MEMO and ROUTE SLIP

WCR 2 Check for Well No. 5946-04 (survey to regulation memo)

1. **Pump Tests Check** (special condition of PIP? Yes/No)
   - Glenn Bauer (initial if yes)
   - Yes  No

   **Step-Drawdown Test:**
   - followed WCPI Stds
   - analysis attached ☐ ☐
   - proposed pump cap o.k. ☐ ☐

   **Aquifer Pump Test:**
   - followed WCPI Stds ☐ ☐
   - T & S analysis attached ☐ ☐

   **Well Interference:**
   - estimated Steady-State drawdown at 1-mile radius is _________ ft.
   - analysis attached ☐ ☐

   **Stream Surface Water Impacted:**
   - ☐  ☐  If yes, identify most probable stream

2. **Pump Installation Check** Mitch Ohye (initial)

   Elevations correct ☐ ☐
   - Well database updated ☐ ☐

3. Charley/Lenore/Ryan (initial) take action based on above analysis

   Yes  No  If no, describe deficiency

   - WCR2 fully complete (latest form) ☐ ☐
   - WCR Special Cond. followed ☐ ☐
   - PUMP REPLACEMENT ☐ ☐
   - BUT new landowner is statute? (see attach) Water license necessary!

4. Roy (initial) check

5. Subia (initial) finalize w/electronic signature

6. Charley/Lenore/Ryan File

---

Please let Viome see and sign as this is an issue that keeps popping its head up and no water license or implementation of an executive order transferring land to county takes place to clear up the issue.
October 6, 2004

Mr. Milton Pavao
Department of Water Supply
County of Hawaii
345 Kekuanaoa Street, Suite 20
Hilo, HI 96720

Dear Mr. Pavao:

Well Completion Report for Well No. 5946-04

We received your Well Completion Report Part II for the Lalamilo Well D (Well No. 5946-04) on September 27, 2004 and acknowledge that it is complete.

Please note that the TMK provided (6-6-01:69) indicates that this well is located on state land. A water license from the State Department of Land and Natural Resources Land Division may be required. Please contact the State Land Division to resolve this issue.

If you have any questions, please contact Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), extension 70255.

Sincerely,

YVONNE Y. IZU
Deputy Director

RI:ss

c: DLNR, Land Division
Assessed Values reflect tax year 2004

<table>
<thead>
<tr>
<th>Taxkey</th>
<th>Subdiv/Condo</th>
<th>Tnr</th>
<th>Address</th>
<th>Owner/Lessee</th>
<th>Bds</th>
<th>Bths</th>
<th>Land area</th>
<th>Liv area</th>
<th>Last Sf</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-6-6-1-69</td>
<td>Lalamilo</td>
<td>G</td>
<td></td>
<td>STATE OF HAWAII</td>
<td></td>
<td></td>
<td>10,018 sqft</td>
<td></td>
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</tbody>
</table>

This information has been supplied by third parties and has not been independently verified by Hawaii Information. It is therefore, not guaranteed.
State of Hawai‘i
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

WELL COMPLETION REPORT – PART II
PUMP INSTALLATION
LALAMILO WELL D

Enclosed is the completed report for the above-mentioned well.

If there are any questions, please contact Mr. Lawrence Sousa at (808) 961-8790.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

LS:pt

Encs.
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
WELL COMPLETION REPORT - PART II
Pump Installation

Instructions: Please print in ink or type and send completed report (with attachments, if applicable) to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete reports. This form shall be submitted within 60 days of the completion of work. For assistance, please consult the Hawaii Well Construction and Pump Installation Standards or call the Regulation Branch at 587-0225. For updates to this form or additional information, please visit our website at http://www.hawaii.gov/dlnr/cwrm/

<table>
<thead>
<tr>
<th>1. State Well No.: 5946-04</th>
<th>Well Name: Lalamilo Well &quot;D&quot;</th>
<th>Island: Hawaii</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Address: Lalamilo Wellfield Access Road</td>
<td>Tax Map Key: 6-6-01:69</td>
<td></td>
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<tr>
<td>4. Date Pump Installed: 8/31/2004</td>
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<tr>
<td>5. PERMANENT PUMP INFORMATION (Attach pump specifications and rating curve)</td>
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<tr>
<td>Pump Type, Make, Serial No.: DW Submersible, Goulds, SN: 478308</td>
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<td>Rated Capacity: 1,000 gpm at head of: 1,190 ft.</td>
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<tr>
<td>Motor Type, H.P., Voltage, rpm: Byron Jackson, 400 HP, 2300V, 3510 RPM</td>
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<td></td>
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<tr>
<td>Type of flow meter: 6&quot; Rockwell which measures in GPM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Model Number</td>
<td>Serial Number</td>
<td>1317283</td>
</tr>
<tr>
<td>6. Method of flow measurement:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Flowmeter Manufacturer Make Size</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Weir □ Open Pipe □ Orifice* □ Other*, explain below</td>
<td></td>
<td></td>
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<tr>
<td>*attach schematic</td>
<td></td>
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<tr>
<td>7. Fill in the as-built section on the other side of this sheet.</td>
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<td></td>
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<tr>
<td>8. Attach photograph of well and concrete pad clearly showing benchmark on concrete pad.</td>
<td></td>
<td></td>
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<tr>
<td>9. Other remarks/comments: Replace Pump and Motor Complete</td>
<td></td>
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</tbody>
</table>

Pump Installation Contractor (print) Beylik Drilling & Pump Svcs C-57/C-57a/A Lic. No. AC-21896
Signature
Dwight Ho, Division Manager
Date 8/31/2004

Permittee (print) Dept. of Water Supply
Signature
Date 9/23/04
Bench mark elevation surveyed to nearest 0.01 ft. = +1086.17 ft. mean sea level

Elevation of top of chase tube +1086.17 ft. mean sea level

Pump intake depth = 1089 ft. (referenced to bench mark) 3.83 ft. mean sea level

Chase tube depth = 1082 ft. (referenced to bench mark) + 3.17 ft. mean sea level

If airline installed, bottom of airline elevation = N/A ft. mean sea level

TOTAL DEPTH: 1144 ft. (-58.83 msl)
FACSIMILE TRANSMITTAL

Date: March 18, 2004
To: Water Commission
Fax: 587-0219
From: Toni Gonsalves
Subj: Well Completion Reports

Hi Ryan,

Can you please fax over the well completion report to the following:

<table>
<thead>
<tr>
<th>Well No.</th>
<th>Well Name</th>
<th>TMK</th>
</tr>
</thead>
<tbody>
<tr>
<td>5946-04</td>
<td>Lalamilo Well D</td>
<td>6-6-001:069</td>
</tr>
</tbody>
</table>

Thanks in advance,

Toni G
Briefly describe the proposed work:

Lalamilo Well 'D' is being added to the Existing County of Hawaii Department of Water Supply Lalamilo Water System.

PROPOSED SECTION OF WELL

Elevation at top of casing 1085.2 ft., msl.

Cement Grout 100 ft.

Hole Dia. 22 in.

Total Depth 1145 ft.

Rock Packing 90 ft.

Ground Elev. 1083.5 ft., msl*

Solid Casing:
- Material: ASTM A242
- Length: 1060 ft.
- Diameter: 16 in.
- Wall thickness: 5/16 in.

Casing: / /Perforated /X/Screen
- Material: ASTM A242
- Length: 85 ft.
- Diameter: 16 in.
- Wall thickness: 5/16 in.
- Openings sq. in./L.F.

Open Hole:
- Length: 0
- Diameter in.

*Approximate elevation at time of filing application. Final elevation (msl) by a surveyor licensed by the State must be submitted at start of construction.

Toni - this is all I could find, it's proposed well section on app. form, but the app.

is for pump installation, so I'm assuming this is the as-built.
To: ROY HARDY - CWRM
From: Tom Nance
Subject: SOUTH KOREA WATER WIRE GROUP

(1) Copy of the Signed Memorandum of Understanding (pp. 2-5)
(2) Unsigned copy of Policies and Procedures (pp. 6-9)

Ryan - Found this. Should put copies in relevant folders.
MEMORANDUM OF UNDERSTANDING BETWEEN MAUNA
KEA PROPERTIES, INC., MAUNA LANI RESORT, INC.,
NANSAY HAWAII, INC. AND WAIKOLOA LAND COMPANY
ON COOPERATIVE REGIONAL WATER DEVELOPMENT

Mission Statement

To work jointly and cooperatively in developing and implementing a regional water plan which best serves the collective water needs of the parties and others within the region in a manner acceptable to relevant governmental authorities.

Objectives

The parties to this Memorandum of Understanding (collectively referred to as "South Kohala Water Study Group" or "Group") acknowledge and agree that it is in their long-term best interests to achieve the Mission set forth above in the following manner:

- Reach agreement on a regional plan for the development of sources and distribution systems for potable, non-potable water and effluent reuse;

- Form and establish, as equity participants, a private, regional water company or companies for the development, production, distribution and sale of potable, non-potable and effluent reuse resources serving the parties and others within the region;

- Reach bilateral and multilateral agreements achieving the staged implementation of the regional water plan;

- Publicly support and consider the commitment to the conditional, partial funding of the County of Hawaii Department of Water Supply's (DWS) development of its planned North Kohala Pipeline;

- Develop a Water Commitment Policy, which is incorporated herein by reference, containing guidelines and requirements for each Group Member securing a sufficient supply of water for actual use in accordance with a realistic timetable;
Coordinate the activities of the Water Study Group with all relevant State of Hawaii authorities, including but not limited to its Water Commission, in a manner which promotes and preserves the Group's ability to deal with regional water issues on a collective basis;

Communicate, where appropriate, with other interested parties within the region;

Enter into subsequent joint agreements intended to implement the objectives adopted herein.

**Governance**

The activities of the Group shall be governed and coordinated through an Executive Committee comprised of a designated representative of each signatory to this Memorandum of Understanding.

The Group Executive Committee shall:

- Approve all policies, agreements and expenditures made on behalf of the Group; provided, that if the representative of any Group member specifically disapproves of any such expenditure, that Group member shall be excused from its pro rata share of such expenditure;

- Approve the inclusion of additional members to and approve, except member in question, for the exclusion of existing members from the Water Study Group;

- Approve public statements and testimony regarding Water Study Group activities;

- Develop and approve an annual operating budget, project budgets and the individual party's obligations to fund the operations and the development of these planned projects;

- Be kept informed of all agreements entered into between Water Study Group members affecting the Group's Mission and Objectives;

- Coordinate all contact regarding the activities of the Water Study Group with governmental agencies;
Direct and approve the activities of all consultants retained by the Water Study Group relating to its stated Mission and Objectives.

All decisions of the Group shall be by the majority of the members of the Executive Committee except for "key decisions" which require unanimous approval. Key decisions include approval of the annual operating budget and individual members obligation to fund operations or make contributions to the development of planned projects, expenditures which are outside of the approved budget in excess of $5,000 in any single case or $25,000 in the aggregate and the addition of any new member to the Executive Committee.

Dispute Resolution

It is acknowledged that from time to time, disputes and disagreements may arise between the parties to this Memorandum of Understanding regarding regional water issues and that it is in their long-term collective best interests that such disputes be resolved without resort to governmental or judicial involvement.

The parties agree that they shall use their individual and collective best efforts to resolve any and all outstanding issues covered by this Memorandum. The parties further agree that in the event negotiations fail to result in acceptable agreement or resolution, they may voluntarily submit outstanding issue(s) to binding or nonbinding arbitration pursuant to terms agreed to by the parties.

North Kohala Pipeline

The parties agree to support the concept of a North Kohala pipeline transporting potable water to South Kohala being pursued by the Department of Water Supply, County of Hawaii.

In the event that the parties are reasonably satisfied that the North Kohala pipeline will be built, but no later than the start of construction, individual signatories to this agreement shall commit, on a fair and equitable basis, to the partial funding of said pipeline under acceptable terms and conditions to be negotiated.
Termination/Withdrawal

A majority of the members of the Group may terminate the Group and joint obligations contained in this Memorandum of Understanding. Individual Group members may withdraw from the South Kohala Water Study Group upon written notice to other members; provided, that members shall remain liable for their or its pro-rata share of costs of operations per the approved budget or amendments thereto, incurred during their membership or prior to withdrawal, as the case may be.

This Memorandum of Understanding is entered into this day of , 199__.

MAUNA KEA PROPERTIES, INC. NANSAY HAWAII, INC.

By Its By Its

MAUNA LANI RESORT, INC. WAIKOLOA LAND COMPANY

By Its By Its
DRAFT
Water Commitment Policies and Procedures
of the
South Kohala Water Users Group
Revised: [February 4, 1993]
March 9, 1993

The South Kohala Water Users Group ("Group") recognizes the need to develop a coherent set of policies and procedures for the development of groundwater to ensure maximum beneficial use of this limited resource, avoid conflicts among users, and facilitate the timely development of water tied to actual use. The parties to this document agree to abide by the policies and procedures it contains and encourage the State Commission on Water Resource Management ("Commission") to evaluate all drilling and pump installation permits received from other water users in the basin by the same criteria.

POLICIES

1. The group recognizes that all parties need assurance of the availability of water for their developments. The group further recognizes that such assurances can occur only if it is agreed to by all parties.

2. All drilling, well modification, and pump installation permits will be formulated to conform to the intent of the then current version of the Group's approved South Kohala Water [Master] Resource Plan.

3. All drilling, well modification, and pump installation permits will be submitted to the Group for its approval prior to submittal to the Commission. The Group's approval shall be based on the applicant's conformance with these policies, and the procedures listed below. The Group's approval shall not be unreasonably withheld if such conformance is demonstrated.

4. To minimize excessive use of groundwater, all effluent from sewage treatment plants shall be reused for irrigation unless it can be conclusively demonstrated to be physically and/or economically impractical for the developer of the irrigation supply or the ultimate user of the water.
4. All new landscaping, including golf course turfgrass, will be designed and implemented to minimize irrigation use. Efforts toward this end shall include choosing appropriate plant materials, use of proper soil types and thickness, and avoiding excessive turfgrass areas. Any new 18-hole golf course shall not use more than 0.75 MGD on year-round average nor more than 1.00 MGD over any seven-day period.

5. All new hotel, residential, commercial, and industrial development shall be designed to minimize water use and shall include appropriate water saving devices.

6. Drilling permits should be supported if consistent with the Water Resource Plan as they provide much needed information about this region's aquifer.

7. Pump installation permits shall not be sought more than two years in advance of actual need [to avoid creating false shortages of supply and inappropriate positioning for the resource, potentially denying others their fair and equitable use].

8. Members of the Group agree to devise water use standards for consumption of potable and irrigation water use in order to implement these policies.

9. It is recognized that agreements between two or more parties may be necessary to facilitate respective water development. [Such agreements shall be consistent with these policies and procedures.]

PROCEDURES

1. All applications for drilling, well modification, and pump installation permits, including extensions of these permits, will be submitted for review and approval by the Group to ensure conformance with the intent of the Group's policies and [master] water resource plan prior to submittal to the Commission.

2. To initiate the Group's review, application will be submitted with the following supporting information:

   a. Quantity [and timing] of potable and/or non-potable supply requirements, including the basis for these projections (unit counts, acreage, etc.).
b. Measures taken to avoid excessive potable and/or non-potable water use.

c. Exact location of the water uses, including land use plans, TMKs, etc.

d. Approved State land use designation; County General Plan designation; County zoning; use permit for district use; and the prospective land use approvals, including subdivision, needed to achieve the desired land use.

e. The project's site specific water master plan for potable and not potable water shall be submitted.

f. Exact location, dimensions, and pump capacity of the well (or wells) to be developed to meet these supply requirements.

[g. A development schedule indicating the date of actual water use.]  

3. The Group's review and response to the application shall be completed within 45 days. The response shall judge the application's conformance with these policies and with the South Kohala Water [Master] Resource Plan, [the appropriateness of the timing of the application,] and the [ ] [Unless there are compelling reasons otherwise, the timing of an application shall be deemed inappropriate unless all land use approvals through and including County zoning have been received and the actual use of water, based on a firm schedule, is to begin within two years.] Listed below are specific criteria of the Group's review of applications.

a. If conformance with these policies and procedures is demonstrated [and the timing of the application is appropriate,] the Group's approval shall not be unreasonably withheld.

b. If the application fails to meet the standards for acceptability set out herein, no submittal of the application to the Commission shall be made until revisions satisfactory to the Group are made.

[c. The Group's approval for a pump installation permit shall be given only after tentative subdivision approval for the project to be served has been given.]  

[d. If a proven water source is a condition of County zoning or use permit approvals, the Group's approval of a well construction permit shall be given only if evidence of the actual water use within two years is provided.]
These Water Commitment Policies and Procedures are entered into this day of _______________ 1993.

Mauna Kea Properties, Inc.

By: ____________________________
   Its

Mauna Lani Resort, Inc.

By: ____________________________
   Its

NaNay Hawaii, Inc.

By: ____________________________
   Its

Waikoloa Land Company

By: ____________________________
   Its
Mr. Milton Pavao, Manager
Department of Water Supply
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Pavao:

Well Completion Report for Well No. 5946-04

We have received your Well Completion Report Part II for the Lalamilo D Well (Well No. 5946-04) and acknowledge that it is complete.

If you have any questions, please contact Mr. Ryan Imata of the Commission staff at 587-0255 or toll-free at 974-4000 (Hawaii), extension 70255.

Sincerely,

TIMOTHY E. JOHNS
Deputy Director
PART II. (PERMANENT) PUMP INSTALLATION REPORT

20. Pump Installation Company: Roscoe Moss Hawaii, Inc.

21. Name of person performing work: Derrick Moreira

22. Date Pump Installation Completed: April 9, 1998

23. PUMP INSTALLATION:
   - Pump Type, Make, Serial No.: Submersible, ESP, TM1108-7, SN: 208A00460
   - Capacity: 1000 gpm
   - Motor type, H.P., Voltage, rpm: Submersible, 400 HP, 2300V, 3500 RPM
   - Depth of Pump Intake Setting: 1098.33 ft. below Surface, which elevation is 1085.17 ft.
   - Depth to bottom of airline: 1091.25 ft. below Surface, which elevation is 1085.17 ft.
   - Pumping Head is 1190 ft. Type of flow meter: Turbine which measures in GPM

24. As-built drawings attached? Yes _ No

25. Other remarks/comments: (See below)

<table>
<thead>
<tr>
<th>Pump Installation Contractor (print)</th>
<th>Roscoe Moss Hawaii, Inc. C-57 Lic. No. AC-16437</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature</td>
<td>Norman H. Messinger, Senior Sales</td>
</tr>
<tr>
<td>Date</td>
<td>4/20/98</td>
</tr>
</tbody>
</table>

8.(cont'd) DRILLER'S LOG (cont'd):

<table>
<thead>
<tr>
<th>Water Level Dates</th>
<th>Depth (ft.)</th>
<th>Rock Description, Remarks</th>
<th>Water Level Dates</th>
<th>Depth (ft.)</th>
<th>Rock Description, Remarks</th>
</tr>
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19. & 25. Remarks: WELL 5946-04 LALAMIL0 D
**State of Hawaii**  
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
**Department of Land and Natural Resources**

**WELL COMPLETION REPORT**  
3/20/96 WCR Form

(Com)mission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. An as-built drawing of the well and chemical analysis should also be submitted. For assistance call the Commission Regulation Branch at 587-0225, or 1-800-468-4644 Extension 70225.

1. **State Well No.:** 5946-04  
   **Well Name:** LALAMIO DEEP WELL D  
   **Island:** HAWAII

2. **Location/Address:** SOUTH KOHALA  
   **Tax Map Key:** 6-6-001:069

**PART I. WELL CONSTRUCTION REPORT**

3. **Drilling Company:**

4. **Name of driller who performed work:**

5. **Type of rig/construction:**

6. **Date(s) Well Construction and pump tests (if any) completed:**

7. **GROUND ELEVATION (referenced to mean sea level, msl):**
   - **Well Bench Mark (description/location):**
   - **Elevation (msl):**

8. **DRILLER’S LOG:** Please attach geologic log (if available or if required by permit)
   
9. **Total depth of well below ground:**

10. **Hole size:**
   - inch dia. from ft. to ft. below ground
   - inch dia. from ft. to ft. below ground

11. **Casing installed:**
   - in. I.D. x in. wall solid section to ft. below ground
   - in. I.D. x in. wall perforated section to ft. below ground
   - **Casing Material/Slot Size:**

12. **Annulus:**
   - Grouted from ft. below ground to ft. below ground
   - Gravel packed from ft. below ground to ft. below ground

13. **Initial water level:**

14. **Initial chloride:** ppm Date and time of sampling:

15. **Initial temperature:** °F Date and time of measurement:

16. **PUMPING TESTS:** Reference Point (R.P.) used:
   - **Step-Drawdown Test Date**
   - **Long-term Aquifer Test Date**
   - **Aquifer Pump Test Procedures data & graphs (1/9/96 LTAT Form) attached?** Yes No

17. **As-built drawings attached?** Yes No

18. **Other remarks/comments:**

19. **Signatures:**
   - Well Drilling Contractor (print)
   - C-57 Lic. No.
   - Signature Date
   - Surveyor (print)
   - Lic. No.
   - Signature Date
   - Applicant (print)
   - Signature Date
1086.52 Ft Elev

1085.17 Ft Elev

Concrete Base

- 6.08 Ft Elev.
  Bottom of Air Line
  1-1/4" PVC. Sched 80
  1-1/2" PVC. Sched 80

- 13.16 Ft Elev
  Bottom of Pump

- 19.68 Ft Elev
  Bottom of Seal

- 45.85 Ft Elev
  Bottom of Motor

- 46.18 Ft Elev
  Bottom of Screened Shroud
  13-3/8" OD x 39.77 Ft.

Pump: ESP
  TM1100B-7 Stage
  1000 GPM @ 190 TDH

Seal: ESP. TR7HL

Motor: ESP
  400 HP, 3500 RPM
  2300V/3Ph/60Hz

Roscoe Moss HI, INC
91-259A Olai St. Kapolei, HI 96707
808 682 5554 PH 808 682 5666 FX
LALAMILLO DEEPWELL "D"
SUBMERSIBLE PUMP INSTL.
May 4, 1998

State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

LALAMILO DEEP WELL “D”
WELL COMPLETION REPORT

Enclosed please find the completed Well Completion Report for Lalamilo Deep Well “D.”

If you have any questions, please call Mr. Clyde Young at 961-3723.

Milton D. Pavao, P.E.
Manager

dms

Enc.

...Water brings progress...
### WCR 2 Check for Well No. 5946-04 (survey to regulation memo)

1. **Pump Tests Check** *(special condition of PIP? Yes/No)*  
   - Glenn Bauer *(initial if yes)*  
   
   **Yes** | **No** | **If no, describe deficiency**  
   --- | --- | ---  
   **Step-Drawdown Test:**  
   - acceptable  
   - followed WCPI Stds  
   - analysis attached  
   - proposed pump cap o.k.  

2. **Aquifer Pump Test:**  
   - acceptable  
   - followed WCPI Stds  
   - T & S analysis attached  

3. **Well Interference:**  
   - estimated Steady-State  
   - drawdown at 1-mile radius is *__________* ft.  
   - analysis attached  

4. **Stream Surface Water Impacted:**  
   - If yes, identify most probable stream  

2. **Pump Installation Check**  
   - Mitch Ohye *(initial)*  
   
   **Yes** | **No** | **If no, describe deficiency**  
   --- | --- | ---  
   - data complete  
   - followed WCPI Stds  
   - wellphys.dbf updated  
   - welaplic.dbf updated  

---
Mr. Marshall Medoff  
6636 Portside Road  
Malibu, California 90265

Dear Mr. Medoff:

I am writing in response to your October 25, 1991 request for a contested case hearing regarding the issuance of a pump installation permit to the County of Hawaii for well site D at Lalamilo, South Kohala, Hawaii.

On October 16, 1991, the Commission on Water Resource Management considered approving a pump installation permit for a pump that had been installed in November 1990. According to the records of the Department, the Board of Land and Natural Resources granted a right of entry to the County of Hawaii and its assigns on December 8, 1983, to go on the land in question. Subsequently, on April 18, 1984, the Board issued a well permit to Mauna Lani Resorts, Inc. the proposed user. Under the law prior to the enactment of the Water Code (HRS chapter 174C) in 1987, a well permit authorized both the drilling of the well and the installation of a pump of the capacity indicated on the form. In fact, under the prior Department of Land and Natural Resources Rule § 13-166-34(b), an application for a well permit "shall not be disapproved;..."

Consequently, the Water Commission's action approving a pump installation permit on October 16, 1991, was legally unnecessary as there already was a vested right to install the pump under the 1984 permit. No application was required under the new Water Code. It was the opinion of the Attorney General at the October 16, 1991 meeting that no vote was necessary. The Commission voted to withdraw the matter from the agenda.
Therefore, there was no live issue over which to have a contested case hearing.

In light of the foregoing, your request for a contested case hearing is respectfully denied.

Very truly yours,

WILLIAM W. PATY
LAWA'ILO "O" 5946-04, HAWAI'I

1. ORIGINAL APPLICATION TO CONSTRUCT RECEIVED 8-18-83.

2. PERMIT ISSUED 4-18-84 TO:
   MAUNA LOA RESORT. (LOT NO. 166) 340
   (I THINK ITS COMBINED WELL & PUMP)
   (EVEN THOUGH PERMIT ANKS WERE DRAWN)

3. RECEIVED WELL COMPLETION REPORT
   2-13-85. NO DATA REGARDING PUMP!

4. PUMP INST. APPIC. RECEIVED 9-23-91

CONTTESTED CASE REQUEST: MEDOFF

JAN 28, 1992 (DENIED)
TO ____________________________________________

DATE _______________ TIME ______________________

WHILE YOU WERE OUT

M ________________________________

of ______________________________

Phone ________________________________

TELEPHONED [ ] PLEASE CALL [ ]

CALLED TO SEE YOU [ ] WILL CALL AGAIN [ ]

WANTS TO SEE YOU [ ] URGENT [ ]

RETURNED YOUR CALL [ ]

Message

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Operator ____________________________
William W. Paty, Chairperson
State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 373
Honolulu, Hawaii 96809

FAX TRANSMISSION 567-0219 AND CERTIFIED MAIL

Dear Mr. Paty:

This letter constitutes a petition for a Contested Case
hearing of the action taken by the CWRM at its meeting on
October 16, 1991, Agenda Item #9, pursuant to Administrative
Rule 13-167-52.

1. The legal authority under which the proceeding, hearing
or action is to be held or made is the U. S.
Constitution, Constitution of the State of Hawaii, CH
54 HRS, CH 91 HRS, CH 92 HRS, CH 171 HRS, CH 174C HRS,
CH 177 HRS, CH 178 HRS, and the Administrative Rules
promulgated thereunder and such other law as may be
determined to apply, including State conflict of
interest and corruption laws.
October 25, 1991

Page 12

2. The petitioner's interest that may be affected includes his property interest in land in the aquifer involved, and his assertion that the action taken by the CWRM is illegal, beyond its authority and will deprive him of constitutional and statutory rights to water in the aquifer by virtue of a monopoly transfer of a state water resource to a single private developer, for a nonpublic purpose, where an insufficient of water exists.

3. The disagreement, denial or grievance which is being contested by the petitioner is the allowance by the CWRM on October 16, 1991 of an application by the County of Hawaii Water Department to install a pump in Lalamilo Well D by a ruling, order, or opinion of the CWRM that a well drilling permit filed on August 15, 1983 by Mauna Lani Resort, Inc. (MLR) created that right retroactively, notwithstanding that the application of August 15, 1983 was invalid and illegal and that no statute or rule of the CWRM ever established such a right, and that the action of the CWRM was made without the benefit of a valid quorum, in executive session, and in violation of State statute.

4. The basic facts and issues are as follows:

On September 4, 1991 the County of Hawaii Water Department Manager applied to the CWRM asserting ownership of Well D Lalamilo by the County Water Commission, on an application with an undated signature thereon of William Pety as the Landowner.

This application was to obtain approval of an "after the fact" pump installation permit for Well D Lalamilo. The pump was installed, according to the applicant, about a year ago without the benefit of a permit, application or approval by the CWRM as required by the State Water Code. The MLR and the County Water Manager were aware of a pending dispute resolution adjudication request before the CWRM on Well D water. In order to avoid a potentially adverse ruling, and in an attempt to create "equitable" rights, the MLR, with the
exists allowing an executive session of the Board to vote secretly.

In violation of CH 92 HRS a valid quorum did not exist on October 16, 1991, as Commissioner Guy Fujimura has an active conflict of interest in this matter, and he should not have participated in the Board's deliberations. The petitioner put this conflict issue on the record at the Board meeting of October 16, 1991. The Chairperson improperly failed to put the matter before the Commissioner involved and take appropriate action.

5. The relief to which the petitioner seeks or deems himself entitled is that the CWRM reverse its action of October 16, 1991 and rule, order and issue an opinion to the effect that the "after the fact" well pump installation permit application of the Water Department of the County of Hawaii be withdrawn until a valid well drilling permit application is obtained from the State of Hawaii; and until the County of Hawaii Water Department obtains a valid vote of its Water Commission to pursue a set aside of State land for a true public purpose as required by CH 171 HRS, and that that set aside request is approved by the County Council as required by CH 54 HRS, and until such valid request is approved by the Board of DLNR and signed by the Governor.

The petitioner seeks a fair hearing on the action taken by the CWRM on October 16, 1991 to establish that such action was improper and invalid, and affected private rights of the petitioner and procedure available to the public, as more fully set forth herein.
October 25, 1991
Page 83

The "after the fact" well pump installation application before the CNRM was invalid and illegal. It was not filed by the landowner, the State of Hawaii, as required by law. Such a filing would have required appropriate State approval. This has not occurred.

Manabu Tagamori of the CNRM was aware of the above facts which he withheld from the Board due to his personal relationship with the County Water Manager and MLR. This was inappropriate conduct by a state official.

In addition, a well drilling application made on August 15, 1983 by MLR to drill Well D was illegal and void. The County Water Commission never approved the application. The State which owns the land was not a party to the application, nor was it approved by the State as required by law. The application to drill Well D was without any lawful authority. MLR and the County Water Manager knew this, as did various State officials. MLR and the County of Hawaii Water Department obtained no rights by the invalid and illegal application of August 15, 1983.

The action taken by the CNRM on October 16, 1991 to add pump installation permit rights to the application of August 15, 1983 improperly adds further State illegality to the application, a clearly invalid and ineffective act. The action taken by the CNRM by its ruling, order or opinion of October 16, 1991 was invalid as it violated CH 91-2(b) HRS. No rule exists which allows an executive session of the Board to vote secretly. No statute or administrative rule allows or authorizes a final order to be entered in effect validating an application filed in 1983 for well pump installations made in 1990, after the effective date of adoption of the State Water Code. This attempt to "grandfather" an illegal 1983 application for all purposes is not authorized by the State Water Code or its administrative rules. See CH 91.1(4) HRS. The action taken by the CNRM by its rule, order and opinion on October 16, 1991 violated CH 92 HRS. No rule or law
October 25, 1991
Page 6

6. The identification of any and all other persons who may or will be affected by the relief which petitioner seeks are all persons within the hydrologic unit who have some interest in the land, including the State of Hawaii, Hawaiian Homelands, and the University of Hawaii, as well as those who lawfully reside on the land, who are adjacent property owners, all of whom will be directly and immediately affected by the proposed action of the Board, all of whom have and will be denied water, and whose constitutional rights, statutory rights and correlative water rights are being threatened.

Very truly yours,

MARSHALL MEDOFF

[Signature]
TO:  
FAX: 1028818085870390

FROM:  MÄRSHALL MEDOFF
FAX: 213-457-5784
TEL: 213-457-5510

02 PAGE[S] TO FOLLOW

COMMENT: URGENT!
Mr. William Paty, Chairperson  
Board of Land and Natural Resources  
and Commission on Water Resource Management  
P.O. Box 621  
Honolulu, Hawaii 96809

Kathleen A. Callaghan, Director  
Office of Information Practices  
Department of the Attorney General  
426 Queen Street, Room 201  
Honolulu, Hawaii 96813-2904

FAX Transmission

Dear Sir and Madam:

The file on Lalamilo Wall D of the Department of Land and Natural Resources, Land Management Office, was sought by me in person on October 16, 17, and 18, 1991 at DLNR, Land Management Offices.

This file was necessary for preparation of a contested case hearing request made the morning of October 16, 1991, before the Commission on Water Resource Management (CWRM). It was known that I had flown in from Los Angeles, California for this matter, and would be in Hawaii for just a few days. Mr. William Tam, Assistant Attorney General, represented the CWRM at its meeting.

The request for public access to inspect and copy the file made on October 16, 1991 led to the disclosure on October 17, 1991 that the file was in the possession of William Tam, Assistant Attorney General.

I immediately called his office to attempt to make arrangements to see the file that same day. I explained to Mr. Tam's secretary the situation concerning my willingness to come to Mr Tam's office or to another location for public inspection and copying under Chapter 92F, HRS. I explained I would be in Honolulu until Saturday afternoon.
Page 82
October 22, 1991

The net result of many calls to Mr. Tam's office, to Attorney General Price's office, and a personal visit to Mr. Paty's office regarding the matter, was that the file remained secreted in Mr. Tam's possession and was not made available.

This deliberate public access violation of Chapter 92F, RAS, is action by state authority to wrongfully assist a private developer in violation of my statutory and constitutional rights.

Very truly yours,

[Signature]

MARSHALL MEDOFF
Mr. William Sewake, Manager  
Department of Water Supply  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Dear Mr. Sewake:

Pump Installation Permit Application for  
Lalamilo Well D (Well No. 5246-04)

The Commission on Water Resource Management, at its meeting of  
October 16, 1991, in Honolulu, withdrew your application for a pump installation  
permit for Lalamilo Well D.

The Commission determined that the permit issued by the Board of Land  
and Natural Resources on April 18, 1984 provided for the installation of a 1000  
gallons per minute pump in the well. As a result, a new pump installation permit  
for Lalamilo Well D is not required.

Very truly yours,

[Signature]

ES:bm

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE)  
WAS SENT  

** COUNT **  
# 1

*** SEND ***

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XEROX TELECOPIER 7020
Executive Order No. 3527

Setting Aside Land for Public Purposes

By this Executive Order, I, the undersigned, Governor of the State of Hawaii, by virtue of the authority in me vested by Section 171-11, Hawaii Revised Statutes, and every other authority me hereunto enabling, do hereby order that the public land hereinafter described be, and the same is, hereby set aside for the following public purposes:

FOR WELL SITE PURPOSES, to be under the control and management of the COUNTY OF HAWAI'I, a political subdivision of the State of Hawaii, for its Department of Water Supply, as authorized by the Board of Land and Natural Resources at its November 18, 1983 meeting (Item F-2), being that parcel of land situate at Lalamilo, Waimea, South Kohala, Island of Hawaii, Hawaii, designated "Well Site 4 and Easement H," consisting of the following:

WELL SITE 4, containing an area of 10,000 square feet, more or less, and

EASEMENT H, being a perpetual Non-Exclusive Access and Utility Easement, containing an area of 72,413 square feet, more or less,

all more particularly described in Exhibit "A" and delineated on Exhibit "B," both of which are attached hereto and made parts hereof, said exhibits being, respectively, a survey description and survey map prepared by the Survey Division, Department of Accounting and General Services, State of Hawaii, both being designated as C.S.F. No. 21,585 and dated August 22, 1991.

SUBJECT, HOWEVER, that upon cancellation of this executive order and/or in the event of non-use or abandonment of the premises or any portion thereof for a continuous period of one (1) year, the COUNTY OF HAWAI'I shall, within a reasonable time, restore the premises to a condition satisfactory and acceptable to the Department of Land and Natural Resources, State of Hawaii.

SUBJECT, further, to disapproval by the Legislature by two-thirds vote of either the Senate or the House of Representatives or by majority vote of both, in any regular or special session next following the date of this Executive Order. In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Hawaii to be affixed.

Done at the Capitol at Honolulu this 22nd day of October, Nineteen Hundred and Ninety-One.

[Signature]
Governor of the State of Hawaii

Approved as to form:

[Signature]
Deputy Attorney General

Dated: 10/21/91

7603E
State of Hawaii
Office of the Lieutenant Governor

This is to Certify That the within is a true copy of Executive Order No.......
setting aside land for public purposes, the original of which is on file in this office.

In Testimony Whereof, the Lieutenant Governor of the State of Hawaii, has hereunto subscribed his name and caused the Great Seal of the State to be affixed.

DONE in Honolulu, this ......................... day of ...................................................., A.D. 19.........

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WELL SITE 4 AND EASEMENT H

Lalamilo, Waimea, South Kohala, Island of Hawaii, Hawaii


WELL SITE 4

Beginning at the northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PA" being 1711.97 feet North and 24,962.02 feet West, thence running by azimuths measured clockwise from True South:

1. 352° 00' 100.00 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;
2. 82° 00' 100.00 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;
3. 172° 00' 100.00 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;
4. 262° 00' 100.00 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea to the point of beginning and containing an AREA OF 10,000 SQUARE FEET.
EASEMENT H: Perpetual Non-Exclusive Access and Utility Easement.

Beginning at the northwest corner of this easement and on the south boundary of Well Site 4, the true azimuth and distance to the end of Course 2 of the above-described Well Site 4 being: 82° 00' 30.00 feet, thence running by azimuths measured clockwise from True South:-

1. 262° 00' 40.00 feet along Well Site 4;

2. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to left with a radius of 980.00 feet, the chord azimuth and distance being: 343° 57' 274.47 feet;

3. 335° 54' 381.88 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

4. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being: 355° 46' 251.48 feet;

5. 15° 38' 368.75 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

6. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to the left with a radius of 500.00 feet, the chord azimuth and distance being: 1° 45' 239.95 feet;

7. 347° 52' 284.28 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

8. 18° 21' 45' 7.73 feet along Well Site 2, Governor's Executive Order 3221;

9. 108° 21' 45' 30.00 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;
10. 18° 21' 45"

20.15 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

11. 167° 52'

293.08 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

12. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to the right with a radius of 540.00 feet, the chord azimuth and distance being:

181° 45' 259.14 feet;

13. 195° 38'

368.75 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

14. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to the left with a radius of 330.00 feet, the chord azimuth and distance being:

175° 46' 224.29 feet;

15. 155° 54'

381.88 feet along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea;

16. Thence along the remainder of the land of Lalamilo, an ili of the Government (Crown) Land of Waimea on a curve to the right with a radius of 1020.00 feet, the chord azimuth and distance being:

163° 57' 285.68 feet
to the point of beginning and containing an AREA OF 72,413 SQUARE FEET.

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

By: Raymond S. Nakamura
Land Surveyor

Compiled from data furn. by Belt Collins & Assoc., and Govt. Survey Records.
September 5, 1991

HAND-DELIVERED

Mr. Mason Young
Department of Land and
Natural Resources
Land Management Division
1151 Punchbowl Street, Room 220
Honolulu, Hawaii 96813

Re: Lalamilo Water System
Pump Permit

Dear Mason:

We are assisting the County of Hawaii Water Department in expediting the processing of Lalamilo Water System developments.

Attached is an application for Lalamilo Water System Well "D" Pump. It has been executed by Bill Sewake of the Hawaii Department of Water Supply as applicant. Well "D" was developed by Mauna Lani Resort as part of its existing agreements with the County and State and recently accepted by Hawaii County's Water Commission.

Please note that the application form calls for the signature of the Landowner, the State of Hawaii. It would be very much appreciated if your office would execute the application for submission to the Water Commission.

As you are aware, it is anticipated that the land surrounding Well "D" and appurtenances will later be transferred to the Hawaii County Water Commission by the State.
Please let me know if you have any questions. If you would be good enough to call our office once the attached application has been executed, we will hand deliver it to the Water Commission.

Many thanks, Mason.

Very truly yours,

JEFFREY N. WATANABE
WATANABE, ING & KAWASHIMA

JNW:syk
Enclosure

cc: Bill Sewake
    Manabu Tagomori
    Francine Duncan
    Tom Nance
APPLICATION FOR

X PUMP INSTALLATION PERMIT

INSTRUCTIONS: Please print or type and send completed application with attachments to the Division of Water and Land Development, P.O. Box 375, Honolulu, Hawaii 96809. Application must be accompanied by a non-refundable filing fee of $25.00 payable to the Department of Land and Natural Resources. (Filing fee waived for government agencies.) If necessary, phone 548-7543, Hydrology/Geology Section for assistance.

1. WELL LOCATION

Island Hawaii Tax Map Key 6-6-01:69
Address Lalamilo, North Kona, Hawaii (Well No. 5946-04)
(Attach a USGS map (scale 1"=2000') and property tax map showing well location referenced to established property boundaries.)

2. WELL OWNER: Water Commission of the County of Hawaii - Department of Water Supply

Firm Name of Water Supply
Contact Person William Sewake
Address 25 Aupuni Street
Hilo, Hawaii 96720
Phone 969-1421

LANDOWNER: State of Hawaii - Department of Land and Natural Resources

Firm Name
Contact Person
Address 1151 Punchbowl Street
Honolulu, Hawaii 96813
Phone

3. PROPOSED CONTRACTOR FOR: ☐ Well Drilling ☐ Pump Installation

Name Roscoe Moss Company
Address 830 Ahua Street
Honolulu, Hawaii 96819
Phone 839-6888

Contractor's License No. C-16437

4. PROPOSED WORK

☐ Drill New Well ☐ Deepen ☐ Redrill
☐ Alter ☐ Seal ☐ Abandon
☐ Install New Pump ☐ Replace Pump ☐ Modify Pump

(Briefly describe the proposed work and fill in the diagram on the back of this form.)

5. PROPOSED USE

☐ Municipal (including hotels, stores, etc.) ☐ Military
☐ Domestic (individual, noncommercial water systems) ☐ Industrial
☐ Irrigation (specify) ☐ Other (specify)

6. PROPOSED AMOUNT OF WITHDRAWAL 1.0 million gallons per day

7. PROPOSED PUMP INFORMATION

Pump Type: ☐ Vertical Turbine ☐ Submersible ☐ Centrifugal
Motor: ☐ Diesel ☐ Gas ☐ Electric: 400
Rated Pump Capacity 1,000 gallons per minute (gpm)

___________________________
Well Owner (print)
Date 6/26/91

___________________________
Landowner (print)
Date

For Official Use Only:
Field Checked By
Date

Latitude
Hydrologic Unit

Longitude
State Well No.
Briefly describe the proposed work:

Lalamilo Well 'D' is being added to the Existing County of Hawaii Department of Water Supply Lalamilo Water System.

PROPOSED SECTION OF WELL

Elevation at top of casing 1085.2 ft., msl.

Cement Grout 100 ft.
Hole Dia. 22 in.
Total Depth 1145 ft.
Rock Packing 90 ft.

Ground Elev. 1083.5 ft., msl*

Solid Casing:
Material ASTM A242
Length 1060 ft.
Diameter 16 in.
Wall thickness 5/16 in.

Casing: / /Perforated /X/Screen
Material ASTM A242
Length 85 ft.
Diameter 16 in.
Wall thickness 5/16 in.
Openings _____ sq. in./L.F.

Open Hole:
Length 0
Diameter _______ in.

*Approximate elevation at time of filing application. Final elevation (msl) by a surveyor licensed by the State must be submitted at start of construction.
State of Hawaii
Commission on Water Resource Management
Department of Land and Natural Resources
Division of Water Resource Management
P. O. Box 621
Honolulu, HI 96809

APPLICATION FOR PUMP INSTALLATION PERMIT
LALAMILO WELL "D" (WELL NO. 5946-04)

We are submitting for your processing the subject permit application.

H. William Sewaka
Manager

GK
Enc.
APPLICATION FOR

WELL CONSTRUCTION PERMIT
X PUMP INSTALLATION PERMIT

INSTRUCTIONS: Please print or type and send completed application with attachments to the Division of Water and Land Development, P.O. Box 371, Honolulu, Hawaii 96859. Application must be accompanied by a non-refundable filing fee of $125.00 payable to the Department of Land and Natural Resources. (Filing fee waived for government agencies.) If necessary, phone 548-1513, Hydrology/Geology Section for assistance.

1. WELL LOCATION

Island Hawaii Tax Map Key 6-6-01:69

Address Lalamilo, North Kona, Hawaii (Well No. 5946-04)

(Attach a USGS map (scale 1"=2000') and property tax map showing well location referenced to established property boundaries.)

2. WELL OWNER: Water Commission of the County of Hawaii - Department of Water Supply

Firm Name

Contact Person William Sewake

Address 25 Aupuni Street

Hilo, Hawaii 96720

Phone 969-1421

LANDOWNER: State of Hawaii - Department of Land and Natural Resources

Firm Name

Contact Person

Address 1151 Punchbowl Street

Honolulu, Hawaii 96813

Phone

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Honolulu, Hawaii 96819

Contractor's License No. C-16437

Phone 839-6888

4. PROPOSED WORK

☐ Drill New Well ☐ Deepen ☐ Alter ☐ Install New Pump

☐ Seal ☐ Replace Pump ☐ Redrill ☐ Abandon ☐ Modify Pump

(Briefly describe the proposed work and fill in the diagram on the back of this form.)

5. PROPOSED USE

☐ Municipal (including hotels, stores, etc.) ☐ Military

☐ Domestic (individual, noncommercial water systems) ☐ Industrial

☐ Irrigation (specify) ☐ Other (specify)

6. PROPOSED AMOUNT OF WITHDRAWAL 1.0 million gallons per day

7. PROPOSED PUMP INFORMATION

Pump Type: ☐ Vertical Turbine ☐ Submersible

Motor: ☐ Diesel ☐ Gas ☐ Electric: 400 ☐ Centrifugal

Rated Pump Capacity 1,000 gallons per minute (gpm)

[Signature] [Signature]

Well Owner (print) Landowner (print)

Date 6/26/91 Date

For Official Use Only:

Field Checked By Latitude Hydrologic Unit

Date Longitude State Well No.
Briefly describe the proposed work:

Lalamilo Well 'D' is being added to the Existing County of Hawaii Department of Water Supply Lalamilo Water System.

**PROPOSED SECTION OF WELL**

Elevation at top of casing 1085.2 ft., msl.

Cement Grout 100 ft.

Hole Dia. 22 in.

Total Depth 1145 ft.

Rock Packing 90 ft.

Ground Elev. 1083.5 ft., msl*

Solid Casing:
- Material: ASTM A242
- Length: 1060 ft.
- Diameter: 16 in.
- Wall thickness: 5/16 in.

Casing: / /Perforated /X/Screen
- Material: ASTM A242
- Length: 85 ft.
- Diameter: 16 in.
- Wall thickness: 5/16 in.
- Openings sq. in./L.F.

Open Hole:
- Length: 0
- Diameter: in.

*Approximate elevation at time of filing application. Final elevation (msl) by a surveyor licensed by the State must be submitted at start of construction.
PUU HINAI QUADRANGLE
HAWAI'I—HAWAI'I CO.
ISLAND OF HAWAI'I
7.5 MINUTE SERIES (TOPOGRAPHIC)
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
Division of Water Resource Management

APPLICATION FOR

__ WELL CONSTRUCTION PERMIT
X PUMP INSTALLATION PERMIT

INSTRUCTIONS: Please print or type and send completed application with attachments to the Division of Water and Land Development, P.O. Box 272, Honolulu, Hawaii 96809. Application must be accompanied by a non-refundable filing fee of $25.00 payable to the Department of Land and Natural Resources. (Filing fee waived for government agencies.) If necessary, phone 548-7145, Hydrology/Geology Section for assistance.

1. WELL LOCATION

Island Hawaii Tax Map Key 6-6-01:69
Address Lalamilo, North Kona, Hawaii (Well No. 5946-04)

(Attach a USGS map (scale 1"=2000') and property tax map showing well location referenced to established property boundaries.)

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Contact Person William Seawake
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Phone 969-1421

LANDOWNER: State of Hawaii - Department of Land and Natural Resources

Contact Person
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Honolulu, Hawaii 96813
Phone

3. PROPOSED CONTRACTOR FOR: □ Well Drilling □ Pump Installation

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Address 830 Ahua Street
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☐ Drill New Well ☐ Deepen ☐ Redrill
☐ Alter ☐ Seal ☐ Abandon
☐ Install New Pump ☐ Replace Pump ☐ Modify Pump

(Briefly describe the proposed work and fill in the diagram on the back of this form.)

5. PROPOSED USE:

☐ Municipal (including hotels, stores, etc.) ☐ Military
☐ Domestic (individual, noncommercial water systems) ☐ Industrial
☐ Irrigation (specify) ☐ Other (specify)

6. PROPOSED AMOUNT OF WITHDRAWAL: 1.0 million gallons per day

7. PROPOSED PUMP INFORMATION

Pump Type: □ Vertical Turbine □ Submersible
Motor: □ Diesel □ Gas □ Electric: 400 □ Centrifugal
Rated Pump Capacity: 1,000 gallons per minute (gpm)

__________________________
Well Owner (print)

__________________________
Landowner (print)

Signature
Date

Signature
Date

For Official Use Only:

Field Checked By ____________________________ Latitude ____________ Hydrologic Unit
Date ____________________________ Longitude ____________ State Well No.
Briefly describe the proposed work:

Lalamilo Well 'D' is being added to the Existing County of Hawaii Department of Water Supply Lalamilo Water System.

PROPOSED SECTION OF WELL

Elevation at top of casing 1085.2 ft., msl.

Cement Grout 100 ft.

Hole Dia. 22 in.

Total Depth 1145 ft.

Rock Packing 90 ft.

Ground Elev. 1083.5 ft., msl*

Solid Casing:
Material: ASTM A242
Length 1060 ft.
Diameter 16 in.
Wall thickness 5/16 in.

Casing: / Perforated / Screen
Material: ASTM A242
Length 85 ft.
Diameter 16 in.
Wall thickness 5/16 in.
Openings sq. in./L.F.

Open Hole:
Length 0
Diameter in.

*Approximate elevation at time of filing application. Final elevation (msl) by a surveyor licensed by the State must be submitted at start of construction.
MEMORANDUM

To: Mason Young, Administrator
   Division of Land Management

From: Manabu Tagomori
      Deputy Director

Subject: Sustainable Yield and Existing Uses in the Lalamilo Area, Hawaii

The Lalamilo Wells are located in the West Mauna Kea Sector, Waimea System of Hawaii (see attached map), according to the latest work in conjunction with the Hawaii Water Plan. The sustainable yield in the aquifer system is estimated at 24 million gallons per day (mgd). Present use in the system is about 8 mgd.

There is presently room for at least two and perhaps three additional wells, each at about 1 mgd capacity, on Lalamilo State lands to the north of the existing Lalamilo Wells.

ES:bm
Attach.
Memorandum

To: Christopher J. Yuen, Hawaii Member
   Board of Land and Natural Resources

From: Manabu Tagomori
       Deputy Director

Subject: Sustainable Yield and Existing Uses in the Lalamilo Area, Hawaii

The Lalamilo Wells are located in the West Mauna Kea Sector, Waimea System of Hawaii (see attached map), according to the latest work in conjunction with the Hawaii Water Plan. The sustainable yield in the aquifer system is estimated at 24 million gallons per day (mgd). Present use in the system is about 8 mgd.

There is presently room for at least two and perhaps three additional wells, each at about 1 mgd capacity on Lalamilo State lands to the north of the existing Lalamilo Wells.

ES:bm
Attach.
FACSIMILE TRANSMITTAL PAGE

Please deliver the following pages to:

Name: Mr. Christopher Yuen
Company: Ed Sakoda
Date: 1/22/91 Time:
Message: memo re: sustainable yield and existing uses in the Lalamilo area

Total number of pages (including Transmittal Page): 3

If you do not receive all of the pages legibly, please call back: (808) 548-7659

Sending Facsimile Number: (808) 548-6052
Receiving Facsimile Number: (___) ___-___

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE) WAS SENT

** COUNT **
#  3

*** SEND ***

<table>
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<th>START TIME</th>
<th>DURATION</th>
<th>#PAGES</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
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<td>1-23-91 2:22PM</td>
<td>3'05&quot;</td>
<td>3</td>
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</tr>
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TOTAL 0:03'05" 3 XEROX TELECOPIER 7020
FACSIMILE TRANSMITTAL PAGE

Please deliver the following pages to:

Name: Mr. Christopher Yuen

Company:

From: Ed Sakoda

Date: 1/23/91 Time: 

Message: memo re: sustainable yield and existing uses in the Lahaina area

Total number of pages (including Transmittal Page): 3

* * * * * * * *

If you do not receive all of the pages legibly, please call back: (808) 548-7589

Sending Facsimile Number: (808) 548-6052
Receiving Facsimile Number: ( ) 935-1844
Mr. William Paty, Chairperson and the
Board of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

RE: Board Agenda January 11, 1991
Item Fl6, Lalamilo Reservoirs set aside

Dear Sirs:

The set aside request item Fl6 was previously deferred on October 26, 1990 as item F3.

On October 25, 1990 the Board was requested to defer this matter to the Commission on Water Resource Management (CWRM), pursuant to CH 174C HRS, Appendix A.

A dispute relative to Lalamilo well site D and appurtenant structures, including these reservoirs has existed since October 25, 1990 before the CWRM, Appendix B.

I
THE REQUESTED SET ASIDES SHOULD BE DEFERRED UNTIL AFTER DISPUTE RESOLUTION BY THE CWRM OF THE STATE WELL D AT LALAMILO IS RESOLVED.

If the CWRM decides that the state Lalamilo well D water should go to the general public, including Hawaiian Home Lands, the University of Hawaii, the Harbor and other users then the requested set asides may be relocated. Appendix C: Denial letters to the state for state water at Lalamilo.

The county request for set asides is as the nominee for the developer. This has not been disclosed, and is a material fact which should have been disclosed. Hearings before the CWRM will further show that the developer herein is not in compliance with agreements heretofore made with DLNR with regard to the Lalamilo water system.

Allowance of this set aside may well complicate the proceeding to be had before the CWRM, and could inadvertently create or establish a legal claim by the developer which plans to build the reservoirs and which also lays claim to a monopoly to Lalamilo well D water.

II
A reasonable beneficial use of the Lalamilo water system is not being made now by the developer. Further allowance of the reservoirs would increase water waste. Letter attached admitting 367,749 g.p.d. of non-essential potable water use by the developer. Appendix D.

Action by the Board on the set aside would violate CH 174 C HRS by state action over a matter relating to a state constitutionally protected water source, preempting CWRM action on the same matter.
III

The County Water Commision, DWS and the developers are presently in violation of the state water code, since a pump has been illegally installed since November 2, 1990 without a permit being requested from or issued by the CWRM as required by CH 174C HRS.

DLNR is being asked to set aside further land for reservoir sites for Lalamilo well D, while the applicant is in violation of state law on the same matter, and before the CWRM has ruled on who will use Lalamilo well D water.

The state water is protected by the Constitution and laws of the State of Hawaii. The set aside should be deferred until the matter is heard by the CWRM.

I HEREBY MAKE CLAIM DURING THIS PUBLIC HEARING OF THE BOARD THAT I BE HEARD FURTHER AS A PARTY IN ANY CONTESTED CASE HEARING OR IN ANY ADMINISTRATIVE PROCEEDING FOR FURTHER REVIEW ALLOWED BY LAW, IN THE EVENT THE BOARD SHOULD ALLOW THIS SET ASIDE REQUEST, AGENDA ITEM F16.

Very Truly,

Marshall Medoff
6636 Portshead Road
Malibu, CA 90265

Enclosures: Appendix A, B, C, and D

cc: John Waihee, Governor State of Hawaii
c: Manabu Tagamori, Deputy CWRM
AQUIFER SECTORS AND SYSTEMS

FIG. 1.3-3
January 12, 1990

Mr. Mike Gomes
Mauna Lani Resorts, Inc.
P. O. Box 4959
Kohala, HI 96743-4959

Dear Mr. Gomes:

SUBJECT: LALAMILO WELL "D" - NEW POTABLE WATER SOURCE

We have reviewed the preliminary engineering report for the Lalamilo Well "D" 5946-04 prepared by Tom Nance Water Resources Engineering. The Department of Health hereby grants conditional approval for the use of the well as a drinking water source on the following conditions:

1. The Lalamilo Well "D" 5946-04 shall deliver potable water of the quality in compliance with Chapter 20, Title 11, Administrative Rules, "Potable Water Systems." The water quality shall be subject to verification by the Department of Health.

2. The Mauna Lani Resort, in its operation of the Lalamilo Well "D", shall comply with all other relevant provisions of Chapter 20, Title 11, Administrative Rules, "Potable Water Systems."

3. Mauna Lani Resort shall notify the Department of Health of any condition which may arise or be revealed that may contaminate the source and pose a threat to human health.

4. A complete inorganic and organic analysis performed by a certified laboratory on the Lalamilo Well "D" water as required by Chapter 20 shall be submitted to the Department of Health prior to any potable usage.

5. Mauna Lani Resort shall notify the Department of Health when Lalamilo Well "D" is transferred to the Hawaii Department of Water Supply.
Mr. Mike Gomes  
Page 2  
January 12, 1990  

The Department of Health reserves the right to suspend or revoke this conditional approval upon either a finding of violation on any of the above conditions or a determination of a threat to public health from factors which may arise in the future. Thank you for your attention and concern to these matters.

Very truly yours,

JOHN C. LEWIN, M.D.  
Director of Health

WW:la  
cc: Glenn Tomori, DW Sanitarian, HI  
    Tom Nance, Belt Collins & Associates  
    William Sewake, DOWS Hawaii
STEP DRAWDOWN TEST RESULTS

PUMP TESTING OF JAN. 8 TO 11, 1985

LALAMILE WELL "D"
5946-04
LALAMILE, HAWAII
BEET, COLLINS & ASSOC. JUNE 1985

AS-BUILT SECTION

NOT TO SCALE
LALAMOILO WELL "D"

5946 - 04
LALAMOLO, HAWAII
JUNE 1985

TOTAL DEPTH = 1140 FEET

AS-BUILT SECTION

16" LOWEED SCREEN
102 sq in. open area/foot
95 FEET

16" DIAMETER, SOLID CASING

16" TO 7/8" RLetD Gravel Coarse Gravel Cats Fine Gravel 6 FEET
546 FEET
3 FEET
100 FEET

NOT TO SCALE

STEP DRAWDOWN TEST RESULTS

DRAWDOWN (FEET)

PUMPING RATE (GALLONS PER MINUTE)

CHLORIDE CONTENT (MILLIGRAMS PER LITER)

PUMP TESTING OF JAN. 8 TO 11, 1985

2.5 to 21 FEET

STEP DRAWDOWN TESTS

400 TO 2000 GPM

STEP DRAWDOWN TESTS

600 TO 1500 GPM

STEP DRAWDOWN TESTS

400 TO 2000 GPM

STEP DRAWDOWN TESTS

DATA OF MAY 11

600 TO 2000 GPM
Mr. Thomas H. Yamamoto  
Mauna Lani Resort, Inc.  
P.O. Box 4959  
Kawaihae, Hawaii 96743

Dear Tom:

Results of Lalamilo Well "D"  
Pump Testing and Water Quality Analysis

Enclosures to this letter summarize as-built dimensions, pump test results, and water quality analyses of Lalamilo Well "D" (State No. 5946-04). This well differs from the first three Lalamilo wells in that it was drilled by cable tool rather than by rotary method and a gravel pack was installed in the annular space outside the screen. Use of the gravel pack is intended to moderate scouring of the well face that occurs when the pump shuts off and the water in its column descends back down and out through the pump. Scouring can produce fines which contribute to excessive wear of the pump.

The well was pumped for 74 hours continuously from January 8 through 11 and then for four hours each day on January 14 and 15. The continuous pumping was done at 1,540 gallons per minute (GPM), about 50 percent greater than the recommended 1,000 GPM rate for the permanent pump. Step-drawdown testing was done at the start and end of this period. All of these results are presented on the first of two enclosures. As a basis of comparison of well performance, drawdowns in each of the Lalamilo wells at 1,000 GPM are listed below. Drawdown in Well "D" is quite good considering its gravel pack and lesser penetration into the basal aquifer.

<table>
<thead>
<tr>
<th>Lalamilo Well</th>
<th>Penetration into the Basal Aquifer (Feet)</th>
<th>Drawdown at 1,000 GPM (Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>113</td>
<td>2</td>
</tr>
<tr>
<td>B</td>
<td>76</td>
<td>11</td>
</tr>
<tr>
<td>C</td>
<td>77</td>
<td>7</td>
</tr>
<tr>
<td>D</td>
<td>67</td>
<td>7</td>
</tr>
</tbody>
</table>

June 18, 1985  
85-1116
Pumping on January 14 and 15 consisted of a series of start-ups to 1,500 GPM and shut downs to remove as much of the drill cuttings and other fine material as possible. Improvement was noted through this surging such that the well is now sufficiently developed to allow installation of the permanent pump.

Water quality analyses done by Industrial Analytical Laboratory, Inc. in Honolulu are listed on the second of two enclosures. The sample was collected after 72 hours of continuous pumping in a new, plastic container provided by the laboratory. The sampled water meets all contaminant standards specified in Chapter 20 of Title 11, Administrative Rules of the Department of Health (DOH) except for total trihalomethane (TTHM). The sample's TTHM concentration of 2.7 milligrams per liter (MGL) exceeds the 0.1 MGL maximum level for drinking water. The laboratory ran the test again at my request to confirm the value.

Based on the absence of TTHM in other Lalamilo wells, it is our opinion that this particular sample value came from the plastic container; I have since learned that the laboratory should have provided us with a benzene-treated glass bottle, the standard procedure for tests of organic chemicals. Since we anticipate that DOH will agree with this conclusion, we will proceed with the certification process for the well as a new potable water source. Certification will be contingent upon subsequent submittal of satisfactory test results to DOH after the permanent pump is installed.

Sincerely,

Tom Nance

TNiks

cc: Department of Water Supply
Division of Water & Land Development

Enclosures
BELT, COLLINS AND ASSOCIATES
606 Coral Street, 1st Floor
Honolulu, Hawaii 96813

REPORT DATE: 03/07/85
ANALYSTS: INALAB Staff
INVOICE NO: 5932

DATE SAMPLE SUBMITTED: 01/11/85
DATES SAMPLE ANALYZED: 01/14/85 - 03/07/85
SAMPLE SUBMITTED BY: Mr. Tom Nance

ATTN: Mr. Tom Nance (521-5361)

A water sample (assigned INALAB No. 850114-03) was submitted for a ground water monitoring package, plus turbidity and trihalomethanes. The results are given on the attached table.

FOR INDUSTRIAL ANALYTICAL LABORATORY, INC.

Patricia Manning for
J. Michael Harris
Laboratory Supervisor
**LABORATORY REPORT**

(Page 2, continuation)

Results of Ground Water Monitoring Analyses for Various Contaminants

(Lalamel-D Well, S. Kohala, Hawaii; INALAB No. 850114-03)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>EPA Method No.</th>
<th>mg/L</th>
<th>μg/L</th>
<th>NTU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsenic</td>
<td>206.3</td>
<td>&lt;0.001*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Barium</td>
<td>208.1</td>
<td>&lt;1*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Cadmium</td>
<td>213.1</td>
<td>&lt;0.01*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Chromium</td>
<td>218.1</td>
<td>&lt;0.05*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Chloride Ion Specific Electrode</td>
<td>93</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Fluoride</td>
<td>340.1</td>
<td>0.24</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Lead</td>
<td>239.1</td>
<td>&lt;0.05*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mercury</td>
<td>245.1</td>
<td>&lt;0.001*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Nitrogen (as NO₂⁻)</td>
<td>353.3</td>
<td>3.75</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Selenium</td>
<td>270.3</td>
<td>&lt;0.001*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Silver</td>
<td>272.1</td>
<td>&lt;0.01*</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Purgeable Organic Halogen (POX)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>including Trihalomethanes</td>
<td>9020</td>
<td>2.71</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Endrin</td>
<td>509**</td>
<td>-</td>
<td>&lt;0.2*</td>
<td>-</td>
</tr>
<tr>
<td>Lindane</td>
<td>509**</td>
<td>-</td>
<td>&lt;4*</td>
<td>-</td>
</tr>
<tr>
<td>Methoxychlor</td>
<td>509**</td>
<td>-</td>
<td>&lt;100*</td>
<td>-</td>
</tr>
<tr>
<td>Toxaphene</td>
<td>509**</td>
<td>-</td>
<td>&lt;5*</td>
<td>-</td>
</tr>
<tr>
<td>2,4-D</td>
<td>504**</td>
<td>-</td>
<td>&lt;10*</td>
<td>-</td>
</tr>
<tr>
<td>2,4,5-TP</td>
<td>504**</td>
<td>-</td>
<td>&lt;1*</td>
<td>-</td>
</tr>
<tr>
<td>Turbidity</td>
<td>214</td>
<td>0.1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Detection limit.

Korean Motor Co.

Drillers Report for Lalamio Well D

This will acknowledge receipt of the Drillers Report for Lalamio Well D.

We want to thank you for your continued cooperation and assistance in providing us with timely reports of wells drilled by your firm.

M.T.
**DRILLER’S REPORT**

**DESCRIPTION**

Date of report: February 1, 1985  
Person filing report: L. H. Runnelis

A. **OWNER**  
Mauna Lani  
**NAME**  
Lalamilo Well Field

B. **GENERAL LOCATION**  
Lalamilo Well Field

C. **DRILLING COMPANY**  
ROSCOE MOSS COMPANY

D. **TYPE OF RIG**  
36L  
**DRILLING COMPLETED**  
2, 1985  
**DRILLER**  
Richard Bourn

**E. ELEVATION, msl:**  
Top of drilling platform: 1082 ft.  
Height of drilling platform above ground surface: 0 ft.  
**Elevation:** 1082 ft.

F. **HOLE SIZE:**  
20 inch dia. to 1150 ft. below drilling platform.

**G. CASING INSTALLED:**  
16 in. I.D. x 31.2 in. wall solid section to 1060 ft. below drilling platform.

**H. ANNULUS:**  
Grouted 0 ft. to 100 ft. below drilling platform.

**I. PERMANENT PUMP INSTALLATION:**

- **Pump type, make, serial no.:**
- **Capacity:** g.p.m.
- **Motor type, H.P., voltage, r.p.m.:**
- **Depth of pump intake setting:** ft. below drilling platform.
- **Depth of bottom of airline:** ft. below drilling platform.

**HYDROLOGY**

**J. INITIAL WATER LEVEL:** ft. below drilling platform, Date of measurement.

**K. INITIAL CHLORIDE:** ppm, total depth of well ft. below drilling platform

**L. PUMPING TESTS:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Start water level</th>
<th>Depth of well</th>
<th>Start R. P.</th>
<th>End R. P.</th>
<th>Depth of R. P.</th>
<th>Rate Draw-down (ppm)</th>
<th>Temp. °F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 8, 1985</td>
<td>1076 ft. below R. P.</td>
<td>1150 ft. below R. P.</td>
<td>End water level</td>
<td>954 ft. below R. P.</td>
<td>1025 to 1020 ft. below R. P.</td>
<td>9.4</td>
<td>56.7</td>
</tr>
</tbody>
</table>

**M. DRILLER’S LOG:**

<table>
<thead>
<tr>
<th>Depth, ft.</th>
<th>Rock Description &amp; Remarks</th>
<th>Water Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 8</td>
<td>Ash</td>
<td>335 to 360</td>
</tr>
<tr>
<td>8 to 25</td>
<td>Gray rock</td>
<td>360 to 409</td>
</tr>
<tr>
<td>25 to 38</td>
<td>cinders</td>
<td>409 to 457</td>
</tr>
<tr>
<td>38 to 61</td>
<td>blue rock</td>
<td>567 to 540</td>
</tr>
<tr>
<td>61 to 81</td>
<td>cinders</td>
<td>540 to 629</td>
</tr>
<tr>
<td>81 to 118</td>
<td>blue rock</td>
<td>629 to 649</td>
</tr>
<tr>
<td>118 to 151</td>
<td>cinders</td>
<td>649 to 677</td>
</tr>
<tr>
<td>151 to 246</td>
<td>blue rock</td>
<td>677 to 720</td>
</tr>
<tr>
<td>246 to 292</td>
<td>blue rock</td>
<td>720 to 749</td>
</tr>
<tr>
<td>292 to 308</td>
<td>blue rock</td>
<td>749 to 769</td>
</tr>
<tr>
<td>308 to 335</td>
<td>redish clay</td>
<td>769 to 809</td>
</tr>
</tbody>
</table>

**N. REMARKS:**

**INSTRUCTIONS:**  
Send three (3) copies to: Manager-Chief Engineer, Division of Water and Land Development, P. O.

**REFERENCES:**  

**FOR OFFICIAL USE**

<table>
<thead>
<tr>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>19°57’50”</td>
<td>155°46’47”</td>
</tr>
</tbody>
</table>

**Well No.** 5946-04
Date of report: Feb. 1, 1985

A. OWNER: Land Development
   WELL NAME: Punalu'u
   ISLAND: ISLAND

B. GENERAL LOCATION: Lawai

C. DRILLING COMPANY: DOWALD

D. TYPE OF RIG: DRILLING COMPLETED 01/04/85

E. ELEVATION, msl: Top of drilling platform 10.50 ft. Bench mark and method used to determine
   Height of drilling platform above ground surface 13.52 ft. elevation:

F. HOLE SIZE: 8 in. dia. to 10.50 ft. below drilling platform.
   850 ft. dia. to 10.50 ft. below drilling platform.
   8 in. dia. to 10.50 ft. below drilling platform.

G. CASING INSTALLED: 10.50 in. I.D. x 10.50 in. wall solid section to 10.50 ft. below drilling platform.
   10.50 in. I.D. x 10.50 in. wall perforated section to 10.50 ft. below drilling platform.
   Type of perforation

H. ANNULUS: Grouted 10.50 ft. to 10.50 ft. below drilling platform.
   Gravel packed 10.50 ft. to 10.50 ft. below drilling platform.

I. PERMANENT PUMP INSTALLATION:
   - Pump type, make, serial no.: Motor type, H.P., voltage, r.p.m.: Depth of pump intake setting 10.50 ft. below which elevation is 10.50 ft.
   - Depth of bottom of airline 10.50 ft. below which elevation is 10.50 ft.

HYDROLOGY

J. INITIAL WATER LEVEL: 10.50 ft. below drilling platform. Date of measurement.

K. INITIAL CHLORIDE: 10.50 ppm, total depth of well 10.50 ft. below drilling platform.

L. PUMPING TESTS: Reference point (R.P.) used: 10.50 ft. below R. P.

<table>
<thead>
<tr>
<th>Date of measurement</th>
<th>Elapsed Time (hours)</th>
<th>Rate (gpm)</th>
<th>Drawdown (ft.)</th>
<th>CI- (ppm)</th>
<th>Temp. (°F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start water level</td>
<td>to</td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
</tr>
<tr>
<td>End water level</td>
<td></td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
</tr>
<tr>
<td>Depth of well</td>
<td></td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
<td>10.50</td>
</tr>
</tbody>
</table>

   Sampling Date

M. DRILLER'S LOG:

<table>
<thead>
<tr>
<th>Depth, ft.</th>
<th>Rock Description &amp; Remarks</th>
<th>Water Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>809 to 860</td>
<td>Red cinders, cinders</td>
<td>1025 to 1035</td>
</tr>
<tr>
<td>860 to 870</td>
<td>Blue rock</td>
<td>1035 to 1040</td>
</tr>
<tr>
<td>870 to 879</td>
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<td>935 to 976</td>
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<td>1018 to 1025</td>
<td>Clinders</td>
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N. REMARKS:

INSTRUCTIONS: Send three (3) copies to: Manager-Chief Engineer, Division of Water and Land Development, P. O. Box 373, Honolulu, Hawaii 96809.


FOR DRILLER'S USE

Job Name: Punalu'u
Job No.: 5940-04
WELL DRILLING PERMIT
for
State Well No. 5946-04
South Kohala, Hawaii

TO: Mauna Lani Resort, Inc.
P.O. Box 4959
Kawaihae, Hawaii 96743

In accordance with Chapter 166 of Title 13, "Rules for the Control of Ground Water Use in the State of Hawaii," your application to drill State Well No. 5946-04 is approved subject to the following conditions:

1. A Driller's Well Completion Report (enclosed) shall be submitted to the Division of Water and Land Development within 60 days after completion of the well.

2. Pumping test data shall be submitted to the Division of Water and Land Development within 60 days after testing of the well.

3. Monthly pumpage records shall be submitted after the well is put into production.

4. Upon completion of the well, submit an "as-built" drawing of the well and a map showing the exact location of the well.

5. The applicant comply with all applicable rules, ordinances, and laws.

4/18/84
Date of Issuance

Enc. Driller's Report Form

Susumu Ono
Chairperson of the Board

Roscoe Moss Company
Tom Nance - Belt Collins and Associates
<table>
<thead>
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<th>To</th>
<th>Initial</th>
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<tbody>
<tr>
<td>Robert T. Chuck</td>
<td>See Me</td>
</tr>
<tr>
<td>Takeo Fujii</td>
<td>Take action by</td>
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<tr>
<td>James Yoshimoto</td>
<td>Route to your branch</td>
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<tr>
<td>Manabu Tagomori</td>
<td>Review &amp; comment</td>
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<td>George Morimoto</td>
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<td>Leslie Asari</td>
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<td>Paul Matsuo</td>
<td>Jean Shurata</td>
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<tr>
<td>Noboru Kamahiro</td>
<td>Eise Yonamine</td>
</tr>
<tr>
<td>Edwin Sakoda</td>
<td>Kay Oshiro</td>
</tr>
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For preparing the maps
for channel wells,
| The plot - outline and location
| do not have a foreground |
Mr. Robert Chuck  
Division of Water and Land Development  
Department of Land and Natural Resources  
State of Hawaii  
P. O. Box 373  
Honolulu, Hawaii  96809

Dear Bob:

Lalamilo Well D

Enclosed is a print of revised "Map Showing Well Site D and 40 ft. Road and Utility Easement H". The following changes have been made based on the suggestion in your letter of February 24, 1984:

- Changed "Well Site 4" to "Well Site D"
- Changed "Well Site 1" to "Well Site B"
- Changed "Well Site 2" to "Well Site C"
- Changed "Well Site 3" to "Well Site A"

We used numerical designation for the wells in order to be consistent with Hawaii State Survey Plat 423 and descriptions in CSF No. 19,753. However, we have no objection to using the letter designations which you prefer.

Sincerely,

Tom Nance

cc: William Sewake  
Tom Yamamoto

Enclosure
February 24, 1984

Belt Collins & Associates  
606 Coral Street  
Honolulu, Hawaii 96813

Attention: Mr. Tom Nance

Gentlemen:

Lalamilo Well D

Thank you for sending us a print of the "Map Showing Well Site 4 and 40-ft. Roadway and Utility Easement H".

For consistency with established well nomenclature, we would like to suggest corrections to the map, as follows:

- Change "Well Site 4" to "Well Site D"
- Change "Well Site 1" to "Well Site B"
- Change "Well Site 2" to "Well Site C"
- Change "Well Site 3" to "Well Site A"

The use of the alphabet to identify individual wells in a well field has become a generally accepted practice and Lalamilo Wells A, B, C, and D have already been established in existing data files of the Hawaii Department of Water Supply, DOWALDI and the USGS. The above changes will serve to avoid confusion in existing well records and we hope the above changes can be made. Mahalo.

Very truly yours,

ROBERT T. CHUCK  
Manager-Chief Engineer

cc: Hawaii DWS w/encl.
Mr. Robert Chuck  
Department of Land & Natural Resources  
Water & Land Development Division  
State of Hawaii  
P.O. Box 373  
Honolulu, Hawaii 96809

Dear Bob:

Enclosed for your reference is a map showing Well Site 4, the lot for Lalamilo Well "D", and the roadway and utility easement leading to it from Well Site 2, the lot for Lalamilo Well and Pump "C". The roadway and utility easement crosses the R.O.W. for the proposed Waimea-Kawaihae Road at a point where design of the future road's profile is at grade.

Sincerely,

Tom Nance
TN: gk
cc: Tom Yamamoto

Enclosure
Board of Land and Natural Resources
Honolulu, HI 96813

Gentlemen:

Subject: Set Aside of State Land at Lalamilo, South Kohala, Hawaii

STATUTE: Section 171-11, Hawaii Revised Statutes

APPLICANT: DEPARTMENT OF WATER SUPPLY, COUNTY OF HAWAII

FOR: Set aside of portions of State land identified as TMK 6-6-01:2 at Lalamilo, South Kohala, Hawaii, for a well site (25 acres) together with 40-foot-wide, non-exclusive, perpetual easement (1.25 acres) for access road and utility purposes as shown on preliminary plan, dated September 10, 1983, prepared by Belt, Collins & Associates, copy appended to basic file.

Final map and description subject to verification by the Survey Division, Department of Accounting and General Services.

LAND TITLE STATUS: Subsection 5 (b)

STATUS: Encumbered for pasture purposes by General Lease No. S-3886 to Palekoki Ranch, Inc, which expires on January 19, 1985

ZONING: State Land Use Commission: Agriculture

County of Hawaii: Unplanned

PURPOSE: Domestic water supply system

REMARKS: The well site in question is sought by the Department of Water Supply as an addition to its Lalamilo Water System. Moreover, immediate right of entry is requested for purposes of conducting field surveys and well drilling, activities which will be funded by the Mauna Lani Resort, Inc. When completed, the facilities will be dedicated to the Department of Water Supply for maintenance and operation.

ITEM F-2
RECOMMENDATION: That the Board:

A. Authorize the designation of the access road and utility easement and withdrawal of the well site in question from the operations of General Lease No. S-3886 with no reduction in the basic lease rental;

B. Approve and recommend to the Governor the set aside of the well site together with access road and utility easement to the Water Commission of the County of Hawaii for management, operation and maintenance by the Department of Water Supply, County of Hawaii;

C. Grant immediate right of entry to the Department of Water Supply, County of Hawaii or its assigns for purposes of conducting field surveys and well drilling on State land, identified as TMK 6-6-01:2, subject to the following:

1. Receipt of written concurrence by Palekoki Ranch, Inc., prior to the commencement of work;

2. Hold-harmless and indemnifying clause in favor of the State of Hawaii;

3. Compliance with applicable requirements of appropriate Federal, State and County of Hawaii agencies;

4. Precautionary measures shall be taken to prevent injury to pastured animals and also to minimize damage to surrounding property;

5. All ground areas disturbed by work activities shall be restored to conditions approximating that which existed prior to such work;

6. The lessee, Palekoki Ranch, Inc., and the Hawaii District Land Agent in Hilo shall be notified in advance of the work activity;

7. Such other terms and conditions as may be prescribed by the Chairperson.

Respectfully submitted,

[Signature]

James J. Detor
Land Management Administrator

APPROVED FOR SUBMITTAL:

SUSUMU ONO, Chairperson
August 31, 1983

Mr. Tom Nance  
Belt Collins & Associates  
606 Coral Street  
Honolulu, Hawaii  96813

Dear Mr. Nance:

This is to acknowledge receipt of your application for a well drilling permit for Lalamilo Well D.

We understand that a right-of-entry must be obtained by Mauna Lani Resort, Inc. from the State Division of Land Management since the land is owned by the State.

My staff will be processing the well drilling application for issuance upon receipt of the right-of-entry.

If you have any questions, please contact Manabu Tagomori at 548-7619.

Very truly yours,

ROBERT T. CHUCK  
Manager-Chief Engineer

ES:ko
ROSCOE MOSS COMPANY
830 Ahua Street
HONOLULU, HAWAII 96819

(808) 839-6888

TO
Dep't. of Natural Resources
Division of Water & Land Development
P.O. Box 373
Honolulu, Hawaii 96809
Attn: Dan Lum

WE ARE SENDING YOU □ Attached □ Under separate cover via ____________________ the following items:

- Shop drawings
- Prints
- Plans
- Samples
- Specifications
- Copy of letter
- Change order

<table>
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<th>COPIES</th>
<th>DATE</th>
<th>NO.</th>
<th>DESCRIPTION</th>
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<tr>
<td>1</td>
<td>8-15-83</td>
<td>-</td>
<td>Application for Well Drilling Permit</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>Location map</td>
</tr>
</tbody>
</table>

THESE ARE TRANSMITTED as checked below:

- For approval □ Approved as submitted □ Resubmit ______ copies for approval
- For your use □ Approved as noted □ Submit ______ copies for distribution
- As requested □ Returned for corrections □ Return ______ corrected prints
- For review and comment □ FOR BIDS DUE ______ 19 ______ □ PRINTS RETURNED AFTER LOAN TO US

REMARKS

COPY TO____________________________________

SIGNED: _______________________

If enclosures are not as noted, kindly notify us at once.
State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES

APPLICATION FOR (check one)

☐ WELL DRILLING PERMIT  ☐ WELL MODIFICATION PERMIT

Instructions: Send completed application and attachments to Department of Land and Natural Resources, P.O. Box 373, Honolulu, Hawaii 96809.

Reference: Regulation 9, Dept. of Land & Natural Resources.

Is the well located in a Designated Ground Water Control Area?  ☒ Yes  ☒ No

If "yes", application must be accompanied by a Water Use and/or Water Supply Permit and a non-refundable filing fee of $100 payable to the Department of Land & Natural Resources. However, if application is for minor modification of well, filing fee may be waived. If "no", no filing fee is required. Filing fee is waived for federal, state, and county government agencies.

1. WELL LOCATION: Island Hawaii Tax Map Key . Attach a plot plan showing well location referenced to established property boundaries.

2. WATER USER Mauna Lani Resort, Inc. Telephone 885-6677
   Address P.O. Box 4959 Kawaihae, Hawaii • Zip Code 96743

3. PROPOSED DRILLING COMPANY: Roscoe Moss Company

4. PROPOSED WORK: ☐ Drill new well ☐ Deepen ☐ Redrill ☐ Alter ☐ Seal
   ☐ Abandon ☐ Install new pump ☐ Replace pump ☐ Modify pump

Fill in the diagram and briefly describe the proposed work (use back of form if necessary):

Well to be drilled at approx. elevation of 1080 feet, cased with 16" diameter casing, bottom 85 feet perforated.

Pump test rate will be 300 to 1400 GPM

5. PROPOSED SECTION OF WELL

6. PROPOSED USE: ☐ Municipal ☐ Military ☐ Agriculture ☐ Industrial
   ☐ Domestic ☐ Disposal ☐ Other (specify)

7. PROPOSED AMOUNT OF WITHDRAWAL: Check most appropriate box and fill in amount.
   ☐ Daily ___ gallons ☐ Monthly ___ gallons ☐ Yearly ___ gallons

8. PROPOSED PUMP OR FLOW CAPACITY: ___ gallons per minute

Signature: ____________________________ Date: 8/5/83

Signature: ____________________________ Date: ____________________________

Water User

Landowner of Well Site

State Well No. ___
DLNR Permit No. ___
DLNR Application No. ___

For Official Use:
DRILLING, DEVELOPMENT

1,075 ± FT.

NO. 10 M FINE AGG.

NO. 67 COARSE AGG.

CEMENT BASKET
(SEE DETAIL THIS SHEET)

Casing Guide

ELEV. (+) 5 ± FT.

ELEV. (-) 80 ± FT.

13" (MINIMUM)

LOCATION

SECTION THRU WELL

NOT TO SCALE
August 24, 1983

Mr. William Sewake, Manager
Department of Water Supply
County of Hawaii
P.O. Box 1820
Hilo, Hawaii 96720

Dear Bill:

This is to inform you that we recently reviewed your request for a right-of-entry to State lands in Lalamilo to drill the Lalamilo Well "D" and we urged our Land Management Division to expeditiously process the necessary documents to allow the developers to proceed with the work.

Please note that the well is located on the Waimea side of the proposed Waimea-Kawaihae Highway as shown on the map submitted with your letter of July 28, 1983 to the Department of Land and Natural Resources.

Very truly yours,

ROBERT T. CHUCK
Manager-Chief Engineer

MT: dh
July 7, 1983

Belt, Collins & Associates, Ltd.
606 Coral Street
Honolulu, Hawaii 96813

Attention: Mr. Tom Nance

Gentlemen:

Proposed Lalamilo Well "D"

With reference to your letter concerning the location of a fourth well ("D") within the Lalamilo Well Field, we have reviewed our records and your enclosed drawings and find no objections to locating the well approximately 1600 feet north-northeast of existing Well "C". This location places Well "D" reasonably distant from Wells "C" and "A" to avoid well drawdown and chloride interference. As shown on your enclosed copy of the "Puu iñai" topographic quadrangle map, the location of Well "C" is correctly located approximately 700 feet southerly of the originally plotted location.

Thank you for the opportunity to comment on the location of the proposed fourth Well "D" at Lalamilo.

Very truly yours,

ROBERT T. CHUCK
Manager-Chief Engineer

DL:dh
Mr. Robert Chuck  
Manager-Chief Engineer  
Division of Water and Land Development  
Department of Land and Natural Resources  
P. O. Box 373  
Honolulu, Hawaii 96809

Dear Bob:

Proposed Location of Well "D" (5946-04) in the Lalamilo Well Field

The prospective location of Well "D" in the Lalamilo well field is shown on the enclosed drawings for your review and comments. The site is in the State's Lalamilo tract and is 1600 feet north-northeast of Well "C", the nearest well. The ground elevation is approximately 1140 feet. This northerly location is appropriate since the existing 12-inch pipe from Well "C" to the 0.1 MG tank was sized to handle the flow from both these wells.

One of the enclosed drawings shows the locations of Wells "C" and "D" on a Right-of-Way map of the future Waimea-Kawaihae Road. The other drawing shows the existing and proposed well sites plotted on the USGS "Puu Hinai" quadrangle map. Ultimately, a road and pipeline will link Wells "C" and "D". At present, the dirt road within the power line easement can provide access for drilling.

If you have any questions, please call me at 521-5361. We look forward to receiving your comments.

Sincerely,

Tom Nance

TN: It

cc: William Sewake

Enclosures