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DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

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LAND DIVISION

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case Regarding ) DLNR File No. CCH-LD-21-01  
the Continuation of Revocable Permits (RPs) )  
for Tax Map Keys (2) 1-1-001:044 & 050; (2) ) Sierra Club's Reply Regarding Three Pending  
2-9-014:001, 005, 011, 012 & 017; (2) 1-1- ) Motions; Certificate of Service  
002:002 (por.) and (2) 1-2-004:005 & 007 for )  
Water Use on the Island of Maui to Alexander )  
& Baldwin, Inc. and East Maui Irrigation )  
Company, LLC for the remainder of the 2021 )  
RPs, if applicable, and for their continuation )  
through the end of 2022 )

**Sierra Club's Reply Regarding Three Pending Motions**

First, as to the motion to receive the two most recent quarterly reports, the Sierra Club is only seeking to supplement the record. It does not seek to delay the completion of the contested case hearing or ask for the testimony of any other witnesses. The Sierra Club, Alexander & Baldwin, Inc., and East Maui Irrigation, Ltd. are in agreement.

Second, if the motion is granted, the order granting the motion should designate exhibit numbers for ease of reference. X-25 and X-26?

Third, the Sierra Club has not received any opposition to the two motions it filed on April 28. If any opposition was filed, but got lost in the metaverse, please inform the Sierra Club as soon as possible. The Sierra Club's exceptions are due this coming Friday. It will need time to incorporate the transcript references (if the transcripts are to be provided) and to reference the two quarterly reports if that motion is granted. The Sierra Club requests that its motions be

expeditiously resolved and the due date for its exceptions be briefly continued.

Dated: Honolulu, Hawai'i, May 9, 2022

/s/ David Kimo Frankel  
Attorney for the Sierra Club

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the Matter of a Contested Case Challenging ) DLNR File No. CCH-LD-21-01  
the Continuation of the Revocable Permits )  
Alexander & Baldwin, Inc. (A&B) and East ) Certificate of Service  
Maui Irrigation Company, LLC's (collectively )  
A&B) for Tax Map Keys (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 )  
\_\_\_\_\_ )

Certificate of Service

Pursuant to Minute Order No.s 1 & 5, a copy of the foregoing is being served via email today to:

[Linda.L.Chow@hawaii.gov](mailto:Linda.L.Chow@hawaii.gov)

[melissa.d.goldman@hawaii.gov](mailto:melissa.d.goldman@hawaii.gov)

[dlnr.land@hawaii.gov](mailto:dlnr.land@hawaii.gov)

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Dated: Honolulu, Hawai'i, May 3, 2022

/s/ David Kimo Frankel  
Attorney for the Sierra Club