**COMMISSION ON WATER RESOURCE MANAGEMENT**

**ROUTE SLIP FOR PERMIT ISSUANCE 1/22/10**

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<tr>
<th>FROM: Ryan</th>
<th>DATE: 2/24/10</th>
<th>SUSPENSE DATE:</th>
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<tr>
<td>TO:</td>
<td>INIT.</td>
<td>TO:</td>
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<tr>
<td>Cheng, C.</td>
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<td>Chong, R.</td>
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<td>England, D.</td>
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<td>Fuji, N.</td>
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<td>Hardy, R.</td>
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<td>Imata, R.</td>
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**PLEASE:**

- [ ] Review & Comment
- [ ] Take Action
- [ ] Type Draft
- [ ] Type Final
- [ ] File
- [ ] Xerox copies

**WELL NUMBER** 2385-03  **WELL NAME** Benko

**application type** BOTH

1. WCP COVER LETTER
2. WCP
3. WELL CHECK PRINTOUT
   proposed well section issues?
4. PIP COVER LETTER
5. PIP

**COMMENTS:**

<table>
<thead>
<tr>
<th>#</th>
<th>issue?</th>
<th>if checked, send to applicant</th>
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<tr>
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<td>15</td>
<td>BWS (Oahu)</td>
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</tbody>
</table>

**NOTES:**

**DRILLER** Rod Diamond
Diamond Construction and Water Well Drilling
23379 HCR#3 Box 14073
Keeau, HI 96749

Phone 966-4129
Fax 966-4129
Cell 987-8100

**PUMP CAPACITY** 16

**WELL OWNER** John Benko
**LAND OWNER** John Benko

**COMMENT DEADLINE** 12/14/09
February 26, 2010

Mr. Rod Diamond
Diamond Construction and Water Well Drilling
HCR#3 Box 14073
Keeau, HI 96749

Dear Mr. Diamond:

Pump Installation Permit
Benko Well (Well No. 2385-03)

Enclosed are two (2) originals of your approved Pump Installation Permit for the captioned well(s) that authorize permanent pump installation work for your well(s). As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 14:

Special Conditions

1. If the elevation benchmark needs to be altered, the permittee, well operator, and/or well owner shall ensure that the benchmark is transferred (or the well resurveyed) and documentation of the new benchmark shall be submitted to the Commission within sixty (60) days after the pump is installed.

2. Attached for your information are copies of the Department of Health's (DOH) review comments. Please note DOH's requirements related to discharge of effluent from well drilling and testing activities. Also, please contact the Noise Radiation and Indoor Air Quality Branch at 586-4700 to check compliance with construction noise permit requirements for this project.

The permittee is responsible for all conditions of the permit. This includes ensuring the submission of a completed Well Completion Report Part II form within sixty (60) days after the pump installation work is completed. Be advised that you may be subject to fines of up to $5,000 per day for any violations of your permit conditions starting from the permit approval date.

Please sign both permit originals and return one copy to the Commission office or our files.

IMPORTANT - Pump installation shall not commence until a fully signed permit is returned to the Commission.

If you have any questions, please call Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), 274-3141 (Kauai), 984-2400 (Maui), or 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

[Signature]

LAURA H. THIELEN
Chairperson

Enclosure

c: John Benko (with applicable comments – DOH SDWB, WWB, CWB)
USGS
Hawaii DWS
PUMP INSTALLATION PERMIT
Benko Well, Well No. 2385-03

Note: This permit shall be prominently displayed at the site until the work is completed

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Benko Well (Well No. 2385-03) at TMK 1-2-003:051, Hawaii, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson to the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work covered by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).

2. No withdrawal of water shall be made other than for testing until a Certificate of Pump Installation Completion has been issued by the Commission.

3. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.

4. The pump installation permit shall be for installation of a 16 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

5. A water-level measurement access shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels.

6. The permittee shall install an approved meter or other appropriate means for measuring and reporting withdrawals and appropriate devices or means for measuring chlorides and temperature at the well head.

7. Well Completion Report Part II shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrmlresources_permits.htm for current form).

8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances, and non-compliance may be grounds for revocation of this permit.

9. The pump installation permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.

10. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

11. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.

12. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.

13. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.

14. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: December 14, 2009
Expiration Date: December 14, 2011

LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the pump installer have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $5,000 per day starting from the permit date of approval.

Installer's Signature: __________________________ C-57, C-57a, or A License #: BC-23379 Date: __________
Printed Name: Rod Diamond Firm or Title: Diamond Construction and Water Well Drilling

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.

Attachments
February 26, 2010

Ref: 2385-03.wcp

Mr. Rod Diamond  
Diamond Construction and Water Well Drilling  
HCR#3 Box 14073  
Keeau, HI  96749

Dear Mr. Diamond:

Well Construction Permit  
Benko Well (Well No. 2385-03)

Enclosed are two (2) copies of your approved Well Construction Permit for the captioned well(s) that authorize well construction activities but excludes installation work for a permanent pump. As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 17:

**Special Conditions**

1. Attached for your information are copies of the Department of Health's (DOH) review comments. Please note DOH's requirements related to discharge of effluent from well drilling and testing activities. Also, please contact the Noise Radiation and Indoor Air Quality Branch at 586-4700 to check compliance with construction noise permit requirements for this project.

Please refer to the Permit Processes Worksheet (transmitted with your acknowledgement letter) for further information regarding the process of drilling a well and installing a pump.

No withdrawal of water shall be made other than for testing purposes until a certificate of pump installation completion has been issued by the Commission.

Please sign both permit originals and return one copy to the Commission office for our files. For copies of the aquifer pump test worksheet, please call staff or visit www.state.hi.us/dlnr/cwrmlfonns.htm.

**IMPORTANT** - Drilling work shall not commence until a fully signed permit is returned to the Commission. The permit shall be prominently displayed or made available at the construction site during construction. Be advised that you may be subject to fines of up to $5,000 per day for any violations of your permit conditions starting from the permit approval date.

If you have any questions, please call Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), 274-3141 (Kauai), 984-2400 (Maui), or 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

[Signature]

Chairperson

Enclosures

c: John Benko (with applicable comments – DOH SDWB, WWB, CWB)  
USGS  
Hawaii DWS
WELL CONSTRUCTION PERMIT

Benko Well, Well No. 2385-03

Note: This permit shall be prominently displayed at the construction site until the work is completed.

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Benko Well (Well No. 2385-03) at TMK 1-2-003:051, Hawaii, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).

2. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.

3. The well construction permit shall be for construction and testing of the well only. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the HWCPIS (the latest pump test worksheet can be obtained by contacting Commission staff or at www.hawaii.gov/dlnr/cwrm/resources_permits.html). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson. No withdrawal of water shall be made for purposes other than testing without a Certificate of Pump Installation Completion. The permitted pump capacity described on the pump installation permit may be reduced in the event that the pump test does not support the capacity.

4. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson. If it can be shown that the well does not tap basal ground water then this condition may be waived after consultation with and acceptance by Commission staff. However, in no instance can the well be drilled deeper than one-half (1/2) of the theoretical thickness without Commission approval.

5. The permittee shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.

6. In the event that historically significant remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and immediately contact the Department of Land and Natural Resources' State Historic Preservation Division. Work may recommence only after written concurrence by the State Historic Preservation Division.

7. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.

8. The Well Completion Report Part I shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrm/resources permits.htm for current form).

9. The permittee shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.

10. The well construction permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.

11. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

12. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.

13. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.

14. If the well is not to be used it must be properly capped. If the well is to be abandoned during the course of the project then the permittee must apply for a well abandonment permit in accordance with §13-168-12(f), HAR, prior to any well sealing or plugging work.

15. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.

16. This permit shall apply to the location shown on the application only. If the well is to be relocated, the permittee shall apply for a new well construction/pump installation permit in accordance with §13-168-12(f), HAR.

17. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: December 14, 2009
Expiration Date: December 14, 2011

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $5,000 per day starting from the permit date of approval.

Driller's Signature: ___________________________ C-57 License #: BC-23379 Date: ____________

Printed Name: Rod Diamond Firm or Title: Diamond Construction and Water Well Drilling

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.
### Well Check Program

**4/1/04 - Revised for update to Well Standards (February 2004)**

#### Data Input

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<td>Well Name</td>
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<td>Ground Elevation</td>
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#### Results

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TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Tomas See, Chief, Wastewater Branch
   Stuart Yamada, Chief, Safe Drinking Water Branch
   Alec Wong, Chief, Clean Water Branch
   Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response

FROM: Laura H. Thielen, Chairperson
   Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
   Benko Well (Well No. 2385-03)

October 6, 2009

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RI:ss
   Attachment(s)

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 26, Rules Relating to Potable Water Systems, §11-20-29.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if site planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant’s information, a source of possible wastewater contamination [ ] is [ ] is not located near the proposed well site (information attached).

[ ] An NPDES permit is required.

[ ] Other relevant DOH rules/regulations, information, or recommendations are attached.

[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

[ ] No comments/objections

Contact Person: Richard Palmer
   Phone: 586-0957

Signed: Richard Palmer
   Date: 10/27/2009
October 6, 2009

TO: Morris Atta, Administrator
Land Division

FROM: Ken C. Kawahara, P.E., Deputy Director
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Benko Well (Well No. 2385-03) TMK 1-2-003:051

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.

[xx] A water lease/permit is not required of this applicant.

[ ] A water lease/permit has been obtained by the applicant through lease no. _______________________

[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.

[ ] No objections

[xx] Other comments: Original source of private title is Grant 1006 issued prior to statehood.

Contact Person: Gary Martin
Phone: 587-0421

Signed: Gary Martin
Date: ___/___/___
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96820

October 6, 2009

TO: Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attention: Tomas Sia, Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawacka, Office of Hazard Evaluation and Emergency Response

FROM: Laura H. Thielen, Chairperson
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Benko Well (Well No. 2385-03)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Inamata of the Commission staff at 587-0255.

RIss
Attachment(s)

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-30-23.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future plans are made to meet the public water system definition then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable systems with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant's information, a source of potable wastewater contamination [ ] is located near the proposed well site (information attached).

[ ] An NPDES permit is required.

✓ Other relevant DOH rules/regulations, information, or recommendations are attached.

[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

[ ] No comments/objections

Contact Person: Joanna L. Seto
Phone: 586-4303
Signed: Joanna L. Seto
Date: 10/19/09
The Department of Health, Clean Water Branch (CWB) has the following comments:

1. For Well-Drilling Activities

Any discharge to State waters of treated process wastewater effluent associated with well drilling activities is regulated by Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix I, effective October 22, 2007, and compiled June 15, 2009. Treated process wastewater effluent covered by this general permit includes well drilling slurries, lubricating fluids wastewater, and well purge wastewater. This general permit does not cover well pump testing. The applicable Notice of Intent (NOI) Forms and filing fee shall be submitted at least 30 calendar days before the start of discharge to the:

Department of Health
Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, Hawaii 96814-4920

The CWB-NOI Forms are available online at http://www.hawaii.gov/health/environmental/water/cleanwater/forms/general-index.html. Inquiries may be directed to the CWB at (808) 586-4309 or by fax (808) 586-4352.

2. For Well Pump Testing

The discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, best management practices shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.
3. For Construction Activities Disturbing One (1) or More Acres of Total Land Area

By HAR, Title 11, Chapter 55, Appendix C, effective October 22, 2007, and compiled June 15, 2009, an NPDES permit or Notice of General Permit Coverage is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NOI (see Comment No. 1, above) shall be submitted 30 calendar days before the start of construction activities.
TO: Honorable Chiyoume L. Fukino, M.D., Director
Department of Health
Attention: Tomas See, Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawaoka, Office of Hazard Evaluation

FROM: Laura H. Thielen, Chairperson
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Renko Well (Well No. 2385-03)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0235.

Riss: Attachment(s)

RESPONSE: UIC: Remarks: Conditions No. 2, No. 3, No. 4

1. This well qualifies as a source which will serve as a source of portable water to a public water system (defined as serving 25 or more people at least 60 days per year or 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 16, Chapter 20, Rules Relating to Public Water Systems, §§16-26-29.

2. This well does not qualify as a source serving a public water system (serving less than 25 people or more people at less than 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical parameters before installing such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.

3. If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all approposable pipes with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

4. It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

5. For the applicant's information, a source of possible wastewater contamination (pipe) is not located near the proposed well site (information attached).

6. An NPDES permit is required.

7. Other relevant DOH wastewater, information, or recommendations are attached.

8. In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

9. No comments/objections.

Contact Person: Michael Miyake
Phone: 536-4258

Signed: Michael Miyake
Date: 10/15/09
CWRM Application Source: Benko Well
(State Well No. 2385-03)

Safe Drinking Water Branch Engineering Section

See attached private water wells information sheet.

Underground Injection Control (UIC)

In general, a shallow well, or a well that recharges quickly from local rainfall, should not be used as a potable water source because such a well increases the risk of having unsatisfactory groundwater quality that when consumed may compromise health. Factors that directly influence a well's groundwater quality include wastewater disposal systems (cesspools, septic systems, drainage wells), lawn/garden/crop-growing activities, and even the proximity to the ocean where salt water intrusion may occur.

The siting of a drinking water source below the UIC line may restrict new and existing injection well construction. New injection wells will be prohibited within setback areas defined in Chapter 11-23. If this drinking water source will serve a regulated public water system, the applicant will be required to inform landowners located within the setback surrounding the well of this proposed action because it will affect the injection well development potential of their properties.

Well water quality should be initially and periodically tested for its acceptable and intended use, especially if for human consumption. Water quality should not be presumed acceptable and unchanging. Land-based activities around the well and within the well’s recharge area may, over time, have an unacceptable effect on the well’s water quality. Well construction materials and related equipment could also affect water quality.

Questions about UIC may be directed to Chauncey Hew at 586-4258.
WARNING! As the owner of a privately-owned well, you should NOT assume that water from your well is safe for consumption. It is your responsibility to make sure that your well water is safe to drink. The only way to do this is to have your well regularly tested for bacteriological and chemical contaminants.

There are no regulations controlling water quality in private wells serving individual residences as there are for public water systems (public or privately owned utilities supplying water to 25 or more people or 15 service connections). In other words, there are no enforceable limits for contaminants and no requirements for regular testing. Private wells are often found in rural areas, where many activities such as onsite wastewater disposal can contaminate the ground water.

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) RECOMMENDATIONS

The EPA recommends that private well owners test their well water each year for such contaminants as Total Coliform Bacteria, Nitrates, as well as any other contaminants that may be of concern in your area. More frequent testing may be appropriate if you suspect a problem. EPA also suggests that you consider testing for pesticides, organic chemicals, and heavy metals before using it for the first time. Please refer to the EPA website on Private Drinking Water Wells at http://www.epa.gov/safewater/privatewells/faq.html

OTHER CONTAMINANTS

Water testing can be very expensive. It is important that you spend time to identify what other potential contaminants may be of concern. Please refer to the EPA website on Private Drinking Water Wells at http://www.epa.gov/safewater/privatewells/whatsyoucando.html for more helpful information. Be aware of what and how you use and dispose of household and garden chemicals. Also determine the location of nearby septic tanks or cesspools, and agricultural or industrial activities in the area. General information on known chemical contamination of ground water in Hawaii can also be found at the DOH website www.hawaii.gov/health/environmental/water/sdwb/conmaps/pdf/conmaps05.pdf

LABORATORIES

Local commercial laboratories can be found in the yellow pages of the telephone book under "Laboratories, Analytical." Whenever possible, utilize a laboratory that is certified or approved for the specific drinking water tests and carefully follow their instructions for collecting, storing, and transporting the samples. Just be sure to ask the lab to use EPA approved methods for drinking water analysis. A list of labs certified or approved by the Department of Health can be found at www.hawaii.gov/health/environmental/water/sdwb/sdwb/pdf/Testing%20Labs.pdf. As lab certification status changes constantly, confirm their status when you contact the lab. Please note that the list is limited to currently regulated contaminants in public water systems.

RESULTS

Once the lab provides you with the test results, you will be in a better position to determine if your well water is safe to drink or what contaminant you need to treat for. Generally, you should compare the results with Federal (www.epa.gov/safewater/nccl.html) and State (www.hawaii.gov/health/environmental/water/sdwb/sdwb/pdf/State%20MCL.pdf) drinking water standards. Where your test results are greater than the State or Federal maximum contaminant levels, your well water should be considered as unsafe for consumption.
TO: Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attention: Thomas See, Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response

FROM: Laura H. Thielen, Chairperson
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Benko Well (Well No. 2385-03)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-120-29.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiation of use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition, then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be regularly inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant's information, a source of possible wastewater contamination is not located near the proposed well site (information attached).

[ ] An NPDES permit is required.

[ ] Other relevant DOH rules/regulations, information, or recommendations are attached.

[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

No comments/objections.

Contact Person: Jerry Nunogawa, Eng. in Hilo
Signed: [Signature]
Date: 10-09-09
**COMMISSION ON WATER RESOURCE MANAGEMENT**

**ROUTE SLIP FOR NEW APPLICATIONS**

**FROM:**
RYAN
CHING, F.
FUJII, N.
GOODING, K.
HARDY, R.
HIGA, D.
HOAGBIN, S.
ICE, C.
IMATA, R.
KAWAHARA, K.

**DATE:**
31-Jul-09

**TO:**
KUNIMURA, I.
NAKAMA, L.
OHYE, M.
SAKODA, E.
SWANSON, S.
UYENO, D.
YODA, K.
YOSHINAGA, M.

**INIT. FOR:**
1 Approval
3 Signature
4 Information

**PLEASE:**
See Me
1 Review & Comment
Take Action
Type Draft acknow letter
2 Type Final, label file folder, update People.db
5 File
Xerox copies

**SUSPENSE DATE:**
7-Aug-09

**WELL NUMBER:**
2385-03

**WELL NAME:**
Benko

**WUP Number:**
a

**ATTACHMENTS FOR APPLICATION PROCESSING - Both applicant & staff generated**

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<tr>
<td>3</td>
<td>CWRM MAP</td>
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**FOLDER:**

- MADE NEW FILE FOLDER, ATTACHED
- FILE FOLDER ALREADY MADE, IN FILE CABINET

**INCOMPLETE ACTION DATES:**

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**WELL LOCATION:**

- H 72 east
Mr. Rod Diamond  
Diamond Construction and Water Well Drilling  
HCR #3 Box 14073  
Keeau, HI 96749

Dear Mr. Diamond:

Well Construction/Pump Installation Permit Application for Well No. 2385-03

We acknowledge receipt, on September 15, 2009, of your completed Well Construction/Pump Installation permit application and filing fee for the Benko Well (Well No. 2385-03). You can expect your application to be processed within ninety (90) days from this date.

For your information, the attached table describes the process, responsible parties, and deadline requirements for drilling or modifying a well and installing, modifying, or replacing a pump.

By this acceptance letter, we are also notifying the well operator/landowner that water may not be pumped for purposes other than testing until the certificate of well construction/pump installation completion letter is issued to the well operator and landowner. Additionally, the permitted pump capacity described on the pump installation permit may be reduced in the event that the pump test does not support the capacity. No certificate of pump installation will be issued until the Commission has determined that the pump capacity will not have adverse effects on the aquifer, other nearby wells, or streams. In other words, you may need to remove the pump and install a smaller pump at the Commission’s discretion before you can withdraw water for purposes other than testing.

If you have any questions about your permit application, please contact Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), 274-3141 (Kauai), 984-2400 (Maui), or 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

[Signature]

KEN C. KAWAHARA, P.E.  
Deputy Director

RI:ss  
Attachment  
c: John Benko
October 6, 2009

TO: Honorable Chiyoume L. Fukino, M.D., Director
    Department of Health
    Attention: Tomas See, Chief, Wastewater Branch
             Stuart Yamada, Chief, Safe Drinking Water Branch
             Alec Wong, Chief, Clean Water Branch
             Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response

FROM: Laura H. Thielen, Chairperson
      Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
         Benko Well (Well No. 2385-03)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:
[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title II, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.
[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition then Director of Health approval is required prior to implementation.
[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.
[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.
[ ] For the applicant's information, a source of possible wastewater contamination [ lies ] is not located near the proposed well site (information attached).
[ ] An NPDES permit is required.
[ ] Other relevant DOH rules/regulations, information, or recommendations are attached.
[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.
[ ] No comments/objections

Contact Person: ____________________________ Phone: ____________________
Signed: ____________________________ Date: ____________________
TO: Morris Atta, Administrator  
Land Division  

FROM: Ken C. Kawahara, P.E., Deputy Director  
Commission on Water Resource Management  

SUBJECT: Well Construction/Pump Installation Permit Application  
Benko Well (Well No. 2385-03) TMK 1-2-003:051

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255.

RESPONSE:

[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.

[ ] A water lease/permit is not required of this applicant.

[ ] A water lease/permit has been obtained by the applicant through lease no. __________________________.

[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.

[ ] No objections

[ ] Other comments:

Contact Person: ____________________________ Phone: __________________________

Signed: ____________________________ Date: __________________________
TO: Dr. Puaalaokalani Aiu, Administrator
    Historic Preservation
    Morgan Davis / Theresa Donham
    Historic Preservation
FROM: Ken C. Kawahara, P.E., Deputy Director
    Commission on Water Resource Management
SUBJECT: Well Construction/Pump Installation Permit Application
          Benko Well (Well No. 2385-03) TMK: 1-2-003:051

October 6, 2009

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by November 5, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application or request additional review time, please contact Ryan Imata of the Commission staff at 587-0255. If you require additional information regarding specific information that can be provided by the applicant, please contact the applicant directly at the contact information provided on the application form.

RESPONSE:

[ ] This is a [ ] public (county or state) project [ ] private project and [ ] will [ ] may disturb historic sites.

[ ] We concur that the work described under this permit will not disturb historic sites.

[ ] We do not concur that the work described under this permit will not disturb historic sites. We require the following for our concurrence:

Contact Person: ___________________________ Phone: ___________________________

Signed: ___________________________ Date: ___________________________
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Click here to enter search criteria for prior complaints history ->
For prior complaints and disciplinary history, contact licensing and business information center at (808) 587-3295.
Assessed values and Building Details reflect tax year 2009 for all islands. Taxes reflect tax year 2009.

Search criteria: TMK Taxkey 3-1-2-3-51

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This information has been supplied by third parties and has not been independently verified by Hawaii Information Service and is, therefore, not guaranteed.

Copyright ©9/29/2009 by Hawaii Information Service
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**TOTAL** $100.00

**REMARKS:**

LINE (1) Mydell Well 2
LINE (2) Benko Well
LINE (3) Harris 2009 Well (WUPA)
LINE (4) Harris 2009 Well (WCPA/PIPA)
WELL LOCATION INFORMATION

The following be attached before this application is accepted as complete (check if attached):

☐ Portion of 7.5-Minute Series USGS topographic map (scale 1:24,000) with well location labeled and include the name of the quad map.

☐ Property tax map, showing well location referenced to established property boundaries.

☐ A schematic diagram showing the well site, access road and proposed well infrastructure (if applicable).

5. WELL OPERATOR'S NAME/COMPANY: Benko Well

6. LANDOWNER'S NAME/COMPANY: John Benko

Well Operator's Mailing Address
1218 Sanchez St.
San Francisco, CA 94114

Landowner's Mailing Address

Well Operator's Phone
415-602-3263

Landowner's Phone

Well Operator's Fax

Landowner's Fax

Landowner's E-mail

10. Proposed Well Work:

☐ Construct New Well.

☐ Modify Existing Well.

☐ Abandon/Seal Well.

☐ Install New Pump.

☐ Replace Pump

☐ Flow meter

11. Proposed Pumping Rate, gpd (gallons per minute)

250

12. Proposed Amount of Withdrawal, gpd (gallons per day)

250

13. Method of flow measurement

☐ Open Pipe

☐ Well

☐ Orifice

☐ Other

OTHER LEGAL REQUIREMENTS

21. Conservation District Use Permit (CDUP)

☐ Required, CDUP #

☐ Not Required (attach documentation from OCCL)

X I have not checked with OCCL about whether or not a CDUP is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

22. Special Management Area Permit (SMA)

☐ Required, SMA #

☐ Not Required (attach documentation from applicable County agency)

X I have not checked with the County about whether or not an SMA is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

23. Historic Preservation Division (HPD) of the DLNR

☐ I have consulted with the HPD regarding potential impacts of well construction activities on historic sites. I understand that checking with the HPD prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued. Additionally the history of past land use is attached.

OTHER LEGAL REQUIREMENTS

21. Conservation District Use Permit (CDUP)

☐ Required, CDUP #

☐ Not Required (attach documentation from OCCL)

X I have not checked with OCCL about whether or not a CDUP is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

22. Special Management Area Permit (SMA)

☐ Required, SMA #

☐ Not Required (attach documentation from applicable County agency)

X I have not checked with the County about whether or not an SMA is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

23. Historic Preservation Division (HPD) of the DLNR

☐ I have consulted with the HPD regarding potential impacts of well construction activities on historic sites. I understand that checking with the HPD prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued. Additionally the history of past land use is attached.

ADDITIONAL REQUIREMENTS

24. WELL DRILLER (Must be filled out if application is for Well Construction) Rodney K Diamond

BC23379

C-76C-75 License No.

7-22-09

Rodney K Diamond

C-76C-75 License No.

7-22-09

Rodney K Diamond

HCR #3 Box 14073 Keaau HI 96749

987-8100 966-4129

25. PUMP INSTALLER (Must be filled out if application is for Pump Installation) Rodney K Diamond

BC23379

C-76C-75 License No.

7-22-09

Rodney K Diamond

C-76C-75 License No.

7-22-09

Rodney K Diamond

HCR #3 Box 14073 Keaau HI 96749

987-8100 966-4129
**PROPOSED WELL SECTION** (Please attach schematic if different from diagram provided below)

Elevation at top of casing: 131 ft., msl

Minimum of 2' Radius & 4" Thick Concrete Pad (to contain benchmark surveyed to nearest 0.01 ft.)

Ground Elevation: 130 ft., msl

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**Solid Casing Material:**

Carbon: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139

And compliant with (check one or more): □ ASTM A242 (or A606) □ Type E □ Type S □ Grade B □ Other

Stainless Steel: (check one): □ ASTM A409 (production wells) □ ASTM A312 (monitor wells)

ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one) □ Schedule 40 □ Schedule 80

PVC Plastic conforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one): □ Schedule 40 □ Schedule 80 □ Schedule 120

Thermoset Plastic: (check one) □ Filament Wound Resin Pipe conforming to ASTM D2996

□ Centrífugally Cast Resin Pipe conforming to ASTM D2997

□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517

□ Glass Fiber Reinforced Plastic Pressure Pipe conforming to AWWA C950

□ PTFE Fluorocarbon Tubing conforming to ASTM D3296

□ FEP Fluorocarbon Tubing conforming to ASTM D3296

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**Open Casing Material:**

Carbon: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139

And compliant with (check one or more): □ ASTM A242 (or A606) □ Type E □ Type S □ Grade B □ Other

Stainless Steel: (check one): □ ASTM A409 (production wells) □ ASTM A312 (monitor wells)

ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one) □ Schedule 40 □ Schedule 80

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□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517

□ Glass Fiber Reinforced Plastic Pressure Pipe conforming to AWWA C950

□ PTFE Fluorocarbon Tubing conforming to ASTM D3296

□ FEP Fluorocarbon Tubing conforming to ASTM D3296

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**For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or, Bottom Elevation of Well Limit = (Water Elevation - ) Example: Estimated + 2 ft. Water Level Elev. Bottom Elevation of Well Limit = (2 - ) = -18.5 ft.**

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*The approximate elevation must be referenced to mean sea level (msl) at the time of application filing. Final elevations of well components shall be submitted in the Well Completion/Well Abandonment reports and referenced to a benchmark which has been established by a surveyor licensed by the State.*

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**Please refer to the HAWAII WELL CONSTRUCTION AND PUMP INSTALLATION STANDARDS to ensure that your as-built is in compliance with applicable standards.**

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**Note:** Neither bentonite nor mud should be used in saturated zone during drilling.

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**Solid Casing Material:**

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And compliant with (check one or more): □ ASTM A242 (or A606) □ Type E □ Type S □ Grade B □ Other

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**Open Casing Material:**

Carbon: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139

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□ PTFE Fluorocarbon Tubing conforming to ASTM D3296

□ FEP Fluorocarbon Tubing conforming to ASTM D3296

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**Open Hole:**

Length: __NA__ ft.

Diameter: ________________ in.

Bottom Elevation: ________________ ft., msl

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**Grouting method:**

- □ Positive Displacement
- □ Other

Cement Grout: 96 ft.

(min. 70% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

Annular space between hole and casing (1.5" for positive displacement, 3" for other methods): 2 in.

Rock or Gravel Packing: 41 ft.

Material:

- □ Crushed Basalt
- □ Rounded Gravel

Estimated Water Level Elevation: 2 ft., msl*
Proposed location for Benko Well