Fifth Amended Condominium Map
No. 1052
Namahana Acres
Agricultural Condominium
Units A, B, C, D, E & F
and amendment of
Easements V-2, V-3 & V-4
and designating
Easements A-1, A-2, U-1, U-2 & U-3
Being Portions of
LOT II-A-2-B
Being Portions of Grant 650 to Jules Dudoit
at Namahana, Hanalei, Kauai, Hawaii
<table>
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<tr>
<th>Taxkey</th>
<th>Subdiv/Condo Tnr Address</th>
<th>Owner/Lessee Bds Bths</th>
<th>Land area</th>
<th>Liv area</th>
<th>Last Sale Instr</th>
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<td>5,020 12/7/2009 QD $</td>
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Copyright ©7/13/2010 by Hawaii Information Service
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 Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) 5-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

4. The pump installation permit shall be for installation of a 45 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

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

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

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

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

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

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

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

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

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

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

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

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

Installer’s Signature: [Signature]
Printed Name: Barry Simmons
Firm or Title: Oasis Water Systems, Inc.

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

Attachments
WELL CONSTRUCTION PERMIT
Secret Beach Plantation Well, Well No. 1224-05

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) 5-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).
2. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.
3. The well construction permit shall be for construction and testing of the well only. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the HWCPIS (the latest pump test worksheet can be obtained by contacting Commission staff or at www.hawaii.gov/dlnr/cwrm/resources_permits.htm). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson. No withdrawal of water shall be made for purposes other than testing without a Certificate of Pump Installation Completion. The permitted pump capacity described on the pump installation permit may be reduced in the event that the pump test does not support the capacity.
4. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson. If it can be shown that the well does not tap basal ground water then this condition may be waived after consultation with and acceptance by Commission staff. However, in no instance can the well be drilled deeper than one-half (1/2) of the theoretical thickness without Commission approval.
5. The permittee shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.
6. In the event that historically significant remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and immediately contact the Department of Land and Natural Resources' State Historic Preservation Division. Work may recommence only after written concurrence by the State Historic Preservation Division.
7. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.
8. The Well Completion Report Part I shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrm/resources_permits.htm for current form).
9. The permittee shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.
10. The well construction permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.
11. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.
12. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.
13. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.
14. If the well is not to be used it must be properly capped. If the well is to be abandoned during the course of the project then the permittee must apply for a well abandonment permit in accordance with §13-168-12(f), HAR, prior to any well sealing or plugging work.
15. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, or persons employed in connection with this permit or relating to or connected with the granting of this permit.
16. This permit shall apply to the location shown on the application only. If the well is to be relocated, the permittee shall apply for a new well construction & pump installation permit in accordance with §13-168-12(f), HAR.
17. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

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

Driller's Signature: Barry Simmons
C-57 License #: C-21457
Date: 9/9/10

Printed Name: Barry Simmons
Firm or Title: Oasis Water Systems, Inc.

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

Attachment
Hi Charley -
Attached please find the executed permits for the Secret Beach Plantation Well No. 1224-05. We plan to begin we finish the Kalihiwai Oasis Well - probably within the next month.
Aloha,
Betsy Lis
Ocean Water Systems, Inc.
826-1854
WELL CONSTRUCTION PERMIT

Secret Beach Plantation Well, Well No. 1224-05

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) 5-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

14. If the well is not to be used it must be properly capped. If the well is to be abandoned during the course of the project then the permittee must apply for a well abandonment permit in accordance with §13-168-12(0), HAR, prior to any well sealing or plugging work.

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

16. This permit shall apply to the location shown on the application only. If the well is to be relocated, the permittee shall apply for a new well construction/pump installation permit in accordance with §13-168-12(0), HAR.

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

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

Laurie H. Thielem, Chairperson
Commission on Water Resource Management

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

Driller's Signature: Barry Simmons
C-57 License #: C-21457
Date: 9/9/10

Printed Name: Barry Simmons
Firm or Title: Oasis Water Systems, Inc.

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

Attachment
PUMP INSTALLATION PERMIT
Secret Beach Plantation Well, Well No. 1224-05

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) 5-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

4. The pump installation permit shall be for installation of a 45 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

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

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

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

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

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

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

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

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

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

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

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

Laurie H. Thiele, Chairperson
Commission on Water Resource Management

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

Installer's Signature: [Signature]
C-57, C-57a, or A License #: C-21457 Date: [Signature]

Printed Name: Barry Simmons
Firm or Title: Oasis Water Systems, Inc.

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

Attachments
Mr. Barry Simmons  
Oasis Water Systems, Inc.  
P.O. Box 507  
Hanalei, HI 96714  

Dear Mr. Simmons:  

Pump Installation Permit  
Secret Beach Plantation Well (Well No. 1224-05)  

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

Special Conditions  

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

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

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

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

If you have any questions, please call Charley Ice of the Commission staff at 587-0218 or toll-free at 274-3141 (Kauai), extension 70218.  

Sincerely,  

LAURA H. THIELEN  
Chairperson  

Enclosure  

c:  Secret Beach Plantation, LLC  
FPA Kihei Group, LLC  
USGS  
Kauai DWS
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 Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) S-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

4. The pump installation permit shall be for installation of a 45 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

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

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

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

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

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

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

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

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

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

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

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

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

Installer's Signature: ____________________ C-57, C-57a, or A License #: _______ Date: ________
Printed Name: Barry Simmons Firm or Title: Oasis Water Systems, Inc.

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

Attachments
Mr. Barry Simmons  
Oasis Water Systems, Inc.  
P.O. Box 507  
Hanalei, HI 96714

Dear Mr. Simmons:

Well Construction Permit  
Secret Beach Plantation Well (Well No. 1224-05)

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

**Special Conditions**

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

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

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

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

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

If you have any questions, please call Charley Ice of the Commission staff at 587-0218 or toll-free at 274-3141 (Kauai), extension 70218.

Sincerely,

LAURA H. THIELEN  
Chairperson  

Enclosures  
c:  Secret Beach Plantation, LLC (with applicable comments – DOH SDWB, WWB, CWB)  
FPA Kihei Group, LLC (with applicable comments – DOH SDWB, WWB, CWB)  
USGS  
Kauai DWS
WELL CONSTRUCTION PERMIT

Secret Beach Plantation Well, Well No. 1224-05

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Secret Beach Plantation Well (Well No. 1224-05) at TMK (4) 5-2-005:023, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Date of Approval: August 20, 2010
Expiration Date: August 20, 2012

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

Driller’s Signature: ______________________________  C-57 License #: C-21457  Date: ___________________________________

Printed Name: Barry Simmons  Firm or Title: Oasis Water Systems, Inc.

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

Attachment
FROM: CHARLEY
ANAKALEA, P.
BAUER, G. 
CHING, F.
DANBARA, S.
FUJII, N.
GOODING, K.
HARDY, R.
HIGA, D.
ICE, C.
IMATA, R.

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

DATE: 24 Aug 10
SUSPENSE DATE: 

TO: 
INIT: 
FOR: 
PLEASE: 
Approval 
Signature 
Information 
1 Review & Comment 
Take Action 
2 Type Draft 
Type Final 
3 File 
Xerox copies

WELL NUMBER 1224-05
Secret Beach Plantation

WELL CONSTRUCTION

ATTACHMENTS FOR WELL CONSTRUCTION PERMIT:
1 COVER LETTER
2 PERMIT (2x)
COMMENTS:
3 SDWB
4 WWB
5 CWB
6 HEER
7 LD
8 HP
9 OCCL
10 SMA

TO BE SENT TO APPLICANT
FOR OFFICE USE ONLY

PUMP INSTALLATION

ATTACHMENTS FOR PUMP INSTALLATION PERMIT:
1 COVER LETTER
2 PERMIT (2x)
COMMENTS:
3 SDWB
4 WWB
5 CWB
6 HEER
7 LD
8 HP
9 OCCL
10 SMA

TO BE SENT TO APPLICANT
FOR OFFICE USE ONLY

11 PRINTOUT
FOR OFFICE USE ONLY

12 BLANKS WORKSHEET
FOR OFFICE USE ONLY
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July 20, 2010

Mr. Ian Costa, Director
Planning Department
County of Kauai
4444 Rice Street, Ste. A473
Lihue, Hawaii 96766

Dear Mr. Costa:

Special Management Area Use Permit Requirements for
Well Construction/Pump Installation Permit Application
Secret Beach Plantation Well (Well No. 1224-05)

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

We would appreciate your comments on the captioned application with regard to the SMA permitting
requirements specific to your division. Please respond by returning this cover memo form by August 20,
2010. If we do not receive comments or a request for additional review time by this date, we will assume you
have no comments.

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

Sincerely,

LAURA H. THIELEN
Chairperson

CLASS

RESPONSE:

[ ] This well project [ ] requires 
[ ] does not require a SMA. If a SMA is required it [ ] has [ ] has not been approved and [ ] is [ ] is not currently active.

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

[ ] No objections

[ ] Other comments:

Contact Person: Ian K. Costa Phone: 24-1-4060

Signed: Date: 8/11/10
Hi Roy,

As requested by Charley’s out of office message, the attached Clean Water Branch comments for the subject wells are attached.

Thanks,
Joanna

Joanna L. Seto  
Engineering Section Supervisor  
Clean Water Branch  
State of Hawaii Department of Health  
Phone: (808) 586 - 4309  
Fax: (808) 586-4352

Notice: This information and attachments are intended only for the use of the individual(s) or entity to which it is addressed, and may contain information that is privileged and/or confidential. If the reader of this message is not the intended recipient, any dissemination, distribution, or copying of this communication is strictly prohibited and may be punishable under state and federal law. If you have received this communication and/or attachments in error, please notify the sender via e-mail immediately and destroy all electronic and paper copies.
Subject: National Pollutant Discharge Elimination System Regulations for the
Well Construction/Pump Installation Permit Application(s) for the Subject Well(s)

Dear Mr. Ice:

The Department of Health, Clean Water Branch (CWB) has the following comments for the subject wells:

1. For Well-Drilling Activities

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

Department of Health

Clean Water Branch

919 Ala Moana Boulevard, Room 301

Honolulu, Hawaii 96814-4920

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

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

3. For Construction Activities Disturbing One (1) or More Acres of Total Land Area

By HAR, Title 11, Chapter 55, Appendix C, effective October 22, 2007, and compiled June 15, 2009, an NPDES permit or Notice of General Permit Coverage is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NOI (see Comment No. 1, above) shall be submitted 30 calendar days before the start of construction activities.

Thank you for the opportunity to comment,

Joanna

Joanna L. Seto

Engineering Section Supervisor

Clean Water Branch

State of Hawaii Department of Health

Phone: (808) 586-4309

Fax: (808) 586-4352
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From: Susan S Hoagbin/DLNR/StateHiUS@STATEHIUS@DOHMAIL On Behalf Of Susan S Hoagbin/DLNR/StateHiUS@DOHMAIL
Sent: Wednesday, July 21, 2010 2:51 PM
To: Morikami, Lori N; Miyahira, Michael M; Seto, Joanna L; Palmer, Richard
Cc: Charley F Ice
Subject: Well Nos. 5130-04, 5030-02 to 04, 1120-56, & 1224-05

Please respond to this email request for comments to charley.f.ice@hawaii.gov.

<< File: 5130-04.PDF >> << File: 1120-56.PDF >> << File: 1224-05.PDF >> << File: 5030-02 to 04.PDF >>
Subject: National Pollutant Discharge Elimination System Regulations for the
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Honolulu, Hawaii 96814-4920

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Thank you for the opportunity to comment,

Joanna

Joanna L. Seto

Engineering Section Supervisor

Clean Water Branch

State of Hawaii Department of Health

Phone: (808) 586 - 4309
Fax: (808) 586-4352

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Sent: Wednesday, July 21, 2010 2:51 PM
To: Morikami, Lori N; Miyahira, Michael M; Seto, Joanna L; Palmer, Richard
Cc: Charley F Ice
Subject: Well Nos. 5130-04, 5030-02 to 04, 1120-56, & 1224-05

Please respond to this email request for comments to charley.f.ice@hawaii.gov.

<< File: 5130-04.PDF >> << File: 1120-56.PDF >> << File: 1224-05.PDF >> << File: 5030-02 to 04.PDF >>
In reply, please refer to:
EMD/WB

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3278
HONOLULU, HAWAII 96801

Wastewater Branch
919 Ala Moana Blvd. Room 309
Honolulu, Hawaii 96814-4920
Phone (808) 586-4294 Fax (808) 586-4300

STATE MESSENGER DELIVERY

Date: 7-22-2010

To: Commission on Water Resource Management
Department of Land & Natural Resources
State of Hawaii

Attn: Charley Ice

From: Lori Morikami, Planner
Planning & Design Section
Phone 586-4294 Fax 586-4300
Email: lori.morikami@doh.hawaii.gov

Subject: Well Construction/Pump Installation Permit/Water Use Permit for

<table>
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<th>Well No.</th>
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<td>1120-56</td>
<td>Jack Well</td>
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</table>

Please find enclosed the application of the above subject project.

STATE MESSENGER DELIVERY
July 20, 2010

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
Secret Beach Plantation Well (Well No. 1224-05) TMK (4) 5-2-005:023
Well address: Namahana Acres, Kalihiwai

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

CI: Attachment(s)

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or less 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 prevention devices 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).

[ ] An NPDES permit is required.

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

One-Stop database screen info

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

No comments/objections

Contact Person: Lori Vetter, Eng., on Kauai 241-3323

Signed: [Signature]
Date: 07-22-2010
### IWS Systems

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### Building Permits

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July 20, 2010

TO: Morris Atta, Administrator
   Land Division

FROM: Lenore N. Ohye, Acting Deputy Director
   Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
   Secret Beach Plantation Well (Well No. 1224-05) TMK (4) 5-2-005-023

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. **Please respond by returning this cover memo form by August 20, 2010.** If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

RESPONSE:

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

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

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

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

[ ] No objections

XX] Other comments: "Original source of private title is Grant 630 issued prior to statehood."

Contact Person: Gary Martin

Phone: 587-0421

Signed: Gary Martin

Date: July 26, 2010
Charley,

The HEER Office has no comment regarding the well permits submitted on July 21, 2010.

Regards,
Richard

Richard Palmer, Ph.D.
Environmental Health Specialist
Hazard Evaluation and Emergency Response Office
Hawaii Department of Health
919 Ala Moana Boulevard, Suite 206
Honolulu, Hawaii 96814

(808) 586-4249
(808) 586-7537 FAX

-----Original Message-----
From: Susan S Hoagbin/DLNR/StateHiUS@STATEHIUS@DOHMAIL On Behalf Of Susan S Hoagbin/DLNR/StateHiUS@DOHMAIL
Sent: Wednesday, July 21, 2010 2:51 PM
To: Morikami, Lori N; Miyahira, Michael M; Seto, Joanna L; Palmer, Richard
Cc: Charley F Ice
Subject: Well Nos. 5130-04, 5030-02 to 04, 1120-56, & 1224-05

Please respond to this email request for comments to charley.f.ice@hawaii.gov.

<< File: 5130-04.PDF >> << File: 1120-56.PDF >> << File: 1224-05.PDF >> << File: 5030-02 to 04.PDF >>
Hello Charley -

Here are our comments for the above mentioned wells.

Hard copies are in the mail.

Aloha,

Lori Morikami
DOH - Wastewater Branch

Happy weekend (we are on furlough tomorrow)
TO:  Honorable Chiyoue L. Fukino, M.D., Director  
       Department of Health  
       Attention: Acting Chief, Wastewater Branch  
       Stuart Yamada, Chief, Safe Drinking Water Branch  
       Alec Wong, Chief, Clean Water Branch  
       Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response  

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

SUBJECT:  Well Construction/Pump Installation Permit Application  
       Secret Beach Plantation Well (Well No. 1224-05) TMK (4) 5-2-005:023  
       Well address: Namahana Acres, Kahaluu

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

Class:  
Attachment(s)  

RESPONSE:  

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

[1] 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 is not subject to Director of Health approval.

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

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

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


[3] Other relevant DOH rules/standard form, information, or recommendations are attached.  

[3] One-Stop database screen info

Contact Person:  Lori Vetter, Eng. on Kauai  

Signed:  lei monkam on oahu  

Date:  07-22-2010
TMK (4) 5-2-005: 023  Septic Tanks - Permit #s 40310, 21420, 21125, 20707, 20869

Find TMK/Street

Search Criteria:

Search Value: 452005023

Search By: [ ] TMK [ ] Street Name

Add IWS [ ] Add BPA [ ] Search

IWS Systems

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Legacy Cesspool Cards

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Done

Internet
July 20, 2010

Mr. Barry Simmons  
Oasis Water Systems, Inc.  
P.O. Box 507  
Hanalei, HI 96714

Dear Mr. Simmons:

Well Construction/Pump Installation Permit Application for Well No. 1224-05

We acknowledge receipt, on June 23, 2010, of your completed Well Construction/Pump Installation permit application and filing fee for the Secret Beach Plantation Well (Well No. 1224-05). You can expect your application to be processed within ninety (90) days from this date.

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

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

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

Sincerely,

LENORE N. OHYE  
Acting Deputy Director

CI:ss  
Attachment  
c: Bill Hay  
FPA Kihei Group, LLC
TO: Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attention: Acting Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response

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

SUBJECT: Well Construction/Pump Installation Permit Application
Secret Beach Plantation Well (Well No. 1224-05) TMK (4) 5-2-005:023
Well address: Namahana Acres, Kaliihiwai

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Charley Ice 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 (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

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).

An NPDES permit is required.

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

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

No comments/objections

Contact Person: Phone: 
Signed: Date:  
July 20, 2010

TO: Morris Atta, Administrator
Land Division

FROM: Lenore N. Ohye, Acting Deputy Director
Commission on Water Resource Management

SUBJECT: Well Construction/Pump Installation Permit Application
Secret Beach Plantation Well (Well No. 1224-05) TMK (4) 5-2-005:023

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

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

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

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

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

[ ] No objections

[ ] Other comments:

Contact Person: ____________________ Phone: ________________

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application or request additional review time, please contact Charley Ice of the Commission staff at 587-0218. If you require additional information regarding specific information that can be provided by the applicant, please contact the applicant directly at the contact information provided on the application form.

RESPONSE:

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

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

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

Contact Person: ___________________________________________________________________ Phone: ___________________

Signed: _________________________________________________________________________ Date: ___________________
Mr. Ian Costa, Director  
Planning Department  
County of Kauai  
4444 Rice Street, Ste. A473  
Lihue, Hawaii 96766

July 20, 2010

Dear Mr. Costa:

Special Management Area Use Permit Requirements for  
Well Construction/Pump Installation Permit Application  
Secret Beach Plantation Well (Well No. 1224-05)

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

We would appreciate your comments on the captioned application with regard to the SMA permitting  
requirements specific to your division. Please respond by returning this cover memo form by August 20, 2010. If we do not receive comments or a request for additional review time by this date, we will assume you  
have no comments.

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

Sincerely,

[Signature]

Laura H. ThieLEN  
Chairperson

RESPONSE:

[ ] This well project [ ] requires [ ] does not require a SMA. If a SMA is required it [ ] has [ ] has not been approved  
and [ ] is [ ] is not currently active.

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

[ ] No objections

[ ] Other comments:

Contact Person: ___________________________ Phone: ___________________________

Signed: ___________________________ Date: ___________________________
COMMISSION ON WATER RESOURCE MANAGEMENT
ROUTE SLIP FOR NEW APPLICATIONS

FROM: **CHARLEY**  
DATE: **7-Jul-10**  
SUSPENSE DATE: **14-Jul-10**

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WELL NUMBER 1224-0S  
WELL NAME **Secret Beach**  
WUP Number **na**

**X** WELL CONSTRUCTION  
**X** PUMP INSTALLATION  

ATTACHMENTS FOR APPLICATION PROCESSING - Both applicant & staff generated

1. TRANS. LETTER  
2. PERMIT PROCESS TABLE  
3. CWRM MAPS  
4. APPL. FORM (11 COPIES)  
5. USGS MAPS (11 COPIES)  
6. TAX MAPS (11 COPIES)  
7. PARCEL OWNER VERIF.  
8. CONTRACTOR VERIF.  
9. ALL INFO FILLED IN  
10. BACKGROUND CHECK  
11. $25 FEE DEPOSIT SLIP  
12. DHCP/CDUP/SMA pre-screen  

(SMA map printout http://gis.hicentral.com/website/parcelzoning/viewer.htm., or INGRID’S SMA/CD MAP)  
(LUC map printout http://luc.state.hi.us/luc_maps.htm., or INGRID’S SMA/CD MAP)

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

INCOMPLETE ACTION DATES:

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TOTAL $ 25.00

REMARKS:

LINE (1) Secret Beach Plantation Well
LINE (2) 
LINE (3) 
LINE (4) 
LINE (5) 
LINE (6) 
LINE (7) 
LINE (8) 
LINE (9) 
LINE (10)
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
APPLICATION FOR A WELL CONSTRUCTION / PUMP INSTALLATION PERMIT

For Official Use Only: COMMISSION ON WATER RESOURCE MGMT. PERMIT

Instructions: Please print in ink or type and send completed application with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Application must be accompanied by 10 copies and a non-refundable filing fee of $28.00 payable to the Dept. of Land and Natural Resources. The Commission reserves the right to reject incomplete applications. For assistance, call the Inspections Branch at 867-6225. For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

WELL LOCATION INFORMATION

1. STATE WELL NO. (if already assigned) 2. WELL NAME 3. ISLAND 4. TMK

The following must be attached before this application is accepted as complete:
- Portion of 7.5-Minute Series USGS topographic map (scale 1:24,000) with well location shown and include the name of the quad map
- Property tax map, showing well location referenced to established property boundaries
- Photograph of the proposed well site
- A schematic diagram showing the well site, access road and proposed well infrastructure

4. Date
5. Person
6. Well Driller
7. Pump Installer
8. Landowner's Name/City/Phone
9. Well Operator's Name/City/Phone

10. Proposed Work
- Construct New Well
- Modify Existing Well
- Abandon/Seal Well
- Construct New Pump
- Install New Pump
- Replace Pump

11. Proposed Pumping Rate, gpm
12. Proposed Amount of Withdrawal, gpd

13. Method of flow measurement
- Flowmeter
- Other (explain)

14. Proposed Surveyor name and location (a surveyor is required for all Well Construction Permits and may be required for some Pump Installation Permits)

15. Additional remarks, explanations, etc. (attach additional sheet if more space is needed)

16. Additional information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

NOTE: Signing below indicates that the signatories understand and swear to the information provided is accurate and true to the best of their knowledge. Further, the signatories understand that upon permit approval: 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 60 days after the completion date of the permitted work; 3) in the event that the application is not completed correctly, any permit may be suspended until the item is brought to compliance, and any work done while the permit is in suspension may in result in fines of up to $500/day.

25. Well Driller (Must be listed if application is for Well Construction)

Oasis Water Systems 21457
C-57 License No.

26. Pump Installer (Must be listed if application is for Pump Installation)

Oasis Water Systems 21457
C-57C License No.

For Further Information and Updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.
PROPOSED WELL SECTION

(Please attach schematic if different from diagram provided below)

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

Ground Elevation: 267 ft., msl*

Elevation at top of casing 267 ft., msl*

Cement Grout: 235 ft. (min. 70% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

Annular space between hole and casing (1.5" for positive displacement, 3" for other methods): 6 in.

Rock or Gravel Packing:

Total Depth: 335 ft.

Solid Casing: (≥ 90% x (Ground Elev.-Water Level Elev))

Total Length: 275 ft.
Nominal Diameter: 6 in.
Wall Thickness: .250 in.
Bottom Elevation: -30 ft., msl*

Open Casing:

Perforated Screen

Total Length: 40 ft.
Nominal Diameter: 6 in.
Wall Thickness: .375 in.
Bottom Elevation: -70 ft., msl*

note: Neither bentonite nor mud should be used in saturated zone during drilling

HAWAII WELL CONSTRUCTION AND PUMP INSTALLATION STANDARDS

to ensure that your as-built is in compliance with applicable standards.

Example: Estimated + 2 ft. Water Level Elev. — Bottom Elevation of Well Limit = (Water Elevation - 1/4 x Well Limit Elevation)  

Solid Casing Material:

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

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

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

ABS Plastic conforming to ASTM F480 and ASTM D1527: (check one): □ Schedule 40  □ Schedule 80

PVC Plastic conforming to ASTM F480 and (ASTM D1785 or ASTM D2241): (check one): □ Schedule 40  □ Schedule 80  □ Schedule 120

Thermoset Plastic: (check one)

□ Filament Wound Resin Pipe conforming to ASTM D2996
□ Centrifugally Cast Resin Pipe conforming to ASTM D2997
□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
□ Glass Fiber Reinforced Reinforced Pressure Pipe conforming to AWWA C950
□ PTFE Fluorocarbon Tubing conforming to ASTM D3296
□ FEP Fluorocarbon Tubing conforming to ASTM D3296

Open Casing Material:

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

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

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

ABS Plastic conforming to ASTM F480 and ASTM D1527: (check one): □ Schedule 40  □ Schedule 80

PVC Plastic conforming to ASTM F480 and (ASTM D1785 or ASTM D2241): (check one): □ Schedule 40  □ Schedule 80  □ Schedule 120

Thermoset Plastic: (check one)

□ Filament Wound Resin Pipe conforming to ASTM D2996
□ Centrifugally Cast Resin Pipe conforming to ASTM D2997
□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
□ Glass Fiber Reinforced Reinforced Pressure Pipe conforming to AWWA C950
□ PTFE Fluorocarbon Tubing conforming to ASTM D3296
□ FEP Fluorocarbon Tubing conforming to ASTM D3296

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

For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or

Bottom Elevation of Well Limit = (Water Elevation - 1/4 x Well Limit Elevation)

And compliant with (check one or more):

□ API Spec. 5L  □ ASTM A53  □ ASTM A139

And compliant with (check one or more):

□ ASTM A242 (or A606)  □ Type E  □ Type S  □ Grade B  □ Other

Cement Grout:

Minimum of 2 ft. Water Level Elev. — Bottom Elevation of Well Limit = (2 x Ground Elevation - 1/4 x Well Limit Elevation)

WELL INSTALLATION

Example: Estimated + 2 ft. Water Level Elev. — Bottom Elevation of Well Limit = (2 x Ground Elevation - 1/4 x Well Limit Elevation)

Diameter: 6 in.

Wall Thickness: .250 in.

Bottom Elevation: -30 ft., msl*

Total Length: 275 ft.

Nominal Diameter: 6 in.

Wall Thickness: .250 in.

Bottom Elevation: -30 ft., msl*

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

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