EAST MAUI IRRIGATION COMPANY, LLC

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BLNR CONDITIONS FOR EAST MAUI WATER PERMIT
STATUS OF COMPLIANCE AS OF MARCH 31, 2025

CONDITIONS PER THE BLNR'S DECEMBER 13, 2024 DECISION

1. ***There shall be no waste of water. System losses and evaporation shall not be considered as a waste of water provided that system losses do not exceed 22.7%. The rate of system losses shall be calculated as the amount of water diverted or extracted into the Mahi Pono field system that is not used for diversified agriculture purposes, excluding the amount of water diverted for the County of Maui; then divided by the total amount of water diverted or extracted into the Mahi Pono field system.***

Status: All diverted water is being put to beneficial agriculture use or municipal use, as the diverted water supplies the County of Maui for its Upcountry Maui water systems, the Kula Ag Park, Central Maui fire suppression needs, municipal users who do not currently have access to the County DWS delivery system, and agricultural uses in Central Maui on lands now owned and managed by Mahi Pono. Exhibit A notes system losses and evaporation as water uses, as they are an essential element of transporting water in an agricultural ditch system to the end users.

In Q1 2025, Mahi Pono continued focusing on the maintenance and growth of its existing crops. As of March 31, 2025, the planted acreage in Mahi Pono's East Maui fields totaled 12,244 acres. During this most recent quarter, EMI diverted an average of 25.30 MGD. This diverted amount reflects the low rainfall levels in East Maui throughout February and March.

The Permittees – and by extension, Mahi Pono – remain committed to the efficient use of East Maui stream water. Mahi Pono's total amount of water usage, together with that of the County of Maui, will not exceed the limits of the IIFS decisions at any point during its expansion.

2. ***Any amount of water diverted under the revocable permit shall be for reasonable and beneficial uses consistent with the character of use and always in compliance with the interim instream flow standards (IIFS), as***

may amended from time to time by CWRM. The Permittee shall also comply with all other conditions required by CWRM regarding the streams that water may be diverted from under this revocable permit, including stream flow restoration and closure of diversions.

Status: See response to condition #1.

3. ***Permittee shall provide a report on the progress regarding the removal of diversions and fixing of the pipe issues before the end of the revocable permit term.***

   Status: All initial approvals of the stream diversion work permits have been received from the CWRM to abandon the diversions on the "taro streams" to fully restore their streamflow permanently, as voluntarily offered by EMI, over and above the requirements of the 2018 IIFS.

   The Permittees have also initiated discussions with CWRM staff on IIFS compliance for the 'non-taro streams' that were part of the 2018 IIFS decision. A draft work plan was submitted to CWRM for 41 diversions on 17 additional streams that are implicated by the 2018 IIFS decision. Before issuing the needed permits to undertake the work, CWRM will need to conduct site visits to each diversion site. CWRM's process of visiting each site is currently ongoing. While that process is ongoing, the Permittees comply with the IIFS decision regarding instream flow requirements (i.e., by individual streams and the total quantity of flow). This compliance is subject to CWRM staff verification. CWRM most recently verified IIFS compliance during a community site visit in June 2024, and an additional site visit in October 2024. Connectivity requirements of the IIFS decision are being met to the extent possible without the physical modifications that require governmental reviews and approvals. The draft work plan transmitted by the Permittees to the CWRM does address means of achieving full connectivity compliance for these additional non-taro streams.

   A summary of the remaining work related to the 2018 and 2021 IIFS has been included in the transmittal of this quarterly report.

As to the pipe issue, this permit condition was initially imposed in 2018, and we believe it relates to a pipe at Pualoa (aka Puolua) Stream at the Lowrie Ditch. In a previous status report, we reported that the pipe had been extended to provide wetted pathways for the movement of stream biota on Pualoa Stream. At the 2018 BLNR hearing on the subject RP's (for 2019), statements were made that the pipe needs to be extended further to go under the road and that two 4" rusted pipes needed to be removed. Accordingly (and as reported in previous quarterly reports), the two 4" pipes have since been removed from the watershed and a new design intended to improve fish migration has been incorporated in the diversion modification plan for compliance with the IIFS and approved by the CWRM in its approval of the Category 3 SDWPA. This specific scope of work was part of the overall work plan referenced earlier.

4. ***Permittee shall continue to clean up and remove debris from the areas where the streams that water may be diverted from under this revocable permit are located, and staff shall inspect and report every three months on the progress of the clean-up. For purposes of clean-up, debris shall not include any structure and equipment that is either currently used for the water diversions, or for which CWRM has not required removal; "trash and debris" shall be defined as "any loose or dislodged diversion material such as concrete, rebar, steel grating, corrugated metals, railroad ties, etc., that can be removed by hand (or by light equipment that can access the stream as is)*.**"**

   Status: The Permittees have established several standard operating procedures to address the cleanup of trash and debris in the license areas. Besides recognizing unnecessary debris in the field during routine maintenance tasks, EMI has conducted specific identification and removal operations of debris that has been observed from previous fieldwork. EMI continued to be vigilant about monitoring unused material. No removals occurred/were necessary in Q1 2025.

   EMI will also continue removing any equipment and excess materials it brings into the license area to perform work on the ditch system as soon as the job(s) is completed, which includes diversion modifications required to meet the 2018 IIFS.

EMI understands the term "Trash and Debris" is further defined as noted in the DLNR staff submittal. As mentioned previously, EMI has established several standard operating procedures to address the cleanup of trash and debris in the license areas. Besides recognizing unnecessary debris in the field during routine maintenance tasks, EMI has conducted specific identification and removal operations of debris that has been observed from previous field work. EMI also has a practice of removing any equipment and excess materials it brings into the license area to perform work on the ditch system as soon as the job(s) is completed. These practices continue to apply to the "Trash and Debris" term as more clearly defined by DLNR staff.

5. ***The revocable permit shall be subject to any existing or future reservations of water for the Department of Hawaiian Home Lands (DHHL);***

   Status: EMI acknowledges that the RPs shall be subject to any existing or future reservation of water for the DHHL.

6. ***The County of Maui shall coordinate with an interim committee to discuss water usage in the areas where the streams that water may be diverted from under this revocable permit are located. The committee shall consist of seven members, representing EMI/Mahi Pono, Farm Bureau, Office of Hawaiian Affairs, the Native Hawaiian Legal Corporation, the Haiku Community Association, the Sierra Club, Na Moku Aupuni O Koʻolau Hui, the County of Maui, the Department of Hawaiian Homelands, and the Aha Moku Advisory Council, and interested members of the Huelo community as determined by the County of Maui. The interim committee shall meet at least monthly. The County of Maui shall be responsible for organizing and scheduling these meetings.***

   Status: The monthly meetings of the interim RP Committee are being organized and scheduled monthly by the County of Maui. Generally, EMI provides updates on the work related to the implementation of the IIFS, and Mahi Pono supplies an update on farming operations, as outlined by the agenda provided by the County

of Maui. EMI and Mahi Pono also answer any follow-up questions by the interim Committee.

7. ***It is an essential component to the Board's stewardship of the water resource to understand how much water is being diverted. Permittee shall therefore provide quarterly written reports to the Board of Land and Natural Resources (Board) containing (at a minimum) the following information:***

    a. *The amount of water actually used on a monthly basis, including the monthly amount of water delivered for: the County of Maui Department of Water Supply and the County of Maui Kula Agricultural Park; diversified agriculture; industrial and non-agricultural uses; and reservoir/fire protection/hydroelectric uses. Descriptions of diversified agricultural uses shall also provide information as to acreage, location, crop, and use of the water. Industrial and non-agricultural uses shall specify the character and purpose of water use and the user of the water.*

        Status: The amount of water used on a monthly basis, including the monthly amount of water delivered for the County of Maui DWS and Kula Ag Park, diversified agriculture, industrial and non-agricultural uses, and reservoir/fire protection/hydroelectric uses can be found in the table attached as Exhibit A. The acreage, location, crop, and users of agricultural water, and the specifics on industrial and non-agricultural uses can be found in the table attached as Exhibit B.

        As Mahi Pono prepares new fields for planting, they continue to install new irrigation systems that focus on efficient water application measures. In addition to these new systems, we are also installing weed mat throughout the farm, which help the soil maintain moisture by reducing evaporation. Compared to prior years, the cumulative water efficiency effects of these initiatives can be seen in the proportionate reduction in the amount of water remaining in the final column of the table attached as Exhibit A.

b. *The estimated amount of water required for each crop per acre per day for the previous quarter and how much water is projected to be required per acre per day for the forthcoming quarter.*

Status: The accepted Final Environmental Impact Statement which considers East Maui water diversions facilitated by a long-term lease contains estimates for system losses for both the EMI ditch system as well as the "*A&B field system"*.

- EMI Ditch System – As stated in the FEIS, a USGS study "concluded that it was unclear whether net seepage losses even occur in the EMI Aqueduct system, due to the large amount of tunnel in the system, as well as the seepage gains that enter the system."

- A&B Field System – An estimate of the system losses by month is as shown in the table below:

Month	EMI Ditch System (in MGD)	County's Diverted Reserve (in MGD)	Field System (in MGD)
January	0	2.52	4.93
February	0	1.99	1.12
March	0	1.89	1.60
Average	0	2.13	2.55

As noted by Condition #1 above, system losses and evaporation shall not be considered as a waste of water provided that system losses do not exceed 22.7%.

c. *The report shall disclose which structures on or next to streams have been removed, which ones have been modified, which ones remain to be modified, what remains to be done before they are modified, what impediments exist to their modification, what agencies need to give their approval before modifications can be made, when the Permittee*

made requests to the applicable agencies for approval and when the modifications are expected to be completed.

Status: EMI prioritizes its compliance with the CWRM order and has been working with CWRM staff on implementation plans and permitting. EMI notes that the language of the CWRM order relating to the removal of artificial structures is spelled out on page 269 of the D&O, items i, j, and k which State in part that *"it is intended that diversion structures only need to be modified to the degree necessary to accomplish the amended IIFS and to allow for passage of stream biota, if needed."* and "The intent of the Commission is to allow for the continued use and viability of the EMI ditch system and will not require the complete removal of diversions unless necessary to achieve the IIFS." A status update is provided in the table attached as Exhibit C. Also included in Exhibit C is a copy of the section of the CWRM order relating to the removal of artificial structures.

d. *Update on removal of trash, unused man-made structures, equipment, and debris that serve no useful purpose, including photographs and documenting any reports of such items that Permittee has received from the Department, other public or private entities and members of the general public and the action(s) taken by Permittee, if any, to remove the reported items.*

Status: See above response to #4 above.

e. *A listing of all reservoirs in the A&B/EMI water system serviced by the revocable permit, with the following information provided for each:*

The capacity of each such reservoir;

The surface area of each such reservoir;

What fields are irrigated by each such reservoir;

Which reservoirs are lined, and with what material, and which are not;

The estimated amount of evaporation per day from the surface of each such reservoir;

An analysis of the cost and time to line at least one such reservoir;

Information on any reservoirs planned to be taken out of service;

The depth and volume of water in each reservoir (as of the last day of each month);

Howl ong it would take on average for each full reservoir to be emptied if now water were to flow into or be deliberately removed from it (i.e. how long until evaporation and seepage drains it); and

The amount of water used for hydroelectric purposes, if any.

Status: A table containing most of the information requested above is attached as Exhibit D. Evaporation estimates are based on actual reservoir water levels during Q1 2025, with the figures being displayed in gallons per day.

In addition to the information in Exhibit D, we previously determined an estimated unit cost in 2022 of $7.00 per square foot (sloped) to line a reservoir, plus estimated engineering costs typically being between $30k - $60k per reservoir. Adjusting for CPI, it is assumed that the current estimated unit cost is $8.17 per square foot as of Q4 2024. If we apply these costs to a reservoir with a 10-acre surface area and assumed

slope adjustment of 25%, then the resulting estimate would be approximately $4.45M.

f. *The number, location, timing, and approximate acreage of fires fought during the quarter using water from reservoirs supplied with water from the A&B/EMI system.*

Status: There were zero fires fought during Q1 2025 using water from reservoirs supplied with water from the A&B/EMI system.

g. *The names and locations of the reservoirs from which water was drawn to fight fires during the quarter, together with:*

Status: No water was used for hydroelectric purposes during the quarter.

h. *A listing of all irrigation wells in the A&B/EMI water system serviced by the RPs, with the water levels and chloride levels in each well that is in active use noted.*

Status: In Q1 2025, Wells 2, 9, 12 and 13 were in active use. Chloride levels measured during the quarter are provided below:

- *Well #2*
  - *pH – 7.3*
  - *Sodium – 202 mg/L*
  - *Water Level – 37.5 Inches*

- *Well #9*
  - *pH – 7.6*
  - *Sodium – 133 mg/L*
  - *Water Level – 27 Inches*

- *Well #12*
  - *pH – 7.1*
  - *Sodium – 190 mg/L*

- *Water Level – 23 Inches*

- *Well #13*
  - *pH – 7.2*
  - *Sodium – 146 mg/L*
  - *Water Level – 20 Inches*

Each quarterly report shall be submitted in a format with tracked changes that clearly show the differences/updates from the prior quarter.

Such quarterly reports shall be "due" to the DLNR one month after the last calendar day of the subject quarter. Thus, the reports shall come due as follows:

Q1 Report – April 30, 2025
Q2 Report – July 31, 2025
Q3 Report – October 31, 2025
Q4 Report – January 30, 2026

Status: This Q1 2025 report is the first to be submitted under the new 2025 RP. Given the re-numbering of conditions, starting in Q2 2025, changes to the quarterly report will be tracked. The deadline to submit quarterly reports is noted, and EMI is committed to timely submittals of all future reports.

8. ***In addition to the quarterly report, the Permittee shall provide monthly reports containing at minimum, the Permittee's monthly water use amounts and the total planted acreage.***

   Status: EMI/Mahi Pono has provided and will continue to submit monthly water usage reports, including the total planted acreage.

9. ***Require Permittee to advise any third-party lessees, that any decisions they make are based on these month-to-month revocable permits for water unless or until a license is issued.***

Status: All third-party lessees have been informed through existing language in their lease agreements that the availability of water is subject to change based on various conditions, one of which would be the nature of the water availability from East Maui through an annually renewed revocable permit or an eventual permanent lease.

10. ***Permittee shall cooperate with CWRM and the Department's Division of Aquatic Resources (DAR) in facilitating studies, site inspections and other actions as necessary to address the streams that water may be diverted from under this revocable permit.***

Status: EMI continues to be in contact with CWRM personnel regarding site visits to evaluate diversions that weren't covered by the 2018 D&O. Such site visits most recently occurred in Q2 2024, related to the amendment of the Huelo Streams IIFS passed by CWRM in 2022. CWRM field staff conducts these site visits on a stream-by-stream basis. EMI has previously contacted DAR and has expressed willingness to cooperate with any DAR activities related to the DAR work on streams outside the license area. Permittees also note that the 2024 RP allows for the development, diversion, and use of water only; there was no disposition of the land area covered by the prior revocable permits. As noted in the December 2023 staff submittal, the agreement between the Territory of Hawaii and EMI ("1938 Agreement") provides EMI a perpetual easement from the Territory to convey all water covered by any water license held by EMI through the portions of the "aqueduct" crossing government lands situated in East Maui extending from Nahiku to Honopou inclusive. Because the existing aqueduct system is already covered by the easement in the 1938 Agreement, there was no need for an additional land disposition. Accordingly, DAR has full access to the area.

11. ***Permittee shall work with CWRM and DOFAW to determine whether there are alternatives to diversion removal that effectively prevent mosquito breeding and can be feasibly implemented. Permittee shall include the status of alternatives in its quarterly reports.***

Status: EMI has worked with CWRM in the context of the earlier discussion with DOFAW regarding diversion structures that can impede free flow of water and create habitat for mosquito breeding. Considerable evaluation and analysis have been conducted by the CWRM and EMI on nine "Category 1" diversions regarding additional work to be done on these diversions to mitigate these and other issues. CWRM has met with stakeholders to discuss this plan, and CWRM staff presented a proposed mitigation plan which was approved at CWRM's January 30, 2024 meeting. This plan calls for additional removal of stream diversion structures. Permittees are working with consultants to obtain the necessary approvals/sign offs from the State Historic Preservation Division and the County of Maui Planning Department, which are required before work can begin. Other regulatory agency reviews/approvals, including the Army Corps of Engineers and the Office of Conservation and Coastal Lands, will be needed once those two agencies sign off.

12. If the Board finds that a use of water is not reasonable and beneficial and does not comply with the permitted uses, Permittee shall cease such use within a timeframe as determined by the Department.

Status: EMI remains willing to comply with this requirement and stands ready to assist the Board in any way it can regarding this matter.

13. For water used for agricultural crops, Permittee is to estimate how much water is required for each crop per acre per day.

Status: Water requirements for each crop is highly dependent on several factors, including soil composition, weather, and the maturity of the crop itself. That said, the average water requirements for Mahi Pono's agricultural crops at full maturity are estimated to be as follows:

- Orchard Crops - 5,089 gallons per acre per day
- Row Crops - 3,392 gallons per acre per day
- Tropical Fruits - 4,999 gallons per acre per day
- Energy Crops - 3,392 gallons per acre per day

These estimates are consistent with the estimated water requirements contained in Table 3 of Appendix I (Agricultural and related Economic Impacts) of the EIS. The average water requirements listed above are reflective of the crops' collective water needs (irrigation & rainfall) at full maturity. This differs from the reported irrigation average, which is reflective of the irrigation consumption (excluding rainfall) of immature crops.

14. Permittee shall look into supplying the Maui Invasive Species Committee with water, and if feasible, and despite it not being an agricultural use, this would be considered a reasonable and beneficial and permitted use under the revocable permit.

Status: EMI/Mahi Pono have successfully provided MISC with water to support their operations starting in Q1 2023. In Q2, EMI successfully installed a meter on the pipeline supplying MISC with water. The total amount of water used by MISC between January 2025 – April 2025 was 17,700 gallons, and the Q1 2025 portion of this use is accounted for in the "*Other"* column in Exhibit A.

15. No later than August 1, 2025, Permittee shall provide an updated plan to reduce system losses including planned system upgrades, specific measures to more efficiently use water, proposed implementation timeline, and estimates on the amount that system losses may be reduced.

Status: EMI is committed to providing an updated plan by this deadline.

16. Based on the 2018 CWRM Decision and the information presented here, the Board determines that reasonable beneficial use for diversified agriculture to Applicant under a month-to-month revocable permit on 30 days' notice is 3263 gpad.

Status: EMI/Mahi Pono remains compliant with this condition.

17. As a condition to the permit, the Permittee shall provide no more than 5.25 mgd, averaged monthly, to the County of Maui daily, which is the amount the Board finds to be the reasonable and beneficial allocation of water.

Status: EMI and the County of Maui remain compliant with this condition.

18. ***Therefore, the total amount of water allocated under this revocable permit shall be:***

    - ***The amount of water equal to 3263 gallon per acre a day multiplied by the total amount of planted acreage to be used by the Permittee for diversified agriculture and other existing uses, averaged annually less 1 million gallons per (mgd) day and:***
    - ***5.25 mgd to the County of Maui Department of Water Supply for the Kamole Treatment Plant and the County of Maui Kula Agricultural Park on a monthly average.***

Status: See responses to conditions #16 and #17.

EXHIBIT A – MONTHLY WATER USAGE

All Figures in Millions of Gallons per Day ("MGD")

Month	*East Maui Surface Water @ Honopou*	*East Maui Surface Water @ Maliko*	*East Maui Surface Water Gained from Area Between Honopou and Maliko*	*Groundwater Pumped on-Farm*	*County of Maui DWS* [1]	*County of Maui Ag Park* [2]	*Diversified Agriculture* [3]	*Historic / Industrial Uses* [4]	*Reservoir / Seepage / Fire Protection / Evaporation / Dust Control / Hydroelectric* [5]	
									Diverted Reserve to meet Contractual Obligation to County DWS & Ag Park [6]	*Other* [7]
January	31.28	33.35	2.07	11.54	2.18	0.55	34.64	0.06	2.52	4.93
February	21.04	23.42	2.38	7.10	2.88	0.38	24.09	0.06	1.99	1.12
March	23.58	26.15	2.56	11.97	2.85	0.51	31.20	0.06	1.89	1.60
Average	**25.30**	**27.64**	**2.34**	**10.20**	**2.64**	**0.48**	**29.98**	**0.06**	**2.13**	**2.55**

1. The numbers in this column are based on reports received from the County of Maui and have not been independently verified by EMI.

2. The numbers in this column are based on reports received from the County of Maui and have not been independently verified by EMI.

3. The numbers in this column are primarily comprised of Mahi Pono's water use for diversified agriculture, as well as the other agricultural uses described in Exhibit B of the quarterly RP reports.

4. Historical/Industrial Uses are non-HC&S uses that have historically relied on water from the EMI Ditch System, even after the closure of HC&S. These include uses by entities located either adjacent to or within the boundaries of the farm and are further described in Exhibit B. Mahi Pono installed meters in March 2022 thus, starting with the Q2 2022 report, the figures reported in this column will reflect actual usage based on those meters. As previously mentioned, HC&D's water usage is no longer accounted for in this column as HC&D is obtaining water from its own well.

5. The numbers in these columns include water not separately accounted for in the columns to the left. The water in on-farm reservoirs is available for use by the County of Maui against brush fires, the risk of which has increased due to the reduction of the irrigated acreage following the cessation of sugar cultivation but is decreasing as Mahi Pono continues to implement its farm plan. Seepage and evaporation inherent to an agricultural ditch system are also included in this column. The water used by the Mahi Pono hydroelectric system is non-consumptive and is returned to the ditch after being

used to generate clean energy. The water is re-used consumptively by one of the other uses, or if there is no reuse, ends up in the reservoirs.

6. The Board has limited the amount of water that may be made available to the County to 5.25 MGD, averaged monthly. The numbers in this sub-column reflect the portion of the 5.25 MGD that is made available to the County every day, that the County does not use (i.e., 5.25 MGD less the sum of the amounts used by the County DWS at Kamaole Weir and Ag Park). Water that is not used by the County remains in the Ditch System, is transported to Central Maui and any excess is directed to reservoirs located on the former plantation.

7. The numbers in these columns reflect the amount of water not separately accounted for in the columns entitled "County of Maui DWS," "County of Maui Ag Park," "Diversified Agriculture," and "Historic/Industrial Uses" less the reserve needed to meet EMI's contractual obligations to the County of Maui. As has been explained in the past, EMI/Mahi Pono cannot rely on receiving any specific amount of the water provided to the County of Maui to meet the contractual obligations to the County DWS and Kula Ag Park that is not actually consumed by the County (“DIVERTED RESERVE”) for the purposes of planning to meet the irrigation needs of Mahi Pono’s crops. The amount is unpredictable and unreliable; however, EMI and Mahi Pono do make an effort to use the Diverted Reserve for crop irrigation when feasible.

EXHIBIT B – WATER USAGE SPECIFICS

Diversified Agriculture Use

Entity	Crop	Field	Acreage
Mahi Pono	Macadamia	205	122
Mahi Pono	Citrus	206	200
Mahi Pono	Macadamia	208	73
Mahi Pono	Citrus	209	351
Mahi Pono	Citrus	300	305
Mahi Pono	Coffee	301	273
Mahi Pono	Coffee	302	6
Mahi Pono	Citrus	303	161
Mahi Pono	Citrus	306	271
Mahi Pono	Coffee	309	138
Mahi Pono	Coffee	310	369
Mahi Pono	Citrus	311	150
Mahi Pono	Avocado	404	166
Maui Best (Tenant)	Sweet Potato	408	281
Maui Best (Tenant)	Sweet Potato	409	180
Mahi Pono	Citrus	500	273
Mahi Pono	Citrus	501	83
Mahi Pono	Citrus	502	290
Mahi Pono	Citrus	503	144
Mahi Pono	Citrus	504	294
Mahi Pono	Citrus	505	240
Mahi Pono	Citrus	506	157
Mahi Pono	Citrus	507	189
Mahi Pono	Citrus	508	183
Mahi Pono	Citrus	508B	213
Mahi Pono	Citrus	509	79
Mahi Pono	Citrus	510	181
Mahi Pono	Citrus	511	161
Mahi Pono	Citrus	512	132
Mahi Pono	Macadamia	600	380
Mahi Pono	Citrus	601	221
Mahi Pono	Citrus	602	196

EXHIBIT B – WATER USAGE SPECIFICS (Continued)

Diversified Agriculture Use

Mahi Pono	Citrus	603	262
Mahi Pono	Citrus	604	343
Mahi Pono	Citrus	605	394
Mahi Pono	Citrus	606	134
Mahi Pono	Mixed	608	70
Mahi Pono	Forage Crops	608	82
Mahi Pono	Row Crops	608	40
Mahi Pono	Citrus	610	40
Mahi Pono	Macadamia	611	253
Mahi Pono	Citrus	701	269
Mahi Pono	Citrus	702	232
Mahi Pono	Citrus	703	150
Mahi Pono	Citrus	704	214
Mahi Pono	Citrus	705	55
Mahi Pono	Row Crops	706	45
Mahi Pono	Forage Crops	707	40
Mahi Pono	Citrus	708	299
Mahi Pono	Citrus	800	122
Mahi Pono	Citrus	801	281
Mahi Pono	Citrus	803A	127
Mahi Pono	Pongamia	803B	32
Mahi Pono	Avocado	803C	6
Mahi Pono	Citrus	805	268
Mahi Pono	Coffee	807	120
Mahi Pono	Mixed	807	39
Mahi Pono	Citrus	808	158
Mahi Pono	Citrus	809	251
Mahi Pono	Citrus	809X	72
Mahi Pono	Citrus	813	448
Mahi Pono	Citrus	814	342
Mahi Pono	Citrus	818	266
Mahi Pono	Citrus	901A	45
Mahi Pono	Citrus	911	82
Mahi Pono	Citrus	911B	201
TOTAL			***12,244***

EXHIBIT B – WATER USAGE SPECIFICS (Continued)

Historic / Industrial Uses

Water Users	Source/Delivery Point	Water User's Location	Relationship to EMI / A&B / Mahi Pono	Use
Tenant of County Central Maui Landfill	Pumped from Haiku Ditch	3-8-003-019	Gov't Tenant	General Use for Compost Operation
New Leaf Ranch (Non-Profit)	702 Cistern	3-8-006-029	Tenant	Irrigation water for non-profit providing ag-related work opportunities and training as mental health & substance use dependency treatment
Costo Maddela	Haiku Ditch	3-8-001-001	Tenant	Pasture & Animal Water

EXHIBIT C – CWRM ORDER STATUS UPDATE

Section i, j, & k from CWRM D&O

i. It is intended that diversion structures only need to be modified to the degree necessary to accomplish the amended IIFS and to allow for passage of stream biota, if needed.

j. This Order does not require that every diversion on every tributary be removed or modified, the Commission is only looking at modifications to main stem and major diversions to accomplish the amended IIFS set forth above. The Commission also recognizes that it is not the purpose of this proceeding to determine how the diversions will be modified. That issue will be before the Commission in a subsequent process.

k. The intent of the Commission is to allow for the continued use and viability of the EMI Ditch system and will not require the complete removal of diversions unless necessary to achieve the IIFS.

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EXHIBIT C – CWRM ORDER STATUS UPDATE (Continued)

IIFS STREAM UPDATE

Stream Name	*Restoration Status*	*BFQ50 at IIFS (cfs)*	*IIFS Value (cfs)*	*IIFS Location*	*Current Status*
Makapipi	Full	1.3	n/a	Above Hana Highway	Gate removed, water flowing downstream below intake
Hanawi	Connectivity	4.6	0.92	Below Hana Highway	Gate slightly open, water flowing downstream below intake
Kapaula	Connectivity	2.8	0.56	On diversion at Koolau Ditch	Main gate open, water flowing downstream below intake
Waiaaka	None	0.77	0.77	Above Hana Highway	Gate open, water flowing downstream below intake
Pa'akea	Connectivity	0.9	0.18	At Hana Highway	Intake gate closed, water flowing downstream over dam
Waiohue	Full	5	n/a	At Hana Highway	Intake gate closed, sluice gate removed. All water flowing downstream.
Pua'aka'a	Connectivity	1.1	0.2	Above Hana Highway	Gate open, water flowing downstream below intake
Kopiliula	H90	5	3.2	Below Hana Highway	Main gates open, ditch control gates adjusted to provide for IIFS. Water flowing downstream.
East Wailuaiki	H90	5.8	3.7	At Hana Highway	Sluice gate open, IIFS flowing downstream below intake
West Wailuaiki	Full	6	n/a	Above Hana Highway	Gates open, water flowing downstream below intake
Wailuanui	Full	6.1	n/a	At Hana Highway	All intakes sealed (Category 1) and gates opened, water flowing downstream below intake
Ohi'a/Waianu	None	4.7	n/a	None	No diversion
Waiokamilo	Full	3.9	n/a	Below diversion at Koolau Ditch	All intakes closed, water flowing downstream
Palauhulu	Full	11	n/a	Above Hana Highway	All intakes sealed (Category 2). Water flowing downstream.
Pi'ina'au	Full	14	n/a	Above Hana Highway	Intake sealed, water flowing downstream.
Nua'ailua	Connectivity	0.28	2.2	To Be Determined	Intake gate closed, water flowing downstream over dam
Honomanu	H90	4.2	4.2	Above Hana Highway	All 4 diversion sluice gates are open, water flowing downstream
Punalau/Kolea	H90	4.5	2.9	Above Hana Highway	Sluice gate open, water flowing downstream below intake
Haipua'ena	Connectivity	4.9	1.36	Below Hana Highway	Intake gate closed, water flowing downstream, dam will require modification
Puohokamoa	Connectivity	8.4	1.1	Below Hana Highway	Intake gate will be used to ensure water flowing downstream, intake dam may require significant modification
Wahinepee	None	0.9	0.9	Above Hana Highway	No diversion. Water flowing downstream.
Waikamoi	H90	6.7	3.8	Above Hana Highway	Center ditch sluice gate open. Water flowing downstream.
Haneho'i	Full	2.54	n/a	Upstream of Lowrie Ditch	Intakes sealed. Water flowing downstream.
Huelo (Puolua)	Full	1.47	n/a	Downstream of Haiku Ditch	Lowrie intake will require significant modifications (Category 3) & corresponding permit approvals / Haiku intake sealed
Honopou	Full	6.5	n/a	Below Hana Highway	Three of the four intakes are sealed. The final has the ditch gate shut. No water enters the ditch. Waiiolie intakes sealed.

EXHIBIT D – RESERVOIR INFORMATION

Reservoir No.	Tax Map Key	Capacity Million Gallons	Surface Area Acres	Fields Feed by Reservoir	Lined	Type Material	Evaporation Rate (Average Gal/Day)****
14	2-5-04:39	9.50	1.50	100; 101	No	Earthen	0
15	2-5-04:39	8.30	1.10	101	No	Earthen	0
20	2-5-03:10	48.80	10.20	312; 314	No	Earthen	0
21	2-5-04:39	18.60	6.90	111; 113; 200	No	Earthen	0
22	2-5-03:10	43.80	10.60	201; 202	No	Earthen	0
24	2-5-03:10	15.00	3.60	201	Yes	Concrete	0
25	2-5-03:09	40.20	9.70	205	No	Earthen	0
30	2-5-03:01	21.00	9.00	300; 312	No	Earthen	0
33	2-5-02:02	46.50	8.00	304; 304; 313	No	Earthen	33,610
40	2-5-02:01	62.80	13.50	410; 400; 401; 413 (County Use)	No	Earthen	4,412
42	2-5-02:01	10.40	3.20	400; 401; 403	No	Earthen	10,864
52	3-8-03:04	74.00	20.00	504; 511	No	Earthen	0
60	3-8-01:06	80.50	20.80	600; 611	No	Earthen	0
61	3-8-01:01	53.10	9.00	604	No	Earthen	40,259
70	3-8-01:01	19.30	5.00	Mud Pile 710	No	Earthen	0
80	3-8-03:02	41.10	12.00	800; 801	No	Earthen	0
81	3-8-04:22	36.70	13.80	803 805 808 809	No	Earthen	61,474
82	3-8-04:22	17.90	7.40	810; 811; (812; 815; 816; 818; 819; 822; 823; Res. Ditch)	No	Earthen	0
84	3-8-03:02	35.10	8.00	701; 702; 703; (807; 813; 814; Res. Ditch)	No	Earthen	0
90	3-8-08:05	45.00	15.80	737; 761; 915; 917	No	Earthen	75,617
Haiku	(2)2-7-003:055 & 081 (2)2-7-003:030 & 056/2-7-008:038	57.9	27.30	Haiku Ditch	No	Earthen	0
Pauwela	(2)2-8-002:018	32.5	6.80	Haiku Ditch	No	Earthen	0
Peahi	(2)2-8-007:001	49.7	8.70	Haiku Ditch	No	Earthen	0
Kapalaalaea	(2)2-9-014:004	42.5	9.00	Center Ditch to Lowrie Ditch	No	Earthen	0
Papaaea	2-5-004:039	1.00	NA	110	No	Earthen	Unregulated/Rarely Used
9	2-5-004:039	9.50	NA	116	No	Earthen	Unregulated/Rarely Used
10	2-5-004:039	9.00	6.70	109	No	Earthen	Unregulated/Rarely Used
12	2-5-005:019	13.70	NA	200	Yes*	Concrete/rubber	Unregulated/Rarely Used
23	2-5-005:019	10.10	NA	208	No	Earthen	Unregulated/Rarely Used
26	2-5-005:019	9.90	NA	213	No	Earthen	Unregulated/Rarely Used
29	2-5-003:031	5.10	NA	303	No	Earthen	Unregulated/Rarely Used
31	2-5-002:002	9.80	NA	304	No	Earthen	Unregulated/Rarely Used
32	2-5-003:010	8.10	NA	306	No	Earthen	Unregulated/Rarely Used
34	2-5-002:002	15.00	5.40	310; 311; 505	No	Earthen	Unregulated/Used Sparingly
35	2-5-002:001	8.90	NA	402; 404	No	Earthen	Unregulated/Rarely Used
41	2-5-001:001	13.50	4.00	409; 404	No	Earthen	Unregulated/Rarely Used
43	2-5-001:008	3.60	NA	Above 417;	No	Earthen	Unregulated/Rarely Used
44	2-5-001:008	4.20	NA	415; 414; 418	Yes	Concrete	Unregulated/Rarely Used
45	3-8-003:005	8.40	NA	209; 500; 507; 508	No	Earthen	Unregulated/Used Sparingly
50	3-8-003:004	15.20	NA	502; 505	No	Earthen	Unregulated/Rarely Used
51	3-8-004:002	6.40	4.70	817; 821	No	Earthen	Unregulated/Rarely Used
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