

**LAND USE COMMISSION DOCKET A13-797,
 PETITIONER CMBY 2011 INVESTMENT LLC LIST OF REBUTTAL EXHIBITS 43, 44, 45, 46, 47**

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
<p>Petitioner's Exhibits 1 - 11 were filed with the Petition For Land Use District Boundary Amendment in Docket A13-797 on May 3, 2013, and served on all parties.</p> <p>Petitioner's Exhibits 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 39, 40, 41, 42 in Docket A13-797 were filed with the Land Use Commission and copies served on all parties on July 29, 2013.</p>			
1.	Final Environmental Assessment		
2.	November 28, 2012, letter from County of Maui Department of Planning to Mr. Gary Hooser, Director, Office of Environmental Quality Control		
3.	Maui Island Plan, Maps I-12 and I-13		
4.	Authorization of CMBY 2011 Investment, LLC		
5.	Tax map showing Petition Area		
6.	Limited Warranty Deed dated March 17, 2011		
7.	Title Report dated March 1, 2013		
8.	Notification of Petition Filing		

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9.	Written Comments (Feb. 18, 2013 and March 7, 2013, Petitioner's correspondence to Kihei Community Association; March 11, 2013, Petitioner's correspondence to Director William Spence; March 22, 2013, Director William Spence's correspondence to Petitioner)		
10.	DLNR Staff Report, April 12, 2013		
11.	Balance sheet and income statement dated January 1, 2013		
12.	Resume of Phillip L. Bruner		
13.	Written direct testimony of Phillip L. Bruner		
14.	Resume of Robert W. Hobdy		
15.	Written direct testimony of Robert W. Hobdy		
16.	Resume of Maya LeGrande		
17.	Written direct testimony of Maya LeGrande		
18.	Resume of Michael F. Dega		
19.	Written direct testimony of Michael F. Dega		

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
20.	Resume of Yoichi Ebisu		
21.	Written direct testimony of Yoichi Ebisu		
22.	Resume of Barry Neal		
23.	Written direct testimony of Barry Neal		
24.	Resume of John S. Vuich		
25.	Written direct testimony of John S. Vuich		
26.	Resume of Glenn Kunihisa		
27.	Written direct testimony of Glenn Kunihisa		
28.	Resume of Stacy Otomo		
29.	Written direct testimony of Stacy Otomo		
30.	Resume of Phillip Rowell		
31.	Written direct testimony of Phillip Rowell		

EX NO.	DESCRIPTION	PARTY OBJECTIONS	ADMIT
32.	Resume of Charles Jencks		
33.	Written direct testimony of Charles Jencks		
34.	Resume of Glenn Tadaki		
35.	Written direct testimony of Glenn Tadaki		
36.	Resume of Tom Nance		
37.	Written direct testimony of Tom Nance		
38.	June 13, 2013 letter from A&B Properties, Inc. regarding field inspection of Petition Area		
39.	Maui County Ordinance No. 3977		
40.	Power point presentation "Puunene Heavy Industrial Subdivision"		
41.	November 8, 2012 Commission on Water Resource Management Well Construction Permit and Pump Installation Permit for CMBY Wells 1 & 2 (Nos. 6-4927-002 and 003)		
42.	Well Infrastructure Site Plan		

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<u>PETITIONER'S EXHIBITS 43 - 46 WERE FILED AND SERVED ON AUGUST 8, 2013</u>			
43.	Plat Map showing Land of Pulehunui dated June 20, 2013		
44.	Topo Map showing stake points		
45.	Diagram "Puunene Heavy Industrial Subdivision Disposal Well Design"		
46.	Resume of Steven J. Dollar, Ph.D.		
47.	Written direct testimony of Steven J. Dollar, Ph.D.		