

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

PETITION TO AMEND INTERIM ) Case No.. CCH-MA13-01  
INSTREAM FLOW STANDARDS FOR )  
HONOPOU, HANEHOI/PUOLUA (HUELO), ) MINUTE ORDER NO. 11 (ORDER RE  
WAIKAMOI, ALO, WAHINEPEE, ) STANDING OF PAISNER, BLUMER-  
PUOHOKAMOA, HAIPUAENA, ) BUELL, AND NIKHILANANDA);  
PUNALAU/KOLEA, HONOMANU, ) CERTIFICATE OF SERVICE  
NUAAILUA, PIINAAU, PALAUHULU, )  
OHIA (WAIANU), WAIOKAMILO, )  
KUALANI (HAMAU), WAILUANUI, )  
WAIKANI, WEST WAILUAIKI, EAST )  
WAILUAIKI, KOPILIULA, PUKAA, )  
WAIOHUE, PAAKEA, WAIAAKA, )  
KAPULA, HANAWI, AND MAKAPIPI )  
STREAMS )  
\_\_\_\_\_ )

MINUTE ORDER NO. 11  
(ORDER RE STANDING OF PAISNER, BLUMER-BUELL, AND NIKHILANANDA)

On November 13, 2014, a hearing was held on the applications to be parties filed by Jeffrey Paisner, John Blumer-Buell, and Nikhilananda. Present at the hearing were Summer Sylva representing Nā Moku Aupuni O Ko‘olau (“Nā Moku”), David Schulmeister and Elijah Yip representing Alexander & Baldwin Inc. and East Maui Irrigation Co., Ltd. (collectively “A&B”), Caleb Rowe and Kristin Tarnstrom representing the County of Maui, Department of Water Supply (“DWS”), Isaac Hall and Irene Bowie on behalf of the Maui Tomorrow Foundation, Inc. (“MTF”), and the applicants Jeffrey C. Paisner, John Blumer-Buell, and Nikhilananda.

Jeffrey C. Paisner filed an application to be a party in a contested case hearing was filed on October 7, 2014. John Blumer-Buell and Nikhilananda each filed an application to be a party in a contested case hearing on October 9, 2014. Pursuant to Minute Order No. 10, Jeffrey

Paisner and Nikhilananda each filed a statement in support of their respective applications on November 4, 2014. John Blumer-Buell filed a statement in support of his application on November 5, 2014.

Responsive statements were filed by Nā Moku, MTF, and A&B on November 10, 2014, with the responsive statement from DWS having been received by email on the same date and filed on November 12, 2014.

The Hearings Officer, having heard and considered the briefs and arguments presented and finding that a sufficient interest having been shown by applicant Jeffrey Paisner, hereby grants the application of Jeffrey Paisner to participate as a party in this contested case hearing. The Hearings Officer further finds that the applicants John Blumer-Buell and Nikhilananda did not show a sufficient interest upon which standing could be based. The applications of John Blumer-Buell and Nikhilananda are hereby denied. John Blumer-Buell and Nikhilananda will be allowed to present testimony and evidence as witnesses called by the Hearings Officer. Presentation of testimony and evidence shall be addressed in the amended hearing schedule.

By agreement, service of this Minute Order to all parties shall be by electronic mail. One original copy shall be delivered to the Commission through Ms. Kathy Yoda (CWRM).

DATED: Honolulu, Hawaii, December 4, 2014.



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LAWRENCE H. MIIKE  
Hearings Officer

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WAIOHUE, PAAKEA, WAIAAKA, )  
KAPULA, HANAWI, AND MAKAPIPI )  
STREAMS )  
\_\_\_\_\_ )

CERTIFICATE OF SERVICE

On December 4, 2014, a copy of the foregoing document was served on:

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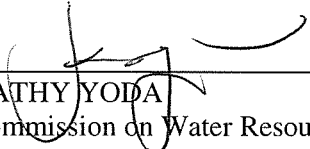
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