**SECTION 1: WELL LOCATION INFORMATION**

<table>
<thead>
<tr>
<th>Island</th>
<th>KAUAI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquifer System</td>
<td>LIHUE</td>
</tr>
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<td>Aquifer Sector</td>
<td>KILAUEA</td>
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<tr>
<td>Proposed Use</td>
<td>Domestic</td>
</tr>
<tr>
<td>Proposed Withdrawal</td>
<td>43200</td>
</tr>
<tr>
<td>System Sustainable Yield</td>
<td>17</td>
</tr>
</tbody>
</table>

**SECTION 2: WELL SECTION DATA**

(enter data in grey cells only)

| Elevation at top of casing | 402 ft., m.s.l. |
| Ground Elevation | 600 ft., m.s.l. |
| Cement Grout | 72 ft. |
| Rock Packing | 7 in. |
| Hole Diameter | 14 in. |
| Total Depth | 200 ft. |
| Estimated Head | 225 ft., m.s.l. |
| Calculated Aquifer Thickness | 10250 ft. |
| County Water Supply (Y/N ?) | No |

**SECTION 3: CHECKLIST**

(values to check are shaded)

**Well Depth**

- Theoretical Thickness of Aquifer | 10250 ft. |
- 1/4 Aquifer Thickness | 2563 ft. |
- Depth of Well below Sea Level | -200 ft. | okay (refer to HWCPIS Section 2.2)

**Well Casing**

- Minimum Wall Thickness
  - Material | PVC |
  - County or Non-County | non-county |
  - Minimum Thickness per standards | 0.280 in. |
  - Wall Thickness Provided | 0.000 in. | too small (refer to HWCPIS Section 2.4 c) |
- Minimum Length of Solid Casing
  - 90% of ground to top of aquifer | 135 ft. |
  - Length of solid casing Provided | 142 ft. | okay (refer to HWCPIS Section 2.4 d) |
- Casing Material | Sch 40 | okay (refer to HWCPIS Section 2.4 e) |
- Annular Space
  - If the cell above reads Y/N/A, reference HWCPIS |
- Depth of Grouting
  - Calculated Depth of Grouting | 105 ft. |
  - Depth of Grouting provided | 70 ft. | not enough (refer to HWCPIS Section 2.6 c) |
  - Thickness of Annular Space | 4 in. | okay (refer to HWCPIS Section 2.6 d) |
January 24, 2002

Mr. Steve Goldberg  
Oasis Water Systems  
P.O. Box 535  
Kilauea, HI 96754  

Dear Mr. Goldberg:

Well Completion Report for Well No. 1222-03

We received your Well Completion Report Part II for the Lokahi Gardens Well (Well No. 1222-03) on January 10, 2002 and acknowledge that it is complete. Thank you for your attention to this matter.

If you have any questions, please contact Lenore Nakama of the Commission staff at 587-0218 or toll-free at 274-3141, extension 70218.

Sincerely,

LINNEL T. NISHIOKA  
Deputy Director

LN:ss  
c: Teresa Goldberg
20. Pump Installation Company: OASIS WATER
21. Name of person performing work: JERSEY GOLDIN
22. Date Pump Installation Completed: Oct 24, 99
23. PUMP INSTALLATION:
   Pump Type, Make, Serial No.: Sub Grund Abs 255 30-15
   Motor type, H.P., Voltage, rpm: Franklin 3 HP 3400 1750
   Depth of Pump Intake Setting: 16 ft. below ground
   Depth to bottom of intake: 16 ft. below ground
   Pumping Head is: 173 ft. Type of flow meter: 1/2" or 1/4" which measures in gnl/lb
24. As-built drawings attached: Yes  No
25. Other remarks/comments: (See below)

Pump Installation Contractor (print) OASIS WATER C-57 Lic. No. 21457
Signature Date Nov. 3, 99
Applicant (print) JERSEY GOLDIN
Signature Date Oct. 6, 99

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

<table>
<thead>
<tr>
<th>Depth (ft.)</th>
<th>Rock Description, Water Level, Dates, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 8</td>
<td>Topsoil</td>
</tr>
<tr>
<td>9 to 20</td>
<td>Red clay</td>
</tr>
<tr>
<td>25 to 36</td>
<td>Blue clay</td>
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<td>37 to 49</td>
<td>Blue Rock</td>
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<tr>
<td>50 to 56</td>
<td>Blende Blue Rock</td>
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<td>57 to 78</td>
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<td>79 to 82</td>
<td>Blue Rock</td>
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<tr>
<td>83 to 142</td>
<td>Cinder, Glacial (WZ)</td>
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<tr>
<td>143 to 162</td>
<td>Fractioned Blue Rock</td>
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<tr>
<td>163 to 172</td>
<td>Blue Rock</td>
</tr>
<tr>
<td>173 to 200</td>
<td>Brown &amp; Blue Cinder (WZ)</td>
</tr>
<tr>
<td>201 to 204</td>
<td>Blue Rock</td>
</tr>
<tr>
<td>205 to 220</td>
<td>Cinder, Fraction, Blue Rock</td>
</tr>
<tr>
<td>221 to 224</td>
<td>Blue Rock</td>
</tr>
</tbody>
</table>

19 & 25. Remarks: 

Goldberg
9. AS-BUILT PUMP SECTION (Please attach as-built if different from diagram provided below)

- Bench mark elevation surveyed to nearest 0.01 ft = 374.2 ft mean sea level.
- Elevation of top of chase tube = 371.8 ft mean sea level.
- Pump intake depth = 335 ft. (referenced to bench mark)
- Chase tube depth = 333 ft. (referenced to bench mark)
- If airline installed, bottom of airline elevation = 202 ft. mean sea level.

Goldberg
PUMP INSTALLATION PERMIT
Lokahi Gardens Well, Well No. 1222-02

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 Lokahi Gardens Well (Well No. 1222-02) at 4550B Waiolaau St., Kualal, TMK 6-1-5-3, subject to the Hawaii Well Construction & Pump Installation Standards (12/87) which include but are not limited to the following conditions:

1. The Chairperson to the Commission on Water Resource Management (Commission), P.O. Box 231, Honolulu, HI 96813, shall be notified in writing, at least two (2) weeks before any work covered by this permit commences and shall be allowed to inspect installation activities in accordance with §13–168–18, Hawaii Administrative Rules.

2. The pump installation permit shall be for installation of a 90-gpm capacity, or less, pump in the well.

3. The permittee and operator or owner shall provide and maintain an approved meter or other appropriate means for measuring and reporting withdrawals and water levels, and appropriate devices or means for measuring chloride and temperature. These data shall be measured monthly and reported to the Commission in an annual report on forms provided by the Chairperson (attached).

4. The proposed use shall not adversely affect existing or future legal uses of water in the area, including any surface water or established stream flow standards. This permit or the authority to pump water from a well shall not constitute a determination of cumulative water rights. The permittee is notified and by this permittee understands that the quantity of water taken from the well could be reduced by the Commission in the future. This permit is not a commitment that the pump capacity permitted here or even some lesser amount is guaranteed in the future.

5. The permittee shall complete and submit as-built drawings and Part II – (Permanent) Pump Installation Report of the Well Completion Report (attached) to the Chairperson within sixty (60) days after completion of work.

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

7. The pump-installation permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (12/87). If the HWCPS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

8. The permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the pump installation permit application shall be completed within ten (10) 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 three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.

9. If the well is not to be used it must be properly capped. If the well is to be abandoned then the permittee must apply for a well abandonment permit to the Chairperson in accordance with §13–168–12(9) prior to any well sealing or plugging work.

10. 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.

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

Date of Approval: February 1, 2000
Expiration Date: February 1, 2002

TIMOTHY E. JOHNS, 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 if I do not hold a valid permit until I and the pump installer have signed, dated, and returned the permit to the Commission, I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee’s Signature: TEREZA GOLDBERG
Firm or Title: OASIS WATER
Date: 1-10-02

Installer’s Signature: TEREZA GOLDBERG
Firm or Title: OASIS WATER
Date: 1-10-02

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

Attachments
- DEQ
- Department of Health's Drinking Water & Wastewater Branch
- Hawaii Department of Water Supply
- OASIS

Goldberg
Mr. Steve Goldberg  
Oasis Water Systems  
P.O. Box 535  
Kilauea, HI 96754  

Dear Mr. Goldberg:

Pump Installation Permit  
Lokahi Gardens Well (Well No. 1222-03)

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 11:

**Special Conditions**

1. If the elevation benchmark needs to be altered, the permittee 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.

The permittee is responsible for all conditions of the permit. This includes ensuring that the pump installation contractor submits a completed Part II of the Well Completion Report form (enclosed) within sixty (60) days after the pump installation work is completed. Be advised that you may be subject to fines of up to $1000 per day for any violations of your permit conditions starting from the permit approval date.

To validate your pump installation permit, please sign and have the landowner sign both permit originals and return one for our files. A copy of the Well Completion Report (Part II) and a copy of your water use report form are enclosed for your use.

**IMPORTANT** - Unless specifically exempted, pump installation may not proceed without a validated permit returned to the Commission. Except for the monthly water use report form, please provide copies of all the information in this packet to your pump installation contractor.

Finally, this letter is notice that we have accepted your Well Completion Report - Part I as complete.

If you have any questions, please call the Commission staff at 587-0218 or toll-free at 274-3141, extension 70218.

Aloha,

**TIMOTHY E. JOHNS**  
Chairperson

Enclosure
PUMP INSTALLATION PERMIT
Lokahi Gardens Well, Well No. 1222-03

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 Lokahi Gardens Well (Well No. 1222-03) at, 4690B Waialua St., Kauai, TMK 5-1-5-38, subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97) 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.
2. The pump installation permit shall be for installation of a 30 gpm capacity, or less, pump in the well.
3. The permittee and operator or owner shall provide and maintain an approved meter or other appropriate means for measuring and reporting withdrawals and water levels, and appropriate devices or means for measuring chlorides and temperature. These data shall be measured monthly and reported to the Commission on an annual basis, on forms provided by the Chairperson (attached).
4. The proposed use 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 pump water from a well shall not constitute a determination of correlative water rights. The permittee is notified and by this provision understands that the quantity of water taken from the well could be reduced by the Commission in the future. This permit is not a commitment that the pump capacity permitted here or even some lesser amount is guaranteed in the future.
5. The permittee shall complete and submit as-built drawings and Part II - (Permanent) Pump Installation Report of the Well Completion Report (attached) to the Chairperson within sixty (60) days after completion of work.
6. The permittee shall comply with all applicable laws, rules, and ordinances, and non-compliance may be grounds for revocation of this permit.
7. The pump installation permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.
8. The permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. 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 three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.
9. If the well is not to be used it must be properly capped. If the well is to be abandoned then the permittee must apply for a well abandonment permit in accordance with §13-168-12(f) prior to any well sealing or plugging work.
10. 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.
11. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: February 1, 2000
Expiration Date: February 1, 2002

TIMOTHY E. JOHNS, 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 do not hold a valid permit until I and the pump installer have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature: ___________________________ Date: ________________
Printed Name: _______________________________ Firm or Title: _______________________________

Installer's Signature: __________________________ C-57, C-57a, or A License #: _______________ Date: ________________
Printed Name: _______________________________ Firm or Title: _______________________________

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

Attachments
C: USGS
Department of Health/ Safe Drinking Water & Wastewater Branch
Kauai Department of Water Supply
Teresa Goldberg
Mr. Steve Goldberg
Oasis Water Systems
P.O. Box 535
Kilauea, HI 96754

Dear Mr. Goldberg:

Well Completion Report for Well No. 1222-03

We have received your Well Completion Report Part I for the Lokahi Gardens Well (Well No. 1222-03) and acknowledge that it is complete. Thank you for your attention to this matter.

If you have any questions, please contact Lenore Nakama of the Commission staff at 587-0218 or toll-free at 274-3141, extension 70218.

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

LN:ss
## WCR 1 Check for Well No. 1222-03

(survey to regulation memo)

### 1. Pump Tests Check

Glenn Bauer  

- **Yes**  
- **No**  
- **If no, describe deficiency**

<table>
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<tr>
<th>Step-Drawdown Test:</th>
<th></th>
<th></th>
<th></th>
<th></th>
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<tr>
<td>acceptable</td>
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<tr>
<td>followed WCPI Stds</td>
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<tr>
<td>analysis attached</td>
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<td>proposed pump cap o.k.</td>
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<td>T &amp; S analysis attached</td>
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<th>Well Interference:</th>
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<tr>
<td>estimated Steady-State</td>
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<td>drawdown at 1-mile radius is _____ ft.</td>
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<td></td>
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<tr>
<td>analysis attached</td>
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<table>
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<tr>
<th>Stream Surface Water Impacted:</th>
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<tbody>
<tr>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

If yes, identify most probable stream

### 2. Construction Check

Mitch Ohye  

- **Yes**  
- **No**  
- **If no, describe deficiency**

<table>
<thead>
<tr>
<th>data complete</th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
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<td>welaplic.dbf updated</td>
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<td></td>
</tr>
</tbody>
</table>
## Part I. Well Construction

1. **State Well No.:** 1222-03  
   **Well Name:** Lokahi Gardens  
   **Island:** Kauai  

2. **Location/Address:** 4690 B Waiakalua Street, Kauai  
   **Tax Map Key:** 5-1-5:38

### Drilling Company:
- **OASIS WATER SYSTEM INC**

### Name of Driller who performed work:
- **Barry Simmons**

### Type of rig/construction:
- **Tophead Rotary**

### Date(s) Well Construction and pump tests (if any) completed:
- **September 3, 1997**

### GROUND ELEVATION (referenced to mean sea level, msl): 374.12 ft.

**Well Bench Mark (description/location):** Waiakalua Crn, SH 41

### Ground elevation (msl): 11 ft.

#### DRILLER'S LOG:
- Please attach geologic log (if available or if required by permit)

<table>
<thead>
<tr>
<th>Depths (ft.)</th>
<th>Rock Description, Water Level, Dates, etc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>__ to __</td>
<td>__</td>
</tr>
<tr>
<td>__ to __</td>
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</tr>
<tr>
<td>__ to __</td>
<td>__</td>
</tr>
</tbody>
</table>

(If more space is needed, continue on back.)

### Total depth of well below ground:
- 221 ft.

### Hole size:
- **14 1/2 inch dia. from 0 ft. to 100 ft. below ground**
- **12 1/4 inch dia. from 100 ft. to 221 ft. below ground**

### Casing installed:
- **6 in. I.D. x 3/8 in. wall solid section to 141 ft. below ground**
- **6 in. I.D. x 3/8 in. wall perforated section to 221 ft. below ground**

### Casing Material/Slot Size:
- **PVC 1/4 in.**

### Annulus:
- Grouted from __ Surface __ ft. below ground to 100 ft. below ground
- **Gravel packed from __ ft. below ground to __ ft. below ground**

### Initial water level:
- **36 ft. below ground.**  
  **Date and time of measurement:** September 1, 1997 8 AM

### Initial chloride:
- **44 ppm**  
  **Date and time of sampling:** September 1, 1997 8 AM

### Initial temperature:
- **91°F**  
  **Date and time of measurement:** September 1, 1997 8 AM

### PUMPING TESTS: Reference Point (R.P.) used:
- **Top of casing, which elevation is 374.89 ft.**

#### (1) Step-Drawdown Test Date: September 18
- **Start water level:** 82 ft. below R.P.  
  **End water level:** 82 ft. below R.P.

#### (2) Long-term Aquifer Test Date: September 3
- **Start water level:** 82 ft. below R.P.  
  **End water level:** 82 ft. below R.P.

### Pump Test Procedures data & graphs (1997 SDPTD & CRPTD Forms) attached?
- **Yes**  

### As-built drawings attached?
- **Yes**  

### Other remarks/comments:
- **(On back of this form)**

---

### Signature of Contractor:
- **OASIS WATER SYSTEM INC**  
  **Notify:**  
  **Lic. No.:** C-57  
  **Date: Nov 3, 1999**

### Surveyor (print):
- **Attached**  
  **Lic. No.:**  
  **Date:**

### Signature of Applicant:
- **FRESCA GOLDBOY**  
  **Date:** Oct 1, 1999
## PART II. (PERMANENT) PUMP INSTALLATION REPORT

20. Pump Installation Company: ____________________________

21. Name of person performing work: ____________________________

22. Date Pump Installation Completed: ____________________________

23. PUMP INSTALLATION:
   - Pump Type, Make, Serial No.: ____________________________  Capacity: ____________ gpm
   - Motor type, H.P., Voltage, rpm: ____________________________
   - Depth of Pump Intake Setting ____________ ft. below □ ground □ well bench mark
   - Depth to bottom of airline ____________ ft. below □ ground □ well bench mark
   - Pumping Head is ____________ ft. Type of flow meter: ____________ which measures in ____________

24. As-built drawings attached attached? __ Yes __ No

25. Other remarks/comments: (See below)

### Pump Installation Contractor (print) ____________________________  C-57 Lic. No. ____________________________

**Signature** ____________________________  **Date** ____________________________

**Applicant (print)** ____________________________

**Signature** ____________________________  **Date** ____________________________

---

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

<table>
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19. & 25. Remarks:

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________
20. Pump Installation Company: ________________________________
21. Name of person performing work: __________________________
22. Date Pump Installation Completed: __________________________
23. PUMP INSTALLATION:
   Pump Type, Make, Serial No.: ________________________________
   Motor type, H.P., Voltage, rpm: ________________________________
   Capacity: _______ gpm
   Depth of Pump Intake Setting ________ ft. below □ ground □ well bench mark
   Depth to bottom of pipeline ________ ft. below □ ground □ well bench mark
   Pumping Head is ________ ft. Type of flow meter: ________ which measures in ________
24. As-built drawings attached? Yes No
25. Other remarks/comments: (See below)

<table>
<thead>
<tr>
<th>Pump Installation Contractor (print)</th>
<th>C-57 Lic. No.</th>
</tr>
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<tbody>
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<td></td>
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<td>Brown clay</td>
</tr>
<tr>
<td>39 to 49</td>
<td>Blue Rock</td>
</tr>
<tr>
<td>50 to 56</td>
<td>Boreen Blue Rock (W2)</td>
</tr>
<tr>
<td>57 to 78</td>
<td>Brown clay</td>
</tr>
<tr>
<td>79 to 82</td>
<td>Blue Rock</td>
</tr>
<tr>
<td>83 to 142</td>
<td>Cinder &amp; Clay (W2)</td>
</tr>
<tr>
<td>143 to 162</td>
<td>Fractured Blue Rock</td>
</tr>
<tr>
<td>163 to 178</td>
<td>Blue Rock</td>
</tr>
<tr>
<td>179 to 200</td>
<td>Brown &amp; Blk Cinder (W2)</td>
</tr>
<tr>
<td>201 to 249</td>
<td>Blue Rock</td>
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<tr>
<td>250 to 290</td>
<td>Cinder Fracture Blue Rock</td>
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<tr>
<td>290 to 291</td>
<td>Blue Rock</td>
</tr>
</tbody>
</table>

19 & 25. Remarks:

__________________________________________________________________________
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__________________________________________________________________________
As Built Drawing Well # 1222-03

141' 6" pvc Solid Casing

14' 12" Diameter Grouted Bore Hole

100' Grouted Bore Hole

Water Level

12' 1/4" Diameter Bore Hole

80' 6" pvc Perforated Casing

221'
WELL ELEVATION
LOKAHI GARDENS WELL SITE # 1222-03

OWNER: TERESA GOLDBERG

T.M.K.(4)5-1-5:38

PETER N. TAYLOR
LICENSED PROFESSIONAL LAND SURVEYOR
No.9149

BENCH MARK USED: WAIKALOA RD @ MON STA: 17 + 61.22 ELEV+ 358.66'
June 8, 1999

State Of Hawaii  
Water Commission  
ATT: Chairperson

Fax # 808-587-0219

Dear Sir,

Please be advised that Oasis Water, Inc. License No. C-21457, will begin work on the Lokahi Gardens Well # 1222-03 in two weeks.

Sincerely,

Steve Goldberg  
Oasis Water inc. C-21457
WELL CONSTRUCTION PERMIT
Lokahi Gardens Well, Well No. 1222-03

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 Lokahi Gardens Well (Well No. 1222-03 at 4480 B Waialae Street, Kualal, TMK 5-1-58, subject to the Hawaii Well Construction & Pump Installation Standards (123/97) 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.

2. The well construction permit shall be for construction and testing of the well only. A minimum one-inch diameter monitor tube shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the Standards (a pump testing worksheet is attached). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump and withdraw water for use. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson.

3. 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.

4. 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.

5. In the event that subsurface cultural remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and contact the Department's Historic Preservation Division (692-8015) immediately.

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

7. The following shall be submitted to the Chairperson within sixty (60) days after completion of work:
   b. Elevation (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other data.

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

9. The well construction permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (January 23, 1997; HWCPIS). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

10. The permit may be revoked by the Commission if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. 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 three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.

11. If the well is not to be used it must be properly capped. If the well is to be abandoned then the permittee must apply for a well abandonment permit in accordance with §13-168-12(i) prior to any well sealing or plugging work.

12. 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, officials, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.

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

Date of Approval: March 15, 1999
Expiration Date: March 15, 2001

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 do not hold a valid permit until I and the driller have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature: [Signature] Date: 4-5-99
Printed Name: JEANNE FALLENBERG
Firm or Title: Land Owner

Driller's Signature: [Signature] Date: 6-8-99
Printed Name: BARRY W. SIMONS
C-57 License #: 21458

Please sign both copies of this permit, return one to the Chairperson, and retain the other for your records.
Mr. Steve Goldberg  
Oasis Water System  
P.O. Box 535  
Kilauea, Hawaii 96754  

Dear Mr. Goldberg:

Well Construction Permit  
Lokahi Gardens Well (Well No. 1222-03)

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 your permanent pump. As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 13:

**Special Conditions**

1. Attached for your information is a copy 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.

2. The wall thickness of well casing shall be selected in accordance with good design practices applied with due consideration to conditions at the site of the well and shall be sufficient to withstand anticipated formation and hydrostatic pressures imposed on the casing during its installation, grouting, well development, and use.

3. To prevent surface contamination, the annular space of all cased non-artesian wells (except monitor wells designed for immediate and short-term monitoring purposes and subsequent abandonment) must be sealed with grout from the ground surface to a minimum depth of 500 feet or 70% of the vertical distance between the ground surface and the top of the aquifer selected for exploration, long-term monitoring, or development, whichever depth is less.

4. Standard Condition 2 is modified to exempt the permittee from the requirement for a pump test.

5. Standard Condition 7.e. is waived.

This permit **does not** authorize work for your permanent pump installation. Approval and issuance of your pump installation permit is contingent upon completed application and information provided to and accepted by Commission staff as required in the Well Construction & Pump Installation Standards (1/23/97) and any special conditions performed under this permit. However, in accordance with the Commission's April 15, 1998 Declaratory Ruling No. DEC-ADM98-G5, which states that:
"Permanent pump installation for capacities between 0-70 gpm and where the proposed use is for private individual needs in non-ground-water management areas may be allowed prior to the final pump installation permit issuance. When required as a condition of the well construction permit, subsequent pumping tests shall validate the acceptability of the permanent pump. The permanent pump installed prior to final pump installation permit issuance is subject to removal if the testing shows that a smaller pump is required to reduce the potential of affecting neighboring wells and localized upconing at the applicant's well."

A permanent pump may be installed prior to the permanent pump installation permit issuance. If you qualify and wish to take advantage of this ruling, please include a written request to install the permanent pump prior to final pump installation permit issuance when you return to us your validated well construction permit.

To validate your permit, please sign and have the landowner sign both permit originals and return one for our files.

IMPORTANT - Drilling work may not proceed without a validated permit returned to the Commission. Please provide all the information in this packet to your well drilling contractor. The permittee is responsible for all conditions of the permit. This includes ensuring that the well construction contractor, or other party who constructs the well(s), submits a completed Part I of the Well Completion Report form (enclosed) within sixty (60) days after the well construction work is completed. Be advised that you may be subject to fines of up to $1000 per day for any violations of your permit conditions starting from the permit approval date.

If you have any questions, please call the Commission staff at 587-0218 or toll-free at 274-3141, extension 70218.

Aloha,

[Signature]

for: TIMOTHY E. JOHNS
Chairperson

Enclosures
WELL CONSTRUCTION PERMITS
Lokahi Gardens Well, Well No. 1222-03

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 Lokahi Gardens Well (Well No. 1222-03 at 4690 B Waialakula Street, Kauai, TMK 5-1-5:38, subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97) 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.

2. The well construction permit shall be for construction and testing of the well only. A minimum one-inch diameter monitor tube shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the Standards (a pump testing worksheet is attached). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump and withdraw water for use. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson.

3. 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.

4. 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.

5. In the event that subsurface cultural remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and contact the Department's Historic Preservation Division (692-8015) immediately.

6. 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 authority to construct the well shall not constitute a determination of correlative water rights.

7. The following shall be submitted to the Chairperson within sixty (60) days after completion of work:
   b. Elevation (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other data.

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

9. The well construction permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (January 23, 1997; HWCPIS). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

10. The permit may be revoked by the Commission if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. 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 three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.

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

12. 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.

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

Date of Approval: March 15, 1999
Expiration Date: March 15, 2001

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 do not hold a valid permit until I and the driller have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee’s Signature: ___________________________ Date: ________________
Printed Name: ________________________ Firm or Title: _______________________

Driller’s Signature: ___________________________ Date: ________________
Printed Name: ___________________________ C-57 License #: ____________
Firm or Title: ___________________________

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

Attachment
-
USGS
Department of Health’s Safe Drinking Water, Wastewater, and Clean Water Branches
Kauai Department of Water Supply
Teresa Goldberg
TO: Honorable Bruce S. Anderson, Director  
Department of Health  
Attention: Dennis Tulang, Wastewater Branch  
William Wong, Safe Drinking Water Branch  

FROM: Timothy E. Johns, Chairperson  
Commission on Water Resource Management  

SUBJECT: Well Construction Permit Application  
Lokahi Gardens Well (Well No. 1222-03)  

Transmitted for your review and comment is a copy of the captioned well 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 March 3, 1999.  

Please find a map, attached, to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Lenore Nakama of the Commission staff at 587-0218.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (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, §11-20-29.

[ ] 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 [ ] is not located near the proposed well site (information attached).

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

[ ] No comments/objections

Contact Person: William Wong  
Phone: 586-4258

Signed: William Wong

Date: 3/2/99
The Department of Health, Clean Water Branch 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, Chapter 11-55, Appendix I, effective September 22, 1997. Treated process wastewater effluent covered by this general permit includes well drilling slurries, lubricating fluids wastewaters, and well purge wastewaters. This general permit does not cover well pump testing. The applicable Notice of Intent Forms and filing fee shall be submitted at least thirty (30) days before the start of discharge to the Department of Health, Clean Water Branch at 919 Ala Moana Boulevard, Room 301, Honolulu, Hawaii 96814-4920 or P.O. Box 3378, Honolulu, Hawaii 96801-3378. Inquiries may be directed to the Clean Water Branch at (808) 586-4309 or by fax at (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 the 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 that 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.

JS/cr
TO: Honorable Bruce S. Anderson, Director  
Department of Health  
Attention: Dennis Tulang, Wastewater Branch  
William Wong, Safe Drinking Water Branch  

FROM: Timothy E. Johns, Chairperson  
Commission on Water Resource Management  

SUBJECT: Well Construction Permit Application  
Lokahi Gardens Well (Well No. 1222-03)  

Transmitted for your review and comment is a copy of the captioned well 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 March 3, 1999.  

Please find a map, attached, to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Lenore Nakama of the Commission staff at 587-0218.  

RESPONSE:  
[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (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, §11-20-26.  

[ ] 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 is located near the proposed well site (information attached).  

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

[ ] No comments/objections  

Contact Person: Lori Kajiwara  
Phone: 586-4294  

Signed: Lori N. Kajiwara  
Date: 2-18-99
### Cesspool Survey for Unit 1

**Property Owner:** DAVID BREEN  
**Address:** Kilauea Ag. Subd  
**Island:** Kauai  
**City:** Wailua  
**District:** Hanalei  
**Builder or Contractor:** J. Vidinha  
**Intended For:** Dwelling Unit  
**Primary:** Yes  
**Secondary:** No  

**Distance From Building:** No Building at Time  
**Boundary:** 120' + 200'  
**Stream, Well, Body of Water:** None  
**Diameter (Clear):** 10'  
**Depth:** 25'  
**Ground Slope:** Slightly Sloped  
**Soil Profile:** Red Clay, Decomposed Rocks  

**Type of Wall or Curb:** Natural  
**Reinforced Concrete Cover:** Yes  
**Distance from Finished Ground to Top of Cover (Ft.):** 1'  
**Date Certificate Issued:** June 1, 1982  
**Date Approved:** Clyde Takekuma

---

### Cesspool Survey for Unit 2

**Property Owner:** William Evans  
**Address:** Waiakalua St  
**Island:** Kauai  
**City:** Lihue  
**District:** Hanalei  
**Builder or Contractor:** John Vidinha  
**Intended For:** Dwelling Unit  
**Primary:** Yes  
**Secondary:** No  

**Distance From Building:** No Building at Time  
**Boundary:** 120' + 200'  
**Stream, Well, Body of Water:** None  
**Diameter (Clear):** 10'  
**Depth:** 28'5"  
**Capacity (Gal.):** 2500  
**Ground Slope:** Level  
**Soil Profile:** Red Clay, Decomposed Rocks  

**Type of Wall or Curb:** Natural  
**Reinforced Concrete Cover:** Yes  
**Distance from Finished Ground to Top of Cover (Ft.):** 1'  
**Date Certificate Issued:** May 21, 1982  
**Date Approved:** Clyde Takekuma
Dear Mr. Goldberg:

Well Construction / Pump Installation Permit Application for Well No. 1222-03

We acknowledge receipt, on January 28, 1999, of your completed well construction/pump installation permit application for the Lokahi Gardens Well (Well No. 1222-03). You can expect your application to be processed within ninety (90) days from this date.

For your information, the process of constructing a well is normally regulated and permitted in two (2) steps. First, a well construction permit is issued for drilling and testing purposes only. Based upon information provided by you through a Well Completion Report Part 1 (Well Construction), a pump installation permit (upon completed application) may then be issued to authorize pump work. If a pump is installed then a Well Completion Report Part 2 (Pump Installation) is required.

If you have any questions about your permit application, please contact Lenore Nakama of the Commission staff at 587-0218 or toll-free at 274-3141, extension 70218.

Sincerely,

EDWIN T. SAKODA
Acting Deputy Director

LN:ss
TO: Honorable Bruce S. Anderson, Director Department of Health
   Attention: Dennis Tulang, Wastewater Branch
   William Wong, Safe Drinking Water Branch

FROM: Timothy E. Johns, Chairperson Commission on Water Resource Management

SUBJECT: Well Construction Permit Application
           Lokahi Gardens Well (Well No. 1222-03)

Transmitted for your review and comment is a copy of the captioned well 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 March 3, 1999.

Please find a map, attached, to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Lenore Nakama of the Commission staff at 587-0218.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (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, §11-20-29.

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[ ] 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 [ ] not located near the proposed well site (information attached).

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

[ ] No comments/objections

Contact Person: ___________________________ Phone: ___________________________

Signed: ___________________________ Date: ___________________________
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**TOTAL** 25.00

**REMARKS:**

LINE (1) WELL NO. 1222-03 (WCPA/PIPA)

LINE (2)

LINE (3)

LINE (4)
1. **APPLICANT:** (circle primary contact a, b, or c) 
   (a) **WELL OWNER**  
   Teresa Goldberg  
   Ph. 808-828-2850  
   (b) **LANDOWNER**  
   Same  
   (c) **CONTRACTOR**  
   Oasis Water  
   Ph. 828-6876  

2. **WELL LOCATION/NAME:**  
   Lōkahi Gardens  
   Island: Kauai  
   Address: 1690 B Waialua St.  
   Tax Map Key: 541-15-38  

3. **PROPOSED WORK:**  
   (a) Drill New Well  
   (b) METHOD:  
   (i) FLOW MEASUREMENT:  
   (ii) METHOD OF FLOW MEASUREMENT:  
   (iii) PENDING ACTIONS:  
   (iv) REMARKS, EXPLANATIONS:  

4. **PROPOSED PUMP INFORMATION:**  
   Pump Type:  
   Motor:  
   - Deep Well Turbine  
   - Rotary  
   - Submersible  
   - Centrifugal  
   - Propeller  
   - Reciprocating  
   - Rotary-Gear  
   - Impulse  
   - Gas  
   - Electric, rated horsepower:  
   - Diesel  
   - Gas  
   - Other:  

5. **PROPOSED USE:**  
   (a) Municipal (including hotels, stores, etc.)  
   (b) Dwellings  
   (c) Irrigation (crop)  
   (d) Other:  

6. **METHOD OF FLOW MEASUREMENT:**  
   (a) FLOW MEASUREMENT:  
   (b) METHOD OF FLOW MEASUREMENT:  
   (c) PENDING ACTIONS:  
   (d) REMARKS, EXPLANATIONS:  

7. **REMINDERS:**  
   (i) Well Owner  
   (ii) Landowner  
   (iii) Contractor  
   (iv) Signature: Teresa Goldberg  
   (v) Date: 1-31-1999  

---

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 30 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity of future use up to the permitted pump capacity.
9. PROPOSED WELL SECTION

<table>
<thead>
<tr>
<th>Description</th>
<th>Specifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Elevation</td>
<td>400 ft. msl</td>
</tr>
<tr>
<td>Elevation at top of casing</td>
<td>400 ft. msl</td>
</tr>
<tr>
<td>(surveyed to nearest 0.01 ft)</td>
<td></td>
</tr>
<tr>
<td>Cement Grout</td>
<td>70 ft.</td>
</tr>
<tr>
<td>(70% distance surface to water)</td>
<td></td>
</tr>
<tr>
<td>Rock Packing</td>
<td>0 ft.</td>
</tr>
<tr>
<td>Hole Diameter</td>
<td>14 in. (allow 3&quot; annular space)</td>
</tr>
<tr>
<td>Total Depth</td>
<td>300 ft. (±10 x head)</td>
</tr>
</tbody>
</table>

**Approximate elevation at time of filing application. Ground elevation above mean sea level (msl) by a surveyor licensed by the State must be submitted at start of construction. Final elevations of well components shall be submitted in the well completion/well abandonment reports.**
TMK 451538 unit 2

UNIT 1

(2.775 Acres)
Limited Common Element

UNIT 2

(2.780 Acres)
Limited Common Element

UNIT 3

(2.775 Acres)
Limited Common Element

UNIT 4

(2.772 Acres)
Limited Common Element

EASEMENT A

HAIAKALU

Lokahi Gardens
Condominium; Lot 18 of File Plan 1646
Kilauea Agricultural Subdivision
Parcels 6-A and 6-B

Units 1 thru 4, inclusive, and roadway
and designation of easements 'A' and 'B'
at East Haiakalua, Hanalei, Kauai, Hawaii

Kodani and Associates, Inc.
Registered Professional Land Surveyor
Certificate Number 4500
Lihue, Kauai, Hawaii
January 10, 1989

Exhibit A: Condominium Map and Limited Common Element Locations
Date: January 19, 1999

To: OASIS WATER SYSTEMS
Attention: TERESA GOLDBERG
FAX NO: 828-2850

From: PAIGE KREST
ESCROW SECRETARY

RE: Escrow No. 98120436-012 PS
MCINTYRE/LASCA TERESA STRANGE TRUST DTD AUGUST 17 1995

Property address: 4690 B WAIKALUA STREET
KILAUEA, HI 96754
Tax Map Key: 4)5-1-5-38 CPR: 2
Order No.: 00094064

ATTACHED HEREWITH PLEASE FIND THE FOLLOWING:

1. THE FINAL CLOSING STATEMENT AND THE APARTMENT DEED FOR THE ABOVE REFERENCED PROPERTY.

IF YOU SHOULD NEED ANY FURTHER ASSISTANCE PLEASE DO NOT HESITATE TO CONTACT OUR OFFICE.

THANK YOU.

No. Of Pages(Including this page): 8

If you should have any difficulties receiving this transmission, please call PAIGE KREST at (808) 826-6812

Our machine receives automatically. If you wish to send documents, our FAX NUMBER is (808) 826-7125.

CONFIDENTIALITY NOTICE: The document(s) transmitted herewith contain confidential information which is legally privileged. The information is intended only for use of the party named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution or taking of any action in reliance on the contents of this telecopied information, except its direct delivery to the intended party named above, is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone to arrange for return of the original document(s) to us.
**CLOSING STATEMENT**

Final

Buyer(s):
LASCA TERESA STRANGE TRUST DTD AUGUST 17 1995

Property: 4690 B WAIKALUA STREET
KILAUEA, HI 96744

Seller(s):
RICHARD MCINTYRE
JOCELYN MCINTYRE

**TOTAL CONSIDERATION:**
455,000.00

**ESCROW CHARGES:**

<table>
<thead>
<tr>
<th>Debit</th>
<th>Credit</th>
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</thead>
<tbody>
<tr>
<td>613.20</td>
<td>613.20</td>
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<tr>
<td>15.00</td>
<td>15.00</td>
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<tr>
<td>TITLE CHARGES:</td>
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<tr>
<td>676.44</td>
<td>676.44</td>
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<tr>
<td>RECORDING FEES:</td>
<td>455.00</td>
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<td>ADDITIONAL CHARGES:</td>
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<td>PRORATIONS AND ADJUSTMENTS:</td>
<td>525.43</td>
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<td>STOCK PURCHASE:</td>
<td>$462,192.00</td>
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<tr>
<td>3,000.00</td>
<td>3,000.00</td>
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<tr>
<td>TOTALS</td>
<td>$465,642.00</td>
</tr>
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</table>

It is agreed by the undersigned that the foregoing statement may change if a change in the escrow closing occurs or if other unforeseen contingencies arise. In the event changes in the statement become necessary, you are nevertheless authorized to close this escrow. It is understood that we will receive a final statement of account if the above totals are changed.

APPROVED AND ACCEPTED THIS DAY OF , 19

Buyer(s): LASCA TERESA STRANGE TRUST DTD AUGUST 17

Seller(s): RICHARD MCINTYRE

JOCELYN MCINTYRE
LAND COURT SYSTEM

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL (X) PICK-UP ( )

TERESA GOLDBERG  
P.O. Box 3300-360  
Princeville, HI 96722

Escrow No. 98120436
Job No. 00094064

(11) pages

TITLE OF DOCUMENT:
APARTMENT DEED

PARTIES TO DOCUMENT:

GRANTOR:  RICHARD McINTYRE and  
JOCELYN McINTYRE, husband and wife  
P. O. Box 74  
Kilauea, HI 96754

GRANTEE:  LASCA TERESA GOLDBERG, Trustee of the  
LASCA TERESA STRANGE TRUST, dated  
August 17, 1995, as amended  
P. O. Box 3300-360  
Princeville, HI 96722

PROPERTY DESCRIPTION:

TAX KEY:  (4) 5-1-05-38 - CPR #2
APT. NO:  2
APARTMENT DEED

KNOW ALL MEN BY THESE PRESENTS:

THIS INDENTURE, made this 8th day of January, 1999, by and between RICHARD McINTYRE and JOCELYN McINTYRE, husband and wife, hereinafter called the "Grantor", and LASCA TERESA GOLDBERG, Trustee of the LASCA TERESA STRANGE TRUST, dated August 17, 1995, as amended, whose mailing address is P.O. Box 3300-360, Princeville, HI 96722; hereinafter called the "Grantee",

WITNESSETH:

The Grantor, in consideration of the sum of TEN DOLLARS ($10.00) and other valuable consideration in hand paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto Grantee, and Grantee's successors in trust and assigns, in fee simple, all of those certain premises comprising Apartment No. 2 of the Condominium Project known as "LOKAHI GARDENS CONDOMINIUM", more particularly described in Exhibit "A", attached hereto and made a part hereof, for the uses and purposes and with the powers set forth in said Trust, including without prejudice to the foregoing, full power and authority to sell, convey, exchange, mortgage, lease, which leases shall be valid throughout their terms, notwithstanding the prior termination of the Trust, pledge or otherwise deal with and dispose of said property according to
the sole judgment and discretion of said Trustee or her successors in trust and assigns.

TO HAVE AND TO HOLD the same unto the Grantee, according to the tenancy and estate herein set forth, in fee simple, subject to the Declaration and By-Laws referred to in Exhibit "A", and the covenants, conditions and restrictions in said Declaration and in said By-Laws contained, all of which are incorporated herein by reference and made a part hereof.

AND the Grantor does hereby covenant with the Grantee that Grantor is lawfully seised in fee simple of the premises and rights granted, bargained, sold and conveyed as herein mentioned and has good right to grant, bargain, sell and convey the same in the manner set forth herein; that said premises are free and clear of and from all liens and encumbrances, except for the lien of real property taxes not yet by law required to be paid, and except as may herein specifically be set forth; and the Grantor will WARRANT AND DEFEND the same unto the Grantee forever, against the lawful claims and demands of all persons, except as herein set forth.

The Grantee does hereby covenant and agree, for the benefit of the owners from time to time of all other condominium units in the aforesaid condominium project to at all times observe and perform all of the terms, covenants, conditions and restrictions set forth in said Declaration and in said By-Laws, as the same
may from time to time be amended, on the Grantee's part to be observed and performed as and when required to do so, and will indemnify and hold and save harmless them and each of them from any failure so to observe and perform any of such terms, covenants, conditions and restrictions.

The conveyance herein set forth and the warranties of the Grantor concerning the same are expressly declared to be in favor of the Grantee, and Grantee's successors in trust and assigns.

The terms "Grantor" or "Grantee", as and when used herein, or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural number, individuals, partnerships, trustees or corporations and their and each of their respective successors, heirs, personal representatives, successors in trust and assigns, according to the context thereof. All covenants and obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention is clearly expressed elsewhere herein.

The parties hereto agree that this instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the
original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands as of the day and year first above written.

GRANTOR:

[Signature]
RICHARD MCFINNIE

JOCelyn MCFINNIE

GRANTEE:

[Signature]
LASCA TERESA GOLDBERG, TRUSTEE

- 5 -
STATE OF HAWAII  
)  
COUNTY OF KAUAI  
)

On this ______ day of JAN 7 1999, 1998, before me personally appeared RICHARD McINTYRE and JOCELYN McINTYRE, husband and wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

STATE OF HAWAII  
)  
COUNTY OF KAUAI  
)

On this ______ day of JAN 7 1999, 1998, before me personally appeared LASCA TERESA GOLDBERG, to me personally known, who, by me duly sworn, did say that she is the Trustee of the LASCA TERESA STRANGE TRUST, dated August 17, 1995, as amended, that the foregoing instrument was executed in the name and behalf of said Trust; and the said LASCA TERESA GOLDBERG acknowledged said instrument to be her free act and deed as Trustee of said Trust.