Dear Mr. Ferrari:

Well Construction Permit for Mauka Luawai Well (Well No. 0136-02)

Thank you for your letter of August 10, indicating your desire to re-activate an expired permit to drill a well for a single family dwelling and nursery in Honokohau Valley, Maui.

Because the initial well construction permit for this work expired on November 2, 1990, you will need to re-apply to the Commission on Water Resource Management for a new permit. Enclosed please find a copy of our new well construction/pump installation application form for your use.

Sincerely,

RAE M. LOUI
Deputy Director

BR:ky
Enc.
Rae M. Loui  
Deputy Director  
Dept. of Land & Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dear Mr. Loui:

I received your letter dated July 31, 1992. Previously issued on November 2, 1988, for Makai and Mauka Luawai Wells. Well Nos. 0136-01,02 Honokohau Maui.

I had to go to the Mainland, to repair some real estate, that was damaged in a big earth quake and was not able to construct the well as planned.

Would appreciate anything you could do to activate a Use Permit on the Mauka side. (parcel #10) The well permit will be for a single family dwelling and nursery.

Thank You For Your Time And Consideration:

Sincerely,

[Signature]

Mr. Ferrari  
President

cc: DEF
Eugene Ferrari phoned - he still wants to drill well.

Told him to write letter explaining "good cause" and ask for extension to re-activate old application.

his phone (Maui) 669-1034
Certified Mail

TO:  Mr. Eugene A. Ferrari
     P.O. Box 5182
     Lahaina, HI 96761

REVOCATION OF WELL CONSTRUCTION PERMITS
Previously issued on November 2, 1988, for
Makai and Mauka Luawai Wells
Well Nos. 0136-01,02
Honokohau, Maui

On November 2, 1988, the Commission on Water Resource Management issued you permits to construct and test Well Nos. 0136-01 and -02 for agriculture use within Tax Map Keys 4-1-02:8 and :10 respectively. The permits were valid for two years from the date of issuance and required that well completion reports be submitted within 30 days after the completion of each well.

As of this date, no well completion report or other evidence has been received by the Department which indicates that the subject wells were ever constructed. Accordingly, we conclude that the wells were not constructed within the allowable period, which has now expired, and that the permits should be revoked.

You are hereby notified in accordance with H.A.R. §13-168-12(k) that the permits to construct the above-mentioned wells shall be revoked within 60 days of the date of this letter unless you can show good cause that they should not be revoked. If the wells have already been constructed, you must notify us of this before the permits are revoked and provide the information specified by the well construction permit conditions. Please contact our Regulation Branch at (808) 587-0225 if you have any questions.

Sincerely,

RAE M. LOUI
Deputy Director

BR:ky
Mr. Eugene A. Ferrari
P.O. Box 5182
Lahaina, Maui 96761

Dear Mr. Ferrari:

I am pleased to inform you that the Commission on Water Resource Management approved your application for two well construction permits at its meeting on October 19, 1988. Enclosed is a copy of the approved submittal and your well construction permits for Nekai and Mauka Luawai Wells, State Well Nos. 0136-01,02, Honokohau, Maui.

Following construction and pump testing for the wells, an application for a pump installation permit is required for each well in accordance with the Administrative Rules of the State Water Code.

Also required are monthly reports of pumpage when the wells are put into production.

If you have any questions, please contact the Division of Water and Land Development at 548-7619.

Very truly yours,

[Signature]

WILLIAM W. PATY

MT: ES: ko

Enc.
TO: Mr. Eugene A. Ferrari  
P.O. Box 5182  
Lahaina, Maui 96761

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", your application to construct and test State Well No. 0136-01 for agriculture use within Tax Map Key: 4-1-02:8 is approved subject to the following conditions:

1. The Division of Water and Land Development (DOWALD), Geology-Hydrology Section, shall be notified at 548-7619, before any work covered by this permit commences.

2. The following shall be submitted to DOWALD, P.O. Box 373, Honolulu, Hawaii 96809, within 60 days after completion of the wells:
   b. Elevation (referenced to mean sea level) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the wells.
   d. Plot plan and map showing the exact location of the well.
   e. Pumping test record, including time, pumping rate, drawdown, chloride content, and water quality.

3. The applicant shall comply with all applicable laws, rules, and ordinances.
4. This permit may be revoked if work is not started within six months of date of issuance or if work is suspended or abandoned for six months. The work shall be completed within two years of the date of issuance.

Date of Issuance

Nov 2 1988

Enc. (Driller's Report form)

cc: USGS
Department of Health,
    Drinking Water Program
    Ground Water Protection Program
    Maui Dept. of Water Supply
TO: Mr. Eugene A. Ferrari  
P.O. Box 5182  
Lahaina, Maui 96761

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", your application to construct and test State Well No. 0136-02 for agriculture use within Tax Map Key: 4-1-02:10 is approved subject to the following conditions:

1. The Division of Water and Land Development (DOWALD), Geology-Hydrology Section, shall be notified at 548-7619, before any work covered by this permit commences.

2. The following shall be submitted to DOWALD, P.O. Box 373, Honolulu, Hawaii 96809, within 60 days after completion of the wells:
   b. Elevation (referenced to mean sea level) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the wells.
   d. Plot plan and map showing the exact location of the well.
   e. Pumping test record, including time, pumping rate, drawdown, chloride content, and water quality.

3. The applicant shall comply with all applicable laws, rules, and ordinances.
4. This permit may be revoked if work is not started within six months of date of issuance or if work is suspended or abandoned for six months. The work shall be completed within two years of the date of issuance.

NOV 2 1988

WILLIAM W. PATY

Date of Issuance

Enc. (Driller's Report form)
cc: USGS
    Department of Health,
    Drinking Water Program
    Ground Water Protection Program
    Maui Dept. of Water Supply
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

Application for Well Construction Permit for
Luawai Wells, Honokohau, Maui

Applicant: Mr. Eugene A. Ferrari, P.O. Box 5182, Lahaina, Maui 96761

Action Requested: Approval of permits to construct and test two wells, State Well Nos. 0136-01 and 0136-02, for agriculture use.

Well Location: Makai Luawai Well site is located within Tax Map Key: 4-1-02:8, and Mauka Luawai Well site is located within Tax Map Key: 4-1-02:10, both at Honokohau, Maui (see attached map).

Impact on Surrounding Wells: No adverse effects.

Agency Review: The applications have been sent to the following for review:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Dept. of Health</td>
<td>No objections</td>
</tr>
<tr>
<td>Maui Dept. of Water Supply</td>
<td>No objections</td>
</tr>
</tbody>
</table>

RECOMMENDATION:

That the Commission approve the issuance of Well Construction Permits to Mr. Eugene A. Ferrari for the construction and testing of Makai and Mauka Luawai Wells, subject to the following conditions:

(1) The Division of Water and Land Development (DOWALD) shall be notified before any work covered by this permit commences.

(2) The following shall be submitted to DOWALD within 60 days after completion of the wells:
   b. Elevation (referenced to mean sea level) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the wells.
   d. Plot plan and map showing the exact location of the wells.
   e. Pumping test records, including times, pumping rates, drawdowns, chloride contents, and water quality.

Approved by Commission on Water Resource Management at the meeting held on OCT 19, 1988

ITEM 6
Chairperson and Members
Commission on Water Resource Management

October 19, 1988

(3) The applicant shall comply with all applicable laws, rules, and ordinances.

(4) This permit may be revoked if work is not started within six months of date of issuance or if work is suspended or abandoned for six months. The work shall be completed within two years of the date of issuance.

Respectfully submitted,

MANABU TAGOMORI
Deputy Director

Attach.

APPROVED FOR SUBMITTAL:

WILLIAM W. PATY, Chairperson
MAKAI & MAUKA LUAWAI WELLS

Well Sites

PROJECT AREA

ISLAND OF MAUI
TO

DATE 10/17 TIME 2:32 pm

WHILE YOU WERE OUT

Mr. Smith

of Main St. (244-7836)

Phone

TELEPHONED

PLEASE CALL

CALLED TO SEE YOU

WANTS TO SEE YOU

RETURNED YOUR CALL

URGENT

WILL CALL AGAIN

Message:

I am out of town. I will be gone until November 3rd.

You are cordially invited to attend the annual dinner.

Donoho Lake Valley

(Eugene Farnelli)

Applicant

Operator

(over)
Applicant, 110

County, 110

I declared to Mr. Petty

that I might be in

any hands, if you

will. Read.
Honorable Vince G. Bagoyo, Jr.
Director
Department of Water Supply
County of Maui
200 S. High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Bagoyo:

Well Construction Permit Applications
Makai and Mauka Luawai Wells
State Well Nos. 0136-01 and 0136-02, Honokohau, Maui

We are sending you a copy of a well construction permit applications submitted by Eugene A. Ferrari.

Please review the applications and submit your comments to us, orally or in writing, at your earliest convenience. We would appreciate your comments within two weeks from the date of this letter.

If you have any question, please contact Manabu Tagomori at 546-7533.

Very truly yours,

WILLIAM W. PATY, Chairperson
Board of Land and Natural Resources

MT:ES:ko
Enc.
August 25, 1988

Honorable John C. Lewin
Director
Department of Health
State of Hawaii
1250 Punchbowl Street
Honolulu, Hawaii 96813

Dear Dr. Lewin:

Well Construction Permit Applications
Makai and Mauka Luawai Wells, State No. 0136-01 and 02

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-168-12(c), we are sending you a copy of the subject permit applications.

Please review the applications and submit your comments to us, orally or in writing, at your earliest convenience. We would appreciate your comments within three weeks from the date of this letter.

If you have any questions, please contact Manabu Tagomori at 548-7533.

Very truly yours,

WILLIAM W. PATY, Chairperson
Commission on Water Resource Management

Enc.
MT:ES:dh
Mr. Eugene A. Ferrari  
P.O. Box 5182  
Lahaina, Maui 96761

Dear Mr. Ferrari:

We have received your applications to construct two wells at Honokohau, Lahaina, Maui, TMK 4-1-02:8 and 10.

Under our new Administrative Rules, Chapter 13-168, entitled "Water Use, Wells, and Stream Diversion Works", an application for a well construction permit must be accompanied by a $25.00 filing fee. Please send the $25.00 filing fee, payable to the Department of Land and Natural Resources, to P.O. Box 373, Honolulu, Hawaii 96809.

If you have any questions please call the Geology-Hydrology Section at 548-7619.

Sincerely,

[Signature]

MANABU TAGOMORI  
Deputy for Water Resource Management

CHECK NO. 183 for $25.00
August 22, 1988

Mr. Eugene A. Ferrari
P.O. Box 5182
Lahaina, Maui 96761

Dear Mr. Ferrari:

We have received your applications to construct two wells at Honokohau, Lahaina, Maui, TMK 4-1-62:8 and 10.

Under our new Administrative Rules, Chapter 13-168, entitled "Water Use, Wells, and Stream Diversion Works", an application for a well construction permit must be accompanied by a $25.00 filing fee. Please send the $25.00 filing fee, payable to the Department of Land and Natural Resources, to P.O. Box 273, Honolulu, Hawaii 96809.

If you have any questions please call the Geology-Hydrology Section at 548-7619.

Sincerely,

MAHARU TACOMORI
Deputy for Water Resource Management

ES:ch
APPLICATION FOR (check one)

☐ WELL DRILLING PERMIT  ☐ WELL MODIFICATION PERMIT

Instructions: Send completed application and attachments to Department of Land and Natural Resources, P.O. Box 373, Honolulu, Hawaii 96809.
Reference: Regulation 9, Dept. of Land & Natural Resources.

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

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

1. WELL LOCATION: Island MAUI  Tax Map Key 4-1-029. Attach a plot plan showing well location referenced to established property boundaries.

2. WATER USER  Eugene A. Ferrari  Telephone 669-8577

Address: P.O. Box 5182 Lahaina HI 96761  Zip Code 96761

3. PROPOSED DRILLING COMPANY: David Pico

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

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

PROPOSED SECTION OF WELL

Elevation at top of casing 20 ft., msl.

Ground Elev. 19 ft., msl*

Solid casing: 8.PC SCH 40

Material Length ft. in

Dia. 2 in. Wall thickness 0.25 in

Casing: 8 Perforated ☐ Screen

Material Length 2 ft. in

Dia. 3.5 OD in Wall thickness 0.25 in

Openings 8 sq.in./ft

Rock Packing 0 ft.

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

6. PROPOSED AMOUNT OF WITHDRAWAL: Check most appropriate box and fill in amount.

☐ Daily 500-1000 gallons ☐ Monthly ___ gallons ☐ Yearly ___ gallons

7. PROPOSED PUMP OR FLOW CAPACITY: 10 gallons per minute

Signature: Eugene A. Ferrari

Water User

Signature: Eugene A. Ferrari

Landowner of Well Site

Date: 8/2/88

Date: 8/2/88

For Official Use:

State Well No. 0136-01

DLNR Permit No. 

DLNR Application No. 

CHECK TO DH: 9/7/88
APPLICATION FOR (check one)

DEPARTMENT OF LAND AND NATURAL RESOURCES

WELL DRILLING PERMIT
WELL MODIFICATION PERMIT

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

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

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

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

1. WELL LOCATION: Island Maui Tax Map Key 4-1-02. Attach a plot plan showing well location referenced to established property boundaries.

2. WATER USER: Eugene A. Ferrari Address: 16092 Lahaina Maui Telephone: 669-8577

3. PROPOSED DRILLING COMPANY: David Pico

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

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

PROPOSED SECTION OF WELL

Elevation at top of casing 20 ft., msl.

Ground Elev. 19 ft., msl*

Cement Grout 8 ft.

Solid casing PVC scH 40

Hole Dia. 6 in.

Length 18 ft.

Total Depth 30 ft.

Wall thickness 1.25 in.

Rock Packing 15 ft.

Material PVC scH 40

Diameter 4.500 in.

Wall thickness 0.25 in.

Openings 8 sq. in./L.1

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

5. PROPOSED USE: Municipal / Military / Agriculture / Industrial

6. PROPOSED AMOUNT OF WITHDRAWAL: Check most appropriate box and fill in amount.

Daily 500 gallons / Monthly 2,000 gallons / Yearly 10,000 gallons

7. PROPOSED PUMP OR FLOW CAPACITY: 10 gallons per minute

Signature: Eugene A. Ferrari

Date: 8/2/88

Signature: Eugene A. Ferrari

Date: 8/2/88

For Official Use:

State Well No. 0136-02

DLNR Permit No.

DLNR Application No.

Water User

Landowner of Well Site
Assessed Values reflect tax year 2008.

Search criteria: TMK Taxkey 2-4-1-2-8

<table>
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<tr>
<th>Taxkey</th>
<th>Subdiv/Condo</th>
<th>Tnr</th>
<th>Address</th>
<th>Owner/Lessee</th>
<th>Bds</th>
<th>Bths</th>
<th>Land area</th>
<th>Liv area</th>
<th>Last Sale</th>
<th>Instr</th>
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<td>2-4-1-2-8</td>
<td>Honokohau</td>
<td>F</td>
<td>HONOKOHAU VALLEY</td>
<td>MCCARTY, JAMES R &amp; VICTORIA L</td>
<td>0</td>
<td>0</td>
<td>1.52 ac</td>
<td>0</td>
<td>1/4/2007</td>
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</table>

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COMMISSION ON WATER RESOURCE MANAGEMENT

FROM: Roy

TO: CHONG, R.
DANBARA, S.
FUJII, N.
HARDY, R.
HOAGBIN, S.
ICE, C.
IMATA, R.

INIT: TO: INIT: FOR: PLEASE:

KIMURA, J.
OHYE, L.
TAM, W.
UYENO, D.
YODA, K.
YOSHINAGA, M.

Approval Signature Information
See Me Review & Comment Take Action Type Draft Type Final File Xerox ___ copies

DATE: 4.25
SUSPENSE DATE: 

Sent printout from well index

File not in drawer
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources

WELL INFORMATION RELEASE REQUEST

Instructions: Please print in ink or type and send completed form with attachments to the Commission on Water Resource Management, via mail to P.O. Box 621, Honolulu, Hawaii 96809, via facsimile to (808) 587-0219, or via e-mail to dlnr.cwrm@hawaii.gov. For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

Please fill out this form to request a release of well information in the form of maps, database information, and/or file documents. Upon submission, Commission staff shall review the request, prior to delivery of the requested information. Copying charges may apply and must be paid prior to copies being made.

Name: Steve Parker

Mailing Address, Phone Number, and E-mail:
P.O. Box 1209, Kula, Hi., 96790;
(808) 878-1001 x1#
parkers007@hawaii.rr.com

Company Name: (If obtaining information for a business.)

Company Phone Number, Fax, and Email:

Location of Interest: (Please attach map if possible.)
Honokohau

Island: Maui Tax Map Key(s): 2-4-1-2-8

Specific Information Desired:
Well #0136-01
I would like to get the information on this particular well drilled by Valley Well Drilling. Property owner is Richard McCarty

For Official Use Only:
Information provided: well index print 0136.01

Staff providing information: c
Date provided: 4/26/11

Total Copy Charges: (See attached, "Record of Copied Materials" form.) $

WIRR Form (09/13/2006)
MEMO and ROUTE SLIP (ver. 07/21/09) 07/31/09

WCR 1 Check for Well No. 0136-01 (regulation/survey route)

1. From Charlev Ryan (initial) 9 gpm

2. Well Log Check Geology Code for Well Index: Aluvium Fm Name: Alluvium D. England DS (initial)

3. Pump Tests Check Diane England DS (initial) * TMK + Lat/Long are over 10 miles apart!

   Yes No
   Step-Drawdown Test: followed WCPI Stds analysis attached
   Constant Rate Test: followed WCPI Stds analysis attached
   Potential Well Interference:
   Potential Stream Impacts: Adjacent to Honokohau Stream, approx 300' from terminus e ocean.
   Additional Testing or Data Required:
   Pump Test Comments Attached:
   Proposed Pump Capacity is OK:

4. Construction Check Mitch Ohye (initial) R. Torres (initial)

   Yes No
   data complete followed Special Cond & elevations
   well database updated
   location change significant? (SMA, CD, TMK)

   Latitude Longitude
   NAD27 21° 01' 49.51" 156° 36' 29.42"
   NAD83 20° 54' 21" 156° 36' 29.42"

5. Charlev/Ryan (initial) take action based on a

ATTACHMENTS FOR PUMP INSTALLATION PERMIT (2x):
1. COVER LETTER
2. COUNTY COMMENTS (DWS/SMA)
3. DOH COMMENTS
4. DLNR COMMENTS (LD/OCCUDHP)
5. WCR 1 Accept
6. WELL CONST. COMPLETION CERTIFICATE

6. Roy (initial) check (Entered WCR 1/WCCC accept date into database)
7. Susan Hoagbin (initial) finalize
8. Ken (initial) signature
9. Mitch (initial) Entered PIP issue date if attached/required
10. Charlev/Ryan File
James and Victoria McCarty  
P.O. Box 11209  
Lahaina, HI 96761

Dear Mr. and Mrs. McCarty:

Certificate of Pump Installation Completion for Honokohau-McCarty Well  
Well No. 0136-01 (TMK (2) 4-1-002:008)

We are pleased to inform you that the Pump Installation work permitted for the Honokohau-McCarty Well (Well No. 0136-01) is complete and acceptable and welcome you as a new member to the community of well owners and ground water users in Hawaii. This certificate of pump installation completion allows you to commence pumping your well for reasonable & beneficial water use.

To protect Hawaii's natural ground water resources for the benefit of all, the following requirements apply to the use of your well:

1. If the well is not in use it must be properly capped.

2. If the well is to be abandoned then the landowner must cause a licensed contractor to apply for a well abandonment permit in accordance with §13-168-12(f), HAR, prior to any well sealing or plugging work.

3. In the event that the well operator and/or landowner changes, the Commission shall be notified prior to the change.

4. In the event the benchmark in the concrete base of the well is altered in any way, an updated version of the Well Elevation page of the Well Completion Report Part I shall be submitted to the Commission. If a licensed surveyor had estimated the original benchmark elevation then a licensed surveyor must establish the new benchmark elevation. The Well Elevation portion of the Well Completion Report Part I can be obtained by contacting Commission staff or at www.hawaii.gov/dlnr/cwrm/forms.htm.
5. Your approved pump has a capacity of 9 gpm at a head of 20 ft. In the future, pump replacements of equal or lesser capacity will not require an additional permit from the Commission, but will require the submission of a Well Completion Report Part II by the licensed pump installer. If the pump replacement is greater than the existing pump, you will need to apply for a new pump installation permit.

6. The landowner shall cause the well operator to maintain the installed 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), in accordance with §13-168-7, HAR. Blank water use report forms are also available at www.hawaii.gov/dlnr/cwrm/resources_permits.htm

7. 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. The authorization to drill a well and/or install a pump shall not constitute a determination of correlative water rights. The landowner and well operator are notified that the quantity of water taken from the well and/or the pump capacity could be reduced by the Commission in the future.

Because ground water in Hawaii is a public trust, and adverse effects at one well may affect other water resources, any violation of the above conditions or any other provision of the Hawaii Administrative Rules may be subject to fines of up to $5,000 per day. The Commission needs your help and asks that you do your part in utilizing this shared resource. We prefer to work with you in meeting the goal of protecting our ground water resources together.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 984-2400 (Maui), extension 70218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss
Encl: Water Use Report Forms

c: Maui Department of Water Supply
   Valley Well Drilling, LLC
James and Victoria McCarty
P.O. Box 11209
Lahaina, HI 96761

Dear Mr. and Mrs. McCarty:

Certificate of Well Construction Completion for Well No. 0136-01 (TMK (2) 4-1-002:008)

We are pleased to inform you that the Well Construction work permitted for the Honokohau-McCarty Well (Well No. 0136-01) is complete and acceptable and welcome you as a new member to the community of well owners and ground water users in Hawaii.

To protect Hawaii’s natural ground water resources for the benefit of all, the following requirements apply to the use of your well:

1. Before this well can be pumped on a regular basis, a certificate of pump installation completion must be obtained.

2. If the well is not in use it must be properly capped.

3. If the well is to be abandoned then the landowner must cause a licensed contractor to apply for a well abandonment permit in accordance with §13-168-12(f), HAR, prior to any well sealing or plugging work.

4. In the event that the well operator and/or landowner changes, the Commission shall be notified prior to the change.

5. In the event the benchmark in the concrete base of the well is altered in any way, an updated version of the Well Elevation page of the Well Completion Report Part I shall be submitted to the Commission. If a licensed surveyor had estimated the original benchmark elevation then a licensed surveyor must establish the new benchmark elevation. The Well Elevation portion of the Well Completion Report Part I can be obtained by contacting Commission staff or at our website at www.hawaii.gov/dlnr/cwrmlresources-permits.htm.

Because ground water in Hawaii is a public trust, and adverse effects at one well may affect other water resources, any violation of the above conditions or any other provision of the Hawaii Administrative Rules may be subject to fines of up to $5,000 per day. The Commission needs your help and asks that you do your part in utilizing this shared resource. We prefer to work with you in meeting the goal of protecting our ground water resources together.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 984-2400 (Maui), extension 70218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss

C: Maui Department of Water Supply
   Valley Well Drilling, LLC
Ms. Tracie Sober  
Valley Well Drilling, LLC  
91-235A Oihana Street  
Kapolei, HI 96707

Dear Ms. Sober:

Well Completion Report Parts I and II for Well No. 0136-01

We received your Well Completion Report Parts I and II for the Honokohau-McCarty Well (Well No. 0136-01) on August 6, 2009 and acknowledge that they are complete.

This completes your obligation under the well construction and pump installation permits. Certificates of well construction completion and pump installation completion will be issued to the well operator/landowner and you will receive a copy. These certificates transfer responsibility of specific aspects of well usage and maintenance from you to the well operator/landowner.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 984-2400 (Maui), extension 70218.

Sincerely,

KEN C. KAWAHARA, P.E.  
Deputy Director

CI:ss

c: James and Victoria McCarty
**State of Hawaii**
**COMMISSION ON WATER RESOURCE MANAGEMENT**
**Department of Land and Natural Resources**

**WELL COMPLETION REPORT - PART I**

**Well Construction**

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

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1. **State Well No.:** 0136-01  
   **Well Name:** Henekahau - Mc Carny  
   **Island:** Maui

2. **Address:** Honokahau Rd, Lahaina  
   **Tax Map Key:** 4-1-002-008

3. **Drilling Company:** Valley Well Drilling, LLC

4. **Drilling method used during construction:**  
   - [ ] Rotary  
   - [ ] Percussion  
   - [ ] Other (describe)

5. **Date Well Construction (drilled, cased, grouted) completed:** 6-25-09  
   **Attach Completed Driller’s Log**

6. **Was the subject well cored?**  
   - [ ] Yes  
   - [ ] No

7. **Step-Drawdown Test completed?**  
   - [ ] No  
   - [ ] Yes  
   **Attach Step-Drawdown Test form (12/17/97 SDPTD Form)**

8. **Constant Rate Aquifer Test completed?**  
   - [ ] No  
   - [ ] Yes  
   **Attach Constant Rate Aquifer Test form (12/17/97 CRPTD Form)**

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**Water Level Data:**

<table>
<thead>
<tr>
<th>Reference point elevation</th>
<th>Depth to water (feet)</th>
<th>Water Level ft. above mean sea level (see note below)</th>
<th>Date/time of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground = 15 ft. msl</td>
<td>8</td>
<td>7</td>
<td>6-4-09 1000</td>
</tr>
<tr>
<td>Ground = 15 ft. msl</td>
<td>8</td>
<td>7</td>
<td>6-5-09 400pm</td>
</tr>
</tbody>
</table>

**Chloride:** 12 ppm, **Temperature:** 72°F

---

**9. Initial encountered during drilling**  
   (this should also be filled in on the driller’s log)

**10. Just prior to casing installation**  
   (this information should be before any pump tests are performed with casing installed)

**11. After casing installation**  
   (this point is not the benchmark, the difference between the benchmark and this point is: ft.)

**Chloride:** 12 ppm, **Temperature:** 72°F

**12. As-built section filled in completely**  
   [ ]

**13. Photograph of well and concrete pad showing benchmark on concrete pad attached**  
   [ ]

**14. GPS coordinates provided in degrees, minutes, seconds**  
   [ ]

**15. If a pump is not planned to be installed, please describe (below in the remarks section) how well is secured to prevent unauthorized access (example: lockable cover, threaded coupling, etc.)**

**16. Remarks:**

   well sealed w/ pumpp

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**Licensed Driller (print)**  
   Harry Seber  
   C-57 Lic. No. 24947

**Signature**  
   Harry Seber  
   Date 7-7-09

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WCR1 Form 6/12/07 Page 1 of 5
12. AS-BUILT WELL SECTION

(Please attach as-built if different from diagram provided below)

Elevation at top of casing: 17 ft., msl
(to nearest 0.01 ft.)

Bench mark elevation:
15.53 ft., msl
☐ (Surveyed to nearest 0.01 ft.)
☒ (Estimated)

Grouting method:
☒ Positive displacement (if annular space is less than two inches, attach photo of tremie)
☐ Other

Cement Grout: 15 ft.
(min. 70% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

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

Rock or Gravel Packing:
30 ft.
Material:
☐ Crushed Basalt
☐ Rounded Gravel

Water Level Elevation:
9.90 ft., msl
(item 11 from page 1)

Minimum of 2' Radius & 4' Thick Concrete Pad

Ground Elevation: 15 ft., msl
☐ Surveyed ☐ Estimated

Solid Casing: (> 90% x (Ground Elev.-Water Level Elev))
Length: 15 ft.
Nominal Diameter: 4 in.
Wall Thickness: 0 in.
Bottom Elevation: -25 ft., msl

Open Casing: ☐ Perforated ☐ Screen
Length: 25 ft.
Nominal Diameter: 4 in.
Wall Thickness: 0 in.
Bottom Elevation: -25 ft., msl

Open Hole:
Length: ___________ ft.
Diameter: _______ ft.
Bottom Elevation: ___________ ft., msl

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 Resin 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 Resin Pressure Pipe conforming to AWWA C950
☐ PTFE Fluorocarbon Tubing conforming to ASTM D3296
☐ FEP Fluorocarbon Tubing conforming to ASTM D3296

*msl = mean sea level

HAWAII WELL CONSTRUCTION AND PUMP INSTALLATION STANDARDS

Please refer to the Hawaii Well Construction and Pump Installation Standards to ensure that your as-built is in compliance with applicable standards.
**DRILLER'S LOG**

**WELL NUMBER:** 0136-01  
*In addition to the driller's log, if a geologic log was prepared, please submit with this form*

<table>
<thead>
<tr>
<th>Depths (ft.)</th>
<th>Rock Description</th>
<th>Water Level</th>
<th>CI-</th>
<th>Dates</th>
<th>Depths (ft.)</th>
<th>Rock Description</th>
<th>Water Level</th>
<th>CI-</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 10'</td>
<td>Silty sand</td>
<td>8' bags</td>
<td></td>
<td>6/4/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10' to 20'</td>
<td>Cobble, black sand</td>
<td>6/4/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20' to 25'</td>
<td>Cobble, black sand</td>
<td>6/4/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25' to 37'</td>
<td>Sandy silt (brown) 8' bags</td>
<td>6/5/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37' to 40'</td>
<td>Brown clay w/ small cobble</td>
<td>6/5/09</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Remarks:</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

_WCR1 Form 6/12/07 Page 3 of 5_
Attach photos of completed well and concrete pad

SKETCH OF WELL LOCATION
(Referenced to permanent landmark, i.e. building, road, fence, etc.)
Provide Latitude and Longitude of well referenced to NAD83 to nearest second
Charley,

See what I get when I let the boys have the GPS. They must have been playing with it on their way the the airport. Here is the correct coordinates:

21 degrees 01' 16.44" / 
156 degrees 36' 29.42" / 

Thanks,
Tracie

From: Charley.F.Ice@hawaii.gov
Sent: Tuesday, August 04, 2009 9:43 AM
To: vwdhi@lava.net
Subject: McCarty and Ferrari Wells, Honokohau

Hi Tracie!
Would you double check your GPS coordinates for these two wells? Trying to plot them, we think they may have gotten switched.
MEMO and ROUTE SLIP (ver. 7/14/2009)

WCR 2 Check for Well No. 0136-01 (survey to regulation memo)

1. From Charley Ryan (initial)

2. **Pump Tests Check** (special condition of PIP? Yes/No) D. England (initial)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>If no, describe deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   **Step-Drawdown Test:**
   - followed WCPI Stds
   - analysis attached
   - Check: □ □ □<70 gpm no test required

   **Aquifer Pump Test:**
   - followed WCPI Stds
   - T & S analysis attached
   - Check: □ □ □<50 gpm no test required

   **Potential Well Interference:** □ □ □
   **Potential Stream Impacts:** □ □ □
   **Additional Testing or Data Required:** □ □
   **Pump Test Comments Attached:** □ □

   **Proposed Pump Capacity is OK.** □ □

3. **Pump Installation Check** Mitch Ohye (initial) R. Torres (initial)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>If no, describe deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   - data complete
   - followed Special Cond & Elev.
   - well database updated

4. **Charley/Ryan** (initial) take action based on above analysis

   **ATTACHMENTS FOR ACCEPTANCE:**
   1. WCR2 ACCEPTANCE LETTER
   2. PUMP INST. COMPLETION CERTIFICATE
   3. METER INSTALL. REPORT (IF NECESSARY)
   4. WUR FORM(if necessary)
   5. USGS MAP UPDATED
   6. PARCEL CHECK
   7. WELL DATABASE INPUT CHECK
   8. PUMP TEST WORKSHEET
   9. PUMP, As-Built CHECK PRINT

   To be sent to driller
   To be sent to landowner/operator
   Staff internal checks

5. Roy (initial) check(Entered WCR 2/PICC accept date into database)

6. Susan Hoagbin (initial) finalize

7. Ken (initial) signature

8. Faith Ching (initial) enter into WUR database

9. **Charley/Ryan** File
**State of Hawaii**  
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
**Department of Land and Natural Resources**  
**WELL COMPLETION REPORT - PART II**  
**Pump Installation**

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

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### 1. State Well No.: 0136-01  
Well Name: Honokohau-McCarty  
Island: Maui

### 2. Address:  
Honokohau Road, Lahaina  
Tax Map Key: 4-1-002-008

### 3. Pump Installation Company:  
Valley Well Drilling, LLC

### 4. Date Pump Installed:  
6-27-09

### 5. PERMANENT PUMP INFORMATION

- **Pump Type, Make, Serial No.:** Grundfos 153QE05-110  
- **Rated Capacity:** 9 gpm at head of: 20 ft.  
- **Motor Type, H.P., Voltage, rpm:** Grundfos 1/2 HP 60 Hz

- **Pump type (check one):**  
  - [ ] Deep Well Turbine  
  - [ ] Rotary  
  - [ ] Submersible  
  - [ ] Rotary-Displacement  
  - [ ] Centrifugal  
  - [ ] Rotary-Gear  
  - [ ] Propeller  
  - [ ] Reciprocating  
  - [ ] Impulse

- **Method of flow measurement:**  
  - [x] Flowmeter w/ totalizer  
  - [ ] Other, explain and attach schematic

- **Manufacturer:** DLI  
- **Model no.:** DLI+545  
- **Size:** 3/4"

### 6. Fill in the as-built section on the other side of this sheet.

### 7. Attach the rating curve for the installed pump.

### 8. Attach photograph of well clearly showing the benchmark on the concrete pad, the well head, and the method of flow measurement.

### 9. Well Owner

- **Company:** James & Victoria McCarthy  
- **Contact:** Richard James McCarthy  
- **Address:** P.O. Box 1209, Lahaina, HI 96761  
- **Phone:** 281-1496  
- **Fax:** 661-7274

### 10. Land Owner

- **Company:** Same as Owner  
- **Contact:**  
- **Address:**  
- **Phone:**  
- **Fax:**

### 11. Remarks

- [ ]  
- [ ]  
- [ ]

---

<table>
<thead>
<tr>
<th>Pump Installation Contractor (print)</th>
<th>Valley Well Drilling, LLC-57/C-57a/A Lic. No. 24747</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature</td>
<td>Truman McKay</td>
</tr>
<tr>
<td>Date</td>
<td>7-7-09</td>
</tr>
</tbody>
</table>

WCR2 Form 02/26/07 Page 1 of 2
Bench mark elevation surveyed to nearest 0.01 ft. = _____ ft. mean sea level

Elevation of top of chase tube = _____ ft. mean sea level

Pump intake depth = 3.5 ft. (referenced to bench mark)

Chase tube depth = _____ ft. (referenced to bench mark)

If airline installed, bottom of airline elevation = _____ ft. mean sea level
PERFORMANCE CURVES

15 GPM • MODEL 15SQE05-110

OUTLET SIZE: 1 1/4" NPT

NOMINAL DIA. 3"

15 GPM • MODEL 15SQE07-150

OUTLET SIZE: 1 1/4" NPT

NOMINAL DIA. 3"

SPECIFICATIONS SUBJECT TO CHANGE WITHOUT NOTICE.
WELL CONSTRUCTION PERMIT

Honokohau-McCarty, Well No. 0136-01

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 Honokohau-McCarty (Well No. 0136-01) at TMK (2) 4-1-002:008, Maui, 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/cwrmlresources_permits.htm). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to instal 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/cwrmlresources_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(l), 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: February 27, 2009
Expiration Date: February 27, 2011

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

Driller’s Signature: Tracie Sober C-57 License #: C-24947 Date: 3-16-09
Printed Name: Tracie Sober Firm or Title: Valley Well Drilling

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.
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 Honokohau-McCarty (Well No. 0136-01) at TMK (2) 4-1-002:008, Maui, 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 20 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: February 27, 2009
Expiration Date: February 27, 2011

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I 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-24947
Date: 3.6.09

Printed Name: Tracie Sober
Firm or Title: Valley Well Drilling, LLC

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.
March 5, 2009

Ms. Tracie Sober
Valley Well Drilling, LLC
91-235 A Oihana Street
Kapolei, HI 96707

Dear Ms. Sober:

Pump Installation Permit
Honokohau-McCarty (Well No. 0136-01)

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.

Sincerely,

Laura H. Thielen
Chairperson

Enclosure

c: James and Victoria McCarty (with applicable comments – DOH SDWB, WWB, CWB, Land Division, DHP, DWS)
USGS
Maui DWS
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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 20 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.

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 #: C-24947 Date: 
Printed Name: Tracie Sober Firm or Title: Valley Well Drilling, LLC

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

Attachments
Ms. Tracie Sober  
Valley Well Drilling  
91-235 A Olhana Street  
Kapolei, HI 96707

Dear Ms. Sober:

Well Construction Permit  
Honokohau-McCarty (Well No. 0136-01)

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.

2. Attached for your information is a copy of the State Department of Land and Natural Resources Land Division's comments related to water lease requirements.

3. Attached for your information is a copy of your county's Department of Water Supply comments related to their concerns.

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/cwrmlforms.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.

Sincerely,

[Signature]

LAURA H. THIELEN  
Chairperson

Enclosures

c: James and Victoria McCarty (with applicable comments – DOH SDWB, WWB, CWB, HEER, Land Division, DHP, DWS)  
USGS  
Maui DWS
WELL CONSTRUCTION PERMIT
Honokohau-McCarty, Well No. 0136-01

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 Honokohau-McCarty (Well No. 0136-01) at TMK (2) 4-1-002:008, Maui, 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/cwrmlresources/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 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/cwrmlresources/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: February 27, 2009
Expiration Date: February 27, 2011

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

Driller's Signature: ___________________________   C-57 License #: C-24947   Date: ___________________________
Printed Name: Tracie Sober   Firm or Title: Valley Well Drilling

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

Attachment
COMMISSION ON WATER RESOURCE MANAGEMENT
ROUTE SLIP FOR PERMIT ISSUANCE 5/19/05

FROM: CHARLEY
DATE: 27 Feb 09
SUSPENSE DATE: __________

TO: ANAKALEA, P. INIT. TO: KUNIMURA, I. INIT. FOR: Approval Signature PLEASE:
BAUER, G. NAKAMA, L. 1 Review & Comment
CHING, F. NAKANO, D. 2 Take Action
DANBARA, S. OHYE, M. 3 Type Draft
FUJI, N. SUBIA, S. HARDY, R. 4 Type Final
GOODING, K. SAKODA, E. HIGA, D. 4 File
ICE, C. SWANSON, S. IMATA, R. YODA, K. 1 Xerox ______ copies

KUNIMURA, I. NAKAMA, L. 1 Review & Comment
BAUER, G. NAKANO, D. 2 Take Action
CHING, F. OHYE, M. 3 Type Draft
DANBARA, S. SUBIA, S. 4 Type Final
FUJI, N. SAKODA, E. ANAKALEA, P. YODA, K. 1 Xerox ______ copies
GOODING, K. SWANSON, S. HIGA, D. 2 Take Action
ICE, C. IMATA, R. YODA, K. PLEASE:

WELL NUMBER 0136-01 Honokohau-McCarty

WELL CONSTRUCTION

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

TO BE SENT TO APPLICANT
FOR OFFICE USE ONLY

PUMP INSTALLATION

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

TO BE SENT TO APPLICANT
FOR OFFICE USE ONLY
## Data Input

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## Results

### Well Depth

| Theoretical Thickness of Aquifer | 205 |
| 1/4 Aquifer Thickness           | 51.25 |
| Depth of Well below Sea Level   | -45 okay Section 2.2 |

### Well Casing

| Minimum Wall Thickness Material | pvc plastic |
| Minimum Thickness per standards | no requirement |
| Wall Thickness Provided         | 0.258 no standard Section 2.4(b) |
| Minimum Length of Solid Casing  | 9 |
| 90% of ground to top of aquifer | 20 okay Section 2.4(c) |
| Length of solid casing Provided | Schedule 40 in compliance Section 2.4(d) |
| Casing Material (for pvc only - check for 200' limit) | okay Section 2.4(d) |

### Annular Space

| Depth of Grouting Calculated Depth of Grouting | 7 |
| Depth of Grouting provided                    | 18 okay Section 2.6(c) |
| Minimum Annular Space required                | 1.5 |
| Thickness of Annular Space                    | 7.5 okay Section 2.6(d) |

---

**Notes:**
- yes
- no
- steel
- stainless steel
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Positive Displacement

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January 27, 2009

TO: Morris Atta, Administrator  
   Land Division

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

SUBJECT: Well Construction/Pump Installation Permit Application  
   Honokohau-McCarty Well (Well No. 0136-01) MK 4-1-002:008

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact 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 LC Award 5768 issued between 1845 and 1855.

Contact Person: Gary Martin  
   Phone: 587-0421

Signed: Gary Martin  
   Date: FEB 24 2009
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 62
HONOLULU, HAWAII 9680

January 27, 2009

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
Honokohau-McCarty Well (Well No. 0136-01)

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact Charley Ice of the Commission staff at 587-0318.

Classes: 
Attachment(s): 

RESPONSE:

[X] 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, §11-20-20.

[ ] 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 public planned use from this source increases to meet the public water system definition, then Director of Health approval is required going into implementation.

[X] 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 preventor, and by clearly labeling all non-potable systems with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

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

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

[ ] An NPDES permit is required.

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

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

[ ] No comments/objections

Contact Person: Michael Miyashita
Phone: 587-4258
Signed: 
Date: 2/11/09
CWRM Application Source: Honokohau-McCarty Well (Well No. 0136-01)

Safe Drinking Water Branch Engineering Section

See attached private water wells information sheet.

Underground Injection Control (UIC)

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

The siting of a drinking water source below the UIC line affects the allowed potential for new injection well construction. New injection wells will then be prohibited within setback areas defined in Chapter 11-23. We suggest that surrounding landowners be informed of this proposed action because it may affect the development potential of the properties within the setback area.

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

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

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

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) RECOMMENDATIONS**

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

**OTHER CONTAMINANTS**

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

**LABORATORIES**

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

**RESULTS**

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

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

SUBJECT: Well Construction/Pump Installation Permit Application  
Honokohau-McCarty Well (Well No. 0136-01)  

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact 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 II, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

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

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

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

For the applicant's information, a source of possible wastewater contamination 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: Roland Tejano, Eng. on Maui  
984-8232

Signed:  
Date: 02-06-09
### Aerobic Unit Information

- **Aerobic Unit Name:** Ultra Clear
- **Aerobic Unit Model:** UC90-FFT
- **Aeration Tank Size (gallons/day):** 800
- **Remarks:** New 4bd SFD

### Soil Profile Information

- **Percolation Rate:** 10
- **Min. Soil Absorb (sf/bd):** 660
- **3' Groundwater Setback:**

### Soil Absorption Information

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**Added By:** phsieh 2/26/2007 10:52 AM  
**Last Modified:** tejano 4/4/2008 8:28 AM
January 27, 2009

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

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

SUBJECT:  Well Construction/Pump Installation Permit Application  
           Honokohau-McCarty Well (Well No. 0136-01)

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 February 27, 2009. If we do not receive comments or a request for additional review time by that 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.

CC:   

Attachment(s)

RESPONSE:

[...]

Signed:   [signature]

Phone:   808-6300

Date:   2-5-09
Subject: Well Construction/Pump Installation Permit Application(s)

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

1. For Well-Drilling Activities

Any discharge to State waters of treated process wastewater effluent associated with well drilling activities is regulated by Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix I, effective October 22, 2007. 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, 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.
COMMISSION ON WATER RESOURCE MANAGEMENT
ROUTE SLIP FOR NEW APPLICATIONS

FROM: CHARLEY                                      DATE: 20-Jan-09                                      SUSPENSE DATE: 27-Jan-09
TO: CHING, F.                                      TO: KUNIMURA, I.                                      INIT: NAKAMA, L.                                      FOR: Approval
       FUJII, N.                                      1                                               3                                               Signature
       GOODING, K.                                    INIT: OHYE, M.                                      FOR: Information
       HARDY, R.                                      INIT: SAKODA, E.                                    FOR: Suspension
       HIGA, D.                                       INIT: SWANSON, S.                                   FOR: Suspension
       HOAGBIN, S.                                    INIT: UYENO, D.                                    FOR: Suspension
       ICE, C.                                        INIT: YODA, K.                                     FOR: Suspension
       IMATA, R.                                       INIT: YOSHINAGA, M.                                  FOR: Suspension

WELL NUMBER 0136-01                                      WELL NAME McCarty                                      WUP Number NA

☐ WELL CONSTRUCTION                                      ☐ PUMP INSTALLATION                                      ☐ WUPA

ATTACHMENTS FOR APPLICATION PROCESSING - Both applicant & staff generated
1 TRANS. LETTER                                           2 PERMIT PROCESS TABLE
3 CWRM MAP                                               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 DHP/CDUP/SMA pre-screen
(SMA map printout http://gis.hicentral.com/website/parcelzoning/viewer.htm, or INGRID'S SMA/CD MAP)

FOLDER: ☐ MADE NEW FILE FOLDER, ATTACHED
        ☑ FILE FOLDER ALREADY MADE, IN FILE CABINET

INCOMPLETE ACTION DATES:

DATE ACTION

[Address requested to address
USGS still needs to do survey, Kawai & Oku is fuel
for Kiehe well. WCP signed 2/4/08, sent via fax 1/23/09]
Ms. Tracie Sober  
Valley Well Drilling, LLC  
91-235 A Oihana St.  
Kapolei, HI 96707

Dear Ms. Sober:

Well Construction/Pump Installation Permit Application for Well No. 0136-01

We acknowledge receipt, on January 13, 2009, of your completed Well Construction/Pump Installation permit application and filing fee for the Honokohau-McCarty Well (Well No. 0136-01). 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 984-2400 (Maui), extension 70218.

Sincerely,

KEN C. KAWAHARA, P.E.  
Deputy Director

Attachment

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
Honokohau-McCarty Well (Well No. 0136-01)

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

CI:ss
Attachment(s)

RESPONSE:

This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 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: ________________________________
January 27, 2009

TO: Morris Atta, Administrator
    Land Division

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

SUBJECT: Well Construction/Pump Installation Permit Application
         Honokohau-McCarty Well (Well No. 0136-01) TMK 4-1-002:008

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application, request additional information, or request additional review time, please contact 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: ___________________________
January 27, 2009

Dr. Puaalaokalani Aiu, Administrator
Historic Preservation

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

Well Construction/Pump Installation Permit Application
Honokohau-McCarty Well (Well No. 0136-01) TMK: 4-1-002:008

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 February 27, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

Please find the attached maps to locate the proposed well. If you have any questions about this permit application or request additional review time, please contact 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: ______________

[ ] 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: ______________
January 27, 2009

Mr. Jeffery K. Eng, Director
Department of Water Supply
County of Maui
200 South High Street
Wailuku, HI 96793

Dear Mr. Eng:

Well Construction/Pump Installation Permit Review
Well Construction/Pump Installation Permit Application
Honokohau-McCarty Well (Well No. 0136-01)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application. If you have any comments on this application, please submit them by February 27, 2009. If we do not receive comments we will assume you have no comments.

If you have any questions about this permit application, please contact Charley Ice of the Commission staff at 587-0251.

Sincerely,

Laura H. Thielen
Chairperson

CI:ss
Attachment
## Well Background Check

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Tuesday, January 20, 2009
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REMARKS:
LINE (1) McCarty Well
LINE (2) Honomu Sugar Co.
LINE (3) Casey Well
LINE (4)
LINE (5)
LINE (6)
LINE (7)
LINE (8)
LINE (9)
LINE (10)
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.
- 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
- For dug wells, attach a grading plan with cross section profiles showing existing and finish grades

5. WELL OPERATOR'S NAME/COMPANY 6. LANDOWNER'S NAME/COMPANY

Well Operator's Contact 8. LANDOWNER'S Mailing Address

Well Operator's Mailing Address

P. O. BOX 11209
LA HAINA, HI 96711

Well Operator's Phone 10. LANDOWNER'S Phone 12. LANDOWNER'S Fax

Well Operator's Fax 11. LANDOWNER'S E-mail

Well Operator's E-mail

James McCarty

PROPOSED WELL CONSTRUCTION

7. Proposed Work

- Modify Existing Well
- Abandon/Seal Well
- Construct New Well
- Drilled
- Dug
- Shaft
- Tunnel

8. Construction Type

10. Proposed Work

- Install New Pump
- Replace Pump

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

13. Method of flow measurement

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

15. Municipal (water systems serving greater than 25 individuals or 15 service connections)

16. Domestic

Number of units to be served: ___________

17. Industrial (describe)

18. Irrigation (describe crop and no. of acres)

19. Military (describe)

20. Other (describe)

OTHER LEGAL REQUIREMENTS

If required, items 21. and 22. must be obtained before the Commission can legally issue a permit:

21. Conservation District Use Permit (CDUP)

- Well is in Conservation District
- Required, CDUP # MA 3035 B date approved 3.1.05
- Not Required (attach documentation from OCCL)
- I have not checked with OCCL about whether or not a CDUP is required. I understand that checking with OCCL prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

22. Special Management Area Permit (SMAP)

- Required, SMA # date approved
- Not Required (attach documentation from applicable County agency)
- I have checked with the county about whether or not an SMA Permit is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

23. State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources

- I have consulted with the HPD regarding potential impacts of well construction activities on historic sites. I have attached applicable documentation from the HPD.
- I have not consulted with the HPD regarding potential impacts of well construction activities on historic sites. I understand that checking with the HPD prior to making this application may expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued. Additionally, the history of past land use is attached.

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

NOTE: Signing below indicates that the signatories understand and swear that 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 the application is not completed correctly, any permit may be suspended until the item is brought in to compliance, and any work done while the permit is in suspension may result in fines of up to $5000/day.

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

Valley Well Drilling LLC

Licensee business name

C-57 license No.

nancy stekel

24947

Signature

Print

Date

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

Valley Well Drilling LLC

Licensee business name

C-576C-576A LICENSE No.

nancy stekel

24947

Signature

Print

Date
**PROPOSED WELL SECTION** (Please attach schematic if different from diagram provided below)

**Grouting method:**
- Positive displacement
- Other

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

**Rock or Gravel Packing:**
- Crushed Basalt
- Rounded Gravel

**Estimated Water Level Elevation:** 5 ft., msl*

**Cement Grout:** 18 - 20 ft.
(min. 70% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

**Minimum of 2’ Radius & 4” Thick Concrete Pad (to contain benchmark surveyed to nearest 0.01 ft.):**
Ground Elevation: 15 ft., msl*

**Solid Casing:** (x 90% x (Ground Elev.-Water Level Elev))
- Total Length: 20 ft.
- Nominal Diameter: 3 in.
- Wall Thickness: 0.25 in.
- Bottom Elevation: 2.5 ft., msl*

**Open Casing:**
- Perforated
- Screen

- Total Length: 40 ft.
- Nominal Diameter: 5 in.
- Wall Thickness: 0.25 in.
- Bottom Elevation: 4.5 ft., msl*

* 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 = \( \text{Water Elevation} - \left( \frac{1}{4} \times \text{Water Level Elev.} \right) \)

Example: Estimated = 2 ft. Water Level Elev. \( \rightarrow \) Bottom Elevation of Well Limit = \( 2 \times \left( 1 - \frac{1}{4} \right) \) = -18.5 ft.

**Solid Casing Material:**
- Carbon Steel: compliant with (check one or more):
  - ANSI/AWWA C200
  - API Spec. 5L
  - ASTM A53
  - ASTM A139
- 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 Resin Pressure Pipe conforming to AWWA C550
- 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
- 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
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- Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C550
- PTFE Fluorocarbon Tubing conforming to ASTM D3296
- FEP Fluorocarbon Tubing conforming to ASTM D3296

WCPI Application Form 02/26/2007
VICINITY MAP
OF
PARCEL 8 OF TAX MAP KEY (2) 4-1-02
AT HONOKOHAU, LAHAINA, MAUI, HAWAII

871 KOLE STREET, SUITE 201
WAILUKU, MAUI, HAWAII 96793

R. T. TANAKA ENGINEERS, INC.
LAND SURVEYORS - CIVIL & STRUCTURAL ENGINEERS

APRIL 10, 2001

JOB NO. 01-033
MEMORANDUM

TO: Genevieve Salmonson, Director
Office of Environmental Quality Control

FROM: Hany Yada, Acting Administrator
Land Division

Subject: FINAL ENVIRONMENTAL ASSESSMENT by James and Victoria McCarty for Landscaping and Single-Family Residence Use at Honokohau, Kaanapali, Lahaina, Maui, TMK 2nd 4-1-02:08

The Department of Land and Natural Resources has reviewed the comments received on the draft Environmental Assessment as well as the applicants' response to these comments for the subject project, and hereby issues a Finding of No Significant Impact (FONSI) determination. Please publish notice for this project in next issue of The Environmental Notice. Enclosed are four copies of the Final EA. My staff will e-mail a completed OEQC Bulletin Publication Form with the project description shortly.

Should you have any questions, please contact Sam Lemmo of our planning staff at 587-0381.

c. James and Victoria McCarty, 20 Alaeloa #23, Lahaina, Hawaii 96761
MEMORANDUM

TO: Harry Yada, Acting Director
   Land Division Planning and Technical Services Branch

FROM: Don Hibbard, Administrator
       State Historic Preservation Division

SUBJECT: Chapter 6E-42 Historic Preservation Review Pertaining to the Conservation District Use Application and the Draft Environmental Assessment for the Proposed McCarty Landscaping and Single-Family Residence (File No.: MA-3035) 
Honokohau Ahupua'a, Lahaina District, Island of Maui
TMK: 4-1-02:008

Thank you for the opportunity to comment on the Conservation District Use Application (CDUA) and Draft Environmental Assessment (DEA) for the proposed McCarty landscaping and single-family residence. Our review is based on reports, maps, and aerial photographs maintained at the State Historic Preservation Division. A field inspection was conducted of the subject parcel by Patty Jo Conte and Valerie Nagahara, SHPD DHHL archaeologists on June 7, 2001.

Based on the submitted CDUA and DEA, we understand the proposed project area is located along the Honokohau Stream near the mouth of Honokohau Bay, is currently vacant, and is zoned Conservation-Limited. The proposed undertaking consists of the construction of a single-family residence which will be comprised of four separate structures placed on built-up concrete slab foundations, associated landscaping and utility installations. We understand from the submitted CDUA and DEA, that the ground surface of the proposed project area has been mechanically cleared and graded. In addition, we understand that the applicant has agreed that all construction activities will be conducted with an archaeological monitor present.

A search of our records indicates an archaeological inventory survey has not been conducted of the subject parcels. The general area seems likely to have once been the location of pre-Contact farming, perhaps with scattered houses. Supporting evidence is provided by the REDI

LOG NO: 27874 ✓
DOC NO: 0107CD22
Realty Atlas Tax Map Key which indicates the subject property and the surrounding parcels all were issued as Land Commission Awards during the Mahele of the 1850s. Our field inspection, however, verified extensive land alteration making it unlikely that significant historic sites would survive.

Still, there is the slight possibility that historic sites may be present in the subsurface deposits. Therefore, we recommend that an archaeological inventory survey, in the form of archaeological monitoring, be conducted concurrently with the ground-altering activities. This will determine if historic sites are present and be able to acceptably document those sites. An acceptable monitoring plan will need to be submitted to this office for review prior to the commencement of any ground-altering activities.

If significant historic sites are identified during the survey, a mitigation plan may need to be developed, in consultation with this office, and executed.

Please call Cathleen Dagher, at 692-8023, if you have any questions.

CD:jen
Mr. Harry Yada, Acting Administrator  
Department of Land and Natural Resources, Land Division  
P. O. Box 621  
Honolulu, Hawaii 96809  

Dear Mr. Yada:  

RE: Conservation District Use Application MA-3035 and Draft Environmental Assessment for the McCarty Residence, TMK: 4-1-02:08, at Honokohau Bay, Lahaina, Maui, Hawaii  

Based upon additional information provided by the applicant regarding the above-referenced project, please be advised that the Maui Planning Department (Department) finds that the above-referenced project will not require a Special Management Area (SMA) Permit. Please disregard the previous determination issued by the Department to the contrary.  

The Department requests, however, that the plans for the proposed wastewater treatment system be reviewed by the Clean Water Branch of the State Department of Health.  

If additional clarification is required, please contact Matt Niles, Staff Planner, of this office at 270-7735.  

Very truly yours,  

Sincerely,  

JOHN E. MIN  
Planning Director
BEFORE THE BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

In the Matter of the Contested Case Proceeding:)

Petition by James R. and Victoria L. McCarty of the Board's November 16, 2001 Denial of CDUA MA-3035B to Construct a Single-Family Residence in the Conservation District at Honokohau, Kaanapali, Lahaina, Island of Maui, TMK (2) 4-1-02:08.

ORDER GRANTING PETITIONERS' REQUEST FOR A CONSERVATION DISTRICT USE APPLICATION PERMIT TO BUILD A SINGLE-FAMILY RESIDENCE ON TMK (2) 4-1-02:08, AT HONOKOHAU, KAANAPALI, LAHAINA, ISLAND OF MAUI.

ORDER GRANTING PETITIONERS' REQUEST FOR A CONSERVATION DISTRICT USE APPLICATION PERMIT TO BUILD A SINGLE-FAMILY RESIDENCE ON TMK (2) 4-1-02:08

This matter having come before the Board of Land and Natural Resources (BLNR) on November 16, 2001 and Petitioners' Conservation District Use Application (CDUA) MA-3035B and having been denied by the BLNR, and this matter having been considered in a contested case hearing and the BLNR having denied the request, and this matter having been appealed to the Circuit Court of the Second District of the State of Hawaii and the Court having reversed the BLNR's Findings of Fact, Conclusions of Law, Decision and Order filed on December 17, 2002, and the Court having remanded this matter back to the BLNR with directions to grant the Petitioners request for CDUA permit to build a single-family residence on Petitioners' property on TMK (2) 4-1-02:08, Honokohau, Kaanapali, Lahaina, Island of Maui, and good cause appearing.
Based upon the Second Circuit’s Order Reversing the Findings of Fact, Conclusions of Law and Decision and Order of Board of Land and Natural Resources of March 22, 2004 and the Court’s Order on Appeal of December 2, 2003, and the Final Judgment of May 24, 2004,

IT IS HEREBY ORDERED that the BLNR grants the Petitioners’ request for a CDUA permit to build a single-family residence as described in their Plan A and as proposed in their Final Environmental Assessment upon TMK (2) 4-1-02:08, Honokohau, Kaanapali, Lahaina, Island of Maui, Conservation District Lands. The BLNR grants the CDUA pursuant to the conditions set forth by the Circuit Court and with the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, State and county governments, and the applicable parts of Section 13-5-42, HAR;

2. The applicant shall comply with all applicable Department of Health administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control;"

3. The single-family dwelling shall not be used for rental or any other commercial purposes unless approved by the Board;

4. The applicant shall plan to minimize the amount of dust generating materials and activities. Material transfer points and on-site vehicular traffic routes shall be centralized. Dusty equipment shall be located in areas of least impact. Dust control measures shall be provided during weekends, after hours and prior to daily start-up of project activities. Dust from debris being hauled away from the project site shall be controlled. Landscaping and dust control of cleared areas will be initiated promptly;

5. Any work done on the land shall be initiated within one year of the approval of such use, and unless otherwise authorized be completed within three years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
6. Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction and grading plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;

7. The applicant shall provide documentation (i.e. book/page document number) that this approval has been placed in recordable form as a part of the deed instrument, prior to submission for approval of subsequent construction plans;

8. The applicant will minimize visual impacts to abutting landowners by using appropriate lighting, house color and landscaping. Existing trees shall be maintained to screen the structure from the surrounding lands. No mature trees shall be removed without the approval of the Department;

9. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;

10. Potable water supply and sanitation facilities shall have the approval of the appropriate agencies;

11. Where any polluted run-off, interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the polluted run-off, interference, nuisance, harm, or hazard;

12. The applicant acknowledges that the approved work shall not hamper, impede or otherwise limit the exercise of traditional, customary or religious practices in the immediate area, to the extent such practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law;

13. During construction, appropriate mitigation measures shall be implemented to minimize impacts to the marine environment, off-site roadways, utilities, and public facilities;

14. Cleared areas shall be re-vegetated within thirty days of the completion of construction unless otherwise provided for in a plan on file with the Department. No grubbing or grading is to occur within the landscape areas and the buffer;

15. The single-family residence shall conform to the single-family residential standards included as Exhibit 4 of the Hawaii Administrative Rules (Title 13-5);

16. The applicant, its successors and assigns, shall indemnify 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, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;

17. The applicant shall comply with all applicable Department of Health administrative rules;

18. The applicant shall notify the Office of Conservation and Coastal Lands in writing upon completion, of the project;

19. All mitigation measures set forth in the application materials and in the Final Environmental Assessment for this project are hereby incorporated as conditions of the permit;

20. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;

21. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;

22. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;

23. In the event that unrecorded historic remains (i.e., artifacts, or human skeletal remains) are inadvertently uncovered during construction or operations, all work shall cease in the vicinity and the applicant shall immediately contact the State Historic Preservation Division;

24. Other terms and conditions as may be prescribed by the Chairperson; and

25. That failure to comply with any of these conditions may render this Conservation District Use Permit null and void.
DATED: Honolulu, Hawaii. August 13, 2004

Peter T. Young, Chairperson

Timothy E. Johns, Member-at-Large

Kathryn W. Inouye, O'ahu Member

Gerald L. DeMello, Hawai'i Member

Ron Agon, Kaua'i Member

I Do Not Concur

Ted Yamamura, Maui Member

Toby Martyn, Member-at-Large