRONIC SERVICE OF
(EMI) for the remainder of the 2021 RPs,)	DOCUMENTS FILED;
if applicable, and for their continuation)	
through the end of 2022)	CERTIFICATE OF SERVICE
)	

RECEIVED
 LAND DIVISION
 2021 OCT -1 AM 9:22
 DEPT. OF LAND AND NATURAL RESOURCES
 STATE OF HAWAII

MINUTE ORDER NO. 3

ORDER SETTING BRIEFING SCHEDULE ON "SIERRA CLUB'S MOTION TO OBTAIN ESSENTIAL INFORMATION" FILED SEPTEMBER 27, 2021 AND REGARDING ELECTRONIC SERVICE OF DOCUMENTS FILED

On September 27, 2021, counsel for Sierra Club filed "Sierra Club's Motion to Obtain Essential Information" in the above-captioned matter. Any opposition memorandum shall be due 10-days after the motion was filed—October 7, 2021. The contents of any Reply memorandum shall be limited to what was included in the opposition filing, and such a memorandum shall be due 5-days after the opposition filing deadline—October 12, 2021. The motion will be decided without a hearing.

The parties have expressed a desire to file and serve documents electronically, via e-mail. Pursuant to Hawaii Administrative Rules ("HAR") § 13-1-13.1(a), "Service of documents may be by mail, personal delivery or facsimile transmission." Pursuant to HAR § 13-1-28, "[a]ny procedure in a contested case may be modified or waived by stipulation of the parties." The tribunal proposes to have all filings and service to hereafter occur electronically. If any

party objects, they should file a written objection within 5 days of the date of this order. If no objection is received within 5 days, the tribunal will consider this minute order to be the parties' stipulation, effective as of the objections date. Filings with the tribunal should be emailed to: blue.kaanehe@hawaii.gov.

DATED: OCT - 1 , 2021, Honolulu, Hawai'i

Suzanne D. Case

Suzanne D. Case
Chairperson, Board of Land and Natural Resources
Hearings Officer

In the Matter of a Contested Case Regarding the Continuation of Revocable Permits (RPs) for Tax Map Key Nos. (2) 1-1-001:044 & 050; (2) 2-9-014:001, 005, 011, 012 & 017; (2) 1-1-002:002 (por.) and (2) 1-2-004:005 & 007 for Water Use on the Island of Maui to Alexander & Baldwin, Inc. (A&B) and East Maui Irrigation Company, LLC (EMI) for the remainder of the 2021 RPs, if applicable, and for their continuation through the end of 2022, DLNR File No. CCH-LD-21-01; Minute Order No. 3; ORDER SETTING BRIEFING SCHEDULE ON "SIERRA CLUB'S MOTION TO OBTAIN ESSENTIAL INFORMATION" FILED SEPTEMBER 27, 2021 AND REGARDING ELECTRONIC SERVICE OF DOCUMENTS FILED.

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case) DLNR File No. CCH-LD-21-01
Regarding the Continuation of Revocable)
Permits (RPs) for Tax Map Key Nos.)
(2) 1-1-001:044 & 050; (2) 2-9-014:001,) CERTIFICATE OF SERVICE
005, 011, 012 & 017; (2) 1-1-002:002)
(por.) and (2) 1-2-004:005 & 007 for)
Water Use on the Island of Maui to)
Alexander & Baldwin, Inc. (A&B) and)
East Maui Irrigation Company, LLC)
(EMI) for the remainder of the 2021 RPs,)
if applicable, and for their continuation)
through the end of 2022)
_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies a true and accurate copy of the foregoing was duly served upon the following parties by U.S. Mail or inter-office mail, postage prepaid, and email, on OCT - 1, 2021.

SUZANNE D. CASE
1151 Punchbowl Street, Room 130
Honolulu, HI 96813
Suzanne.Case@hawaii.gov
Hearings Officer

DAVID KIMO FRANKEL
1638A Mikahala Way
Honolulu, HI 96816
davidkimofrankel@gmail.com
Attorney for Petitioner
Sierra Club of Hawaii

LINDA L.W. CHOW
JULIE H. CHINA
LAUREN K. CHUN
MELISSA D. GOLDMAN
Deputy Attorneys General
465 S. King St., Room 300
Honolulu, HI 96813
Linda.L.Chow@hawaii.gov
Julie.H.China@hawaii.gov
Lauren.K.Chun@hawaii.gov
Melissa.D.Goldman@hawaii.gov
Attorneys for the Tribunal

DAVID SCHULMEISTER
TRISHA AKAGI
MICHI MOMOSE
Cades Schutte LLP
1000 Bishop Street, Suite 1200
Honolulu, HI 96813
dschulmeister@cades.com
takagi@cades.com
Mmomose@cades.com
Attorneys for Applicant A&B/EMI

DATED: OCT - 1 , 2021, Honolulu, Hawai'i



Ian Hirokawa (ian.c.hirokawa@hawaii.gov)
Blue Kaanehe (blue.kaanehe@hawaii.gov)
Custodians of Record, Land Division
Department of Land and Natural Resources