



NATIVE HAWAIIAN LEGAL CORPORATION

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26
YEARS
OF SERVICE
TO THE
COMMUNITY
1974-2000

July 26, 2001

Linnel T. Nishioka
Deputy Director
Commission on Water Resource Management
P. O. Box 621
Honolulu, Hawaii 96809

COMMISSION ON WATER
RESOURCE MANAGEMENT

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RE: July 23, 2001 Meeting

Dear Deputy Director Nishioka:

It was a pleasure meeting with you and members of the Commission on Water Resource Management ("Commission") staff on Monday, July 23, 2001 in follow up to our initial meeting of June 28, 2001. We convened again to continue our discussions on the petitions to amend the interim instream flow standards of twenty-seven (27) East Maui streams and to introduce you to Messrs. Edward Wendt and Solomon Ka'auamo, officers of our client Na Moku Aupuni O Ko'olau Hui ("Na Moku"). This letter serves to confirm and memorialize the substance of our discussions, and the agreements reached as a result. Thus, please immediately contact the undersigned if what follows below does not accurately reflect your recollection of the results of this meeting.

The Commission provided NHLC and Na Moku a GIS generated map of petitioned East Maui streams and the ditch and tunnel system. A discussion over the documentation of the number and points of diversions ensued and the Commission invited NHLC to review any and all EMI records, other relevant data and water registrations on file with the Commission. Your staff will also provide NHLC with another map with land ownership, proposed and existing wells, diversion points, and TMK overlays.

The Commission will, with the cooperation of NHLC and its clients, focus its efforts to restore streamflow as soon as possible to Honopou, Hanehoi, Waiokamilo, Kualani, Pi'ina'au, Palauhulu, and Wailuanui streams. In furtherance of this goal, the parties will cooperatively endeavor to obtain information and identify existing and proposed uses within and among these streams.

You noted that you would contact USGS and discuss the possibility of a collaborative effort with USGS to fund and carry out the necessary stream studies. Additionally, as the Commission develops its process and parameters for these scientific

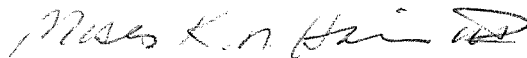
Services made possible with major funding from the Office of Hawaiian Affairs.

Deputy Director Linnei F. Nishioka
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studies it will keep us apprised through Mr. William Meyer, whom you have agreed to include in your endeavors toward this goal.

Finally, the undersigned will contact you soon to schedule a site visit/meeting with NHLIC's clients, and other appropriate parties; i.e., Skippy Hau of the Division of Aquatic Resources and Anne Brasher of the USGS. Should any of the above not conform to your recollection or should you have any additional questions or concerns please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Moses K. N. Haia III". The signature is written in a cursive style with a distinct flourish at the end.

Moses K. N. Haia III

Cc: Edward Wendt/President-Na Moku