This and other cases like this by Wailani Drilling Company have led to a recent meeting with staff and a proposal for an alternative means to assure the purposes of the Water Code without incurring what is perceived as additional risk and expense to driller/installer and permittee. This proposal for a Declaratory Ruling has not been finalized by staff.

**Penalty Calculation:**

Installing a pump without a permit, even under the circumstances in this case, is a violation of the Water Code. Permits must be returned signed prior to commencement of work. This is clear language in the permit, for which both well owner and driller are responsible. Even if Wailani’s reasoning were followed, there were fourteen days elapsed between the removal of the pump controls, at which time the pump also would be removed, and the date the permit was fully signed. The duration calculation of the daily fine for a first-time violation could total $3,500 ($250 x 14 days). This is the first penalty being levied against either the Affordable Housing Partners or Wailani Drilling, underlining a new mood of strict enforcement of the clear language of the permits. The minimum one-time fine is $250 for a violation of the Water Code. This is reflected in the penalty calculation in Exhibit 3.

**RECOMMENDATION:**

That the Commission:

A. Find that the installation of a pump in existing well 5341-02 without a permit is a violation of HRS Chapter 174C-84 and Administrative Rules §13-168-12(a), for commencing to install a permanent pump without appropriate permit from the Commission.

B. Find that both Front Street Housing Affordable Partners and Wailani Drilling are responsible for this violation and fine each $250.

C. Approve an after-the-fact Well Construction Permit for the Front Street Housing Irrigation Well (Well No. 5341-02), with the standard conditions (Exhibit 4).

Respectfully submitted,

LINNEL T. NISHIOKA
Deputy Director

Exhibit(s):

1. (Location Map)
2. (Pump installation timeline)
3. (Penalty Calculation Spreadsheet)
4. (Standard Well Construction Permit Conditions)
5. (Well Completion Report Part 1)
<table>
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January 14, 2003

Mr. William Dornbush
Front Street Affordable Housing Partners
3660 Waialae Avenue, #418
Honolulu, HI 96816

Dear Mr. Dornbush:

Well Registration and Pump Installation Permit Completion
Front Street Affordable Housing Irrigation Well (Well No. 5341-02)

This is to inform you that your well is being properly registered and that your pump installation permitting requirements are complete.

A submittal on these matters for Commission action at its November 14, 2001 meeting was withdrawn to confer further with the contractor. Subsequently, it was established that the best evidence indicated that the then-unregistered well was probably constructed prior to the Water Code and that an application for a water use permit is unnecessary under conditions of estoppel. The information therein provided has been transferred to the registration database. Therefore, we are canceling your after-the-fact well modification permit as this is not the case.

Pump installation and testing is supported by the application for pump installation permit, approved July 6, 2000. Following initial completion of the pump installation work, the pump was replaced, and new information provided. This is notification that your Well Completion Report, Part II, with verified new information, has been accepted as complete as of December 19, 2002. With this step, your permitting requirements are complete.

The completion of documentation on this well has been awkward and perhaps confusing. We very much appreciate your patience. If you have any questions, please call Charley Ice of the Commission staff at 587-0251.

Aloha,

ERIC T. HIRANO
Acting Chairperson

CI:ss

c: Wailani Drilling, Inc.
January 14, 2003

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3660 Waialae Avenue, #418  
Honolulu, HI 96816

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Aloha,

ERIC T. HIRANO  
Acting Chairperson

CI:ss

c: Wailani Drilling, Inc.
**REGISTRATION OF WELL AND DECLARATION OF WATER USE**

**INSTRUCTIONS:** Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and file form with the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Phone 587-0225 or 587-0274 for assistance.

**BATTERY OF WELLS:** For a battery of wells, on the surface, in a tunnel, or in a shaft, submit a registration form for each well together with a single map or plot plan showing layout of wells.

**STATE WELL NO.:** 584A-02  
**ISLAND:** Maui

**WELL NAME OR DESIGNATION:** Front Street Pumping Irrigation

**SOURCE OR STATION NAME**

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<td><strong>Contact person:</strong> Lisa Okuhata</td>
<td><strong>Town, Place, District:</strong> Kahului, Maui</td>
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**D. WELL DATA**

For Drilled Wells, submit "as-built" drawing, driller's log, and pump test results, and complete items below. For Tunnels and Shafts, submit construction drawings, plot plan, or sketch map.

- **Ground elevation (Mean sea level):** 12.62 ft.
- **Reference point:** Well
- **Elevation:** 12.62 ft.
- **Description:** slab on grade

**Depth to water (below reference point):** 0.62 ft.

**Maximum recorded chloride:** 2360 ppm
**Minimum recorded chloride:** ______ ppm
**Maximum chloride in 1987:** ______ ppm

**Minimum chloride in 1987:** ______ ppm

**Year drilled or constructed:** 1985
**Well contractor:** unknown
**Casing diameter:** 8 in.
**Solid casing depth (below ground):** 15 ft.
**Perforated casing depth (below ground):** 5 ft.
**Total depth of well:** ______ ft.
**Power:** Diesel, ______ HP
**Gas, ______ HP
**Electric, ______ HP
**Other (specify):** ______
**Pump capacity:** 50 gallons per minute ______ psi
**Pump installation contractor:** _Mariner Drilling, Inc._

**E. INSTALLED PUMP DATA**

For Official Use Only:

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**Field checked by:** ______ **Date:** ______
**Latitude:** ______ **Hydrologic Unit:** ______
**Longitude:** ______ **State Well No.:** ______

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-157 to 13-171.
F. DECLARATION OF WATER USE

NOTE: The purpose of the Declaration of Water Use is to obtain information necessary for the management of the State's water resources. The Declaration does not confer a legal right to water or its use.

Water use data are recorded: □ Daily □ Weekly □ Monthly

Method of measurement: □ Flow Meter □ Orifice

□ Other (Describe): _____________________________

Quantity of Use (Report metered or estimated monthly water use from the well described on the reverse side of this form, for the calendar years 1983 through 1987. For a battery of wells which are not individually metered, but which are connected to a single meter or other measuring device, report total use from the battery):

WATER USE, IN GALLONS x 1000

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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

Minimum day's use: ___________ gallons Maximum day's use: ___________ gallons

Typical times of usage:

Type of Use (Check all category boxes that apply and provide additional information as indicated):

- □ Municipal (including resorts, hotels, businesses)
- □ Domestic (systems serving 25 people or less)
- □ Irrigation

Additional Information

Number of service connections: ____________________________

Acres Irrigated:

Crop(s): □ Sugar □ Pineapple

Non-Crop: □ Landscape □ Golf Course

Method: □ Drip □ Furrow □ Sprinkler

□ Industrial □ Cooling □ Manufacturing □ Mill

□ Military □ Other (specify): ____________________________

□ Other □ Other (specify): ____________________________

Specify (livestock, aquaculture, etc.): ____________________________

I declare that the contents of the above Declaration of Water Use are, to the best of my knowledge and belief, true, correct, and complete.

Water User's Signature: ____________________________ Date: __________

Printed Name: ____________________________

Firm or Title (Well Operator, etc.): ____________________________
COMMISSION ON WATER RESOURCE MANAGEMENT

FROM: Charley 
DATE: 26 Dec 02 
SUSPENSE DATE

TO: BAUER, G.
GOODING, K
FUJII, N.
OHYE, M.
JINNAI, R.
SWANSON, S.
KUNIMURA, I.
IMATA, R.
NAKAMA, L.
HIGA, D.
UYENO, D
MATHIAS, T

INIT.

TO: HARDY, R.
HIRANO, E.
SAKODA, E.
AKANO, D.
NISHIOKA, L
DANBARA, S
SUBIA, S
YODA, K.
CHING, F.

INIT.

FOR: Approval
Signature
Information

PLEASE:
___ Review & Comment
___ Type Draft
___ Type Final
___ File
___ Xerox ___ copies
___ Take Action:
___ enter into database
___ Please See Me

The approved pump under (is this an ATT that has to go to permit was replaced "midstream"? OK) 6.5K. smaller pump. Should be OK.
1. State Well No.: 5341-02  
   Well Name: Front Street Housing Irrigation  
   Island: Maui  

2. Address: Front and Kenui Streets, Lahaina  
   Tax Map Key: 4-5-3: 13

3. Pump Installation Company: WALLANI DRILLING

4. Date Pump Installed: 4/3/02

5. PERMANENT PUMP INFORMATION
   - Pump Type, Make, Serial No.: Grundfos, Submersible  
   - Motor Type, H.P., Voltage, rpm: Franklin, 7.5 HP, 230 V, 3450  
   - Rated Capacity: 162 GPM  
   - Type of flow meter: DIAL O DOMETER which measures in G.P.M.

6. Method of flow measurement:
   - Flowmeter Manufacturer Make Read Size 3" Schlumberger Direct  
   - Weir* □ Open Pipe* □ Orifice* □ Other*, explain below
   *attach schematic

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

8. Other remarks/comments:
   - Downsize original 15 HP pump & motor to A 7.5 HP
   - Original 150 GPM pump & motor to 102 GPM

---

**Pump Installation Contractor (print)** Mike Robertson (C-57C-57A) Lic. No. 20115

Signature: Mike Robertson  
Date: 6/6/02

**Permittee (print)** Front Street Affordable Hsg. Part.

Signature: William J. Rosenbluh, Manager  
Date: 6/6/02

---

For Official Use Only:

[Signature]

Date: [Date]
9. AS-BUILT PUMP SECTION (Please attach as-built if different from diagram provided below)

Bench mark elevation surveyed to nearest 0.01 ft. = 12.6 ft. mean sea level

6-5341-02 FRONT ST. HOUSING LRR.

Elevation of top of chase tube = 13.02 ft. mean sea level

Pump intake depth = 28.62 ft. (referenced to bench mark)

Chase tube depth = 25.64 ft. (referenced to bench mark)

If airline installed, bottom of airline elevation = NA ft. mean sea level
Performance Curves  85 GPM  Model 85S

FLOW RANGE: 18 -118 GPM  OUTLET SIZE: 3" NPT  NOMINAL Dia. 6"

CAPACITIES BELOW 60 GPM

MOST EFFICIENT RANGE: 60 to 118 GPM

Performance conforms to ISO 2548 Annex B
@ 5 ft. min. submergence.

Specifications subject to change without notice.
MOTOR STANDARD, 1.5-5 HP/3450 RPM
MOTOR STANDARD, 7.5-50 HP/3450 RPM.
Alternate motor sizes available.
Return Notice Fax Memo

For: Charlie Ice

✔ PIP & WCR II Kamaoloe Sands 4326-10
✔ WCR-II for Front Street for pump size reduction 5341-02
✔ Cookman 5514-04 pump 1.5 hp, 10 GPM @ 395 ft see chart

Please sign and return.

Thanks, Bill Steele

Please confirm receipt by checking off the enclosed items and faxing a copy of this memo to me at 808-572-0925.

From: Bill Steele
Return Receipt Fax Memo

For: Charlie Ice

Charlie. Enclosed are the following items:

- Corrected WCR for Robertson 5615-01
- Permit Application for Kahui Pono
- Survey for Front Street well# 5341-02

Please confirm receipt by checking off the enclosed items and faxing a copy of this memo to me at 808-572-0925.

From: Bill Steele

[Handwritten Note: \"Make copies for files of this cover letter.\"]
<table>
<thead>
<tr>
<th>TO:</th>
<th>INIT.</th>
<th>TO:</th>
<th>INIT.</th>
<th>FOR:</th>
<th>PLEASE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAUER, G.</td>
<td></td>
<td>HARDY, R.</td>
<td></td>
<td>Approval</td>
<td>Review &amp; Comment</td>
</tr>
<tr>
<td>FUJII, N.</td>
<td></td>
<td>HIRANO, E.</td>
<td></td>
<td>Signature</td>
<td>Type Draft</td>
</tr>
<tr>
<td>OHYE, M.</td>
<td></td>
<td>SAKODA, E.</td>
<td></td>
<td>Information</td>
<td>Type Final</td>
</tr>
<tr>
<td>JINNAI, R.</td>
<td></td>
<td>NAKANO, D.</td>
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<td>File</td>
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<tr>
<td>IMATA, R.</td>
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<td>NISHIOKA, L</td>
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<td>Xerox ___ copies</td>
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<tr>
<td>NAKAMA, L.</td>
<td></td>
<td>DANBARRA, S</td>
<td></td>
<td></td>
<td>Take Action:</td>
</tr>
<tr>
<td>HIGA, D.</td>
<td></td>
<td>SUBIA, S.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date: 11 Apr 02

Suspense Date

Please:
- Review & Comment
- Type Draft
- Type Final
- File
- Xerox ___ copies
- Take Action:
  - Please See Me

From: Charley

Commission on Water Resource Management

14 Dec 00
ELEVATION CERTIFICATE

April 3, 2002

Lahaina Homes, LLC.
C/o KRS Development
1043 Makawao Avenue, Suite 208
Makawao, Maui, Hawai‘i 96768

This is to certify that the well located on the present Lot 1 of the Front Street Apartments (formerly being Lot 2 of the Kenui Street Lots) was surveyed by surveyors under my instructions and the elevation at the top of the well casing was determined to be 12.62 Feet above Mean Sea Level and the ground at the well casting being 12.12 Feet above Mean Sea Level. These elevations are referenced to National Geodetic Datum of 1929 as shown on FIRM Map 150003 0161 B.

BRUCE R. LEE
LICENSED PROFESSIONAL LAND SURVEYOR
No. 5983-LS
HAWAII, U.S.A.

NEWCOMER-LEE LAND SURVEYORS, INC.
A Hawai‘i Corporation

BRUCE R. LEE, President
Licensed Professional Land Surveyor Certification No. 5983-LS

4542-fshg-alev-well
To: Charlie Ice  
For: State of Hawaii Water Resource Commission  

From: Bill Steele  

Reference: Notice to decrease pump @ Front Street #5341-02  

Original Permit- was for 150 gpm @ 60 psi with a 15 hp submersible pump.  

Notice for smaller pump installation- will be 90 gpm @ 70 psi using a 7.5 hp submersible pump. (see attached pump curve chart)  

Remarks/Explanations:  

Attachments: Pump Curve for down-sized permanent pump  

Please review information and if there is anything else needed to complete this request please call me.  

Thanks again,  
Bill Steele, G.M.  

Certified By And A Member Of The National Ground Water Association
Return Receipt Fax Memo

For: Charlie Ice

Charlie. Enclosed are the following items:

- ✔ Request to install larger pump for Vandevelde #5616-05
- ✔ WCR I Felton #5616-07
- ✔ Info for Robertson 5615-01
- ✔ WCR II for Maui Kamaole #4226-16
- ✔ WCR I for Steele #5616-06
- ✔ Notice to decrease pump size @ Front Street # 5341-02
- ✔ Correction notice on WCP for Maui Kamaole #4226-16
- ✔ WCRII for Sullivan # 4100-01

Please confirm receipt by checking off the enclosed items and faxing a copy of this memo to me at 808-572-0925.

From: Bill Steele

Thank you. The WCR 2 should reflect the 7.5 hp pump.
Also, the elevation survey needs to be submitted.
Dear Mr. Dornbush:

After-the-Fact Well Construction Permit Application
Front Street Affordable Housing Partners Irrigation Well
Well No. 5341-02

We accept your application for an after-the-fact Well Construction Permit and the Well Completion Report Part 1 as complete. We will not be recommending any further action by the Water Commission. This completes your requirements for work on the captioned well.

If you have any questions, please contact Charley Ice of the Water Commission staff at 587-0251 or toll-free at 984-4644, extension 70251.

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

drafted
26 Feb 02
COMMISSION ON WATER RESOURCE MANAGEMENT

FROM: Charley

TO: BAUER, G.
    FUJII, N.
    OHYE, M.
    JINNAI, R.
    IMATA, R.
    NAKAMA, L.
    HIGA, D.

DATE: 21Feb02

INIT. TO: HARDY, R.
    HIRANO, E.
    SAKODA, E.
    NAKANO, D.
    NISHIOKA, L
    DANBARRA, S
    SUBIA, S.
    YODA, K.

INIT. FOR: Approval
            Signature
            Information

PLEASE:

Review & Comment
Type Draft
Type Final
Information
File
Xerox ____ copies
Take Action:

Please See Me

survey info current
2. Constant rate test

09/17/00
- Removed controller, generator, and water meter
- Capped test pump
- All work stopped.

09/20/00
- Well owner signed PIP permit

10/01/00
- Installer signed PIP permit

10/20/00
- Work began on installation of permanent pump & equipment
- Installed permanent wellhead equipment.

Note: Well owner elected to use test pump for permanent pump.

On or before

11/01/00
- Submitted WCR II to CWRM

Note: On the WCR II line item 4 Date Pump Installed: 07/13/00 that is incorrect. No test pump or permanent pump was installed on that date.

04/06/01
- Final permanent pump & equipment installed
  1. Installed permanent controller to office complex and hard wired to electrical panel
  2. Laid underground conduit to controller from junction box on wellhead
  3. Pulled pump control wires from controller to wellhead and spliced.
  4. Installed irrigation controller to pump controller
  5. Plumbed in pump to irrigation system
  6. Pump now permanently installed and operational for its permitted use.

Approximately

04/15/01
- Was informed by Charlie Ice that because of the date on the WCR II of 7/13/00 that we were in violation of PIP permit. I explained to him that was the date of the test pump installation (please note actual test pump installation was 9/13/00) and that I was new at filling out state forms and since the form says Date Pump Installed:
  - I inadvertently put the date of the test pump installed instead of putting down the date for the permanent pump & equipment. Charlie was also informed that all my previous WCR II were filled out in the same manner, with the date of the test pumps installation.

I believed that this explanation would be sufficient to exonerate Wailani from any wrong doing and no fines would be imposed, but I was informed that since we started work prior to the signature dates on the PIP permit Wailani was in violation and would be fined. I have to strongly disagree with this finding. Let's look at the facts:
Hawaii Well Construction & Pump Installation STANDARDS:

Section 1.4 Definitions –

Well construction: means the drilling, tunneling, digging, or otherwise constructing a well for whatever purpose, including any alterations or repairs of an existing well, but excluding the installation of pumps and pumping equipment.

Section 2.1 Well Construction Permits pg 2-2

Every permit for construction or modification of a water supply well shall require a pumping test.

Section 2.9 Minimum Well Testing (a) Purpose pg 2-17

Well testing is required when new wells are drilled or when existing wells are modified and have not been previously tested in accordance with the provisions in these Standards. Well testing shall normally consist of a short step-drawdown test and a long-term constant rate test. The purpose of well testing in the prescribed manner is to obtain hydrologic information needed to determine the well’s performance and efficiency with regard to yield and drawdown: the well’s trend with regard to drawdown, recovery, and salinity; and the nearby hydraulic properties of the aquifer.

Linnel, I believe Wailani Drilling has never contested the fact of installing a test pump for Front Street prior to the pump permit being signed. It is my understanding we are not required to obtain a permit to install a test pump on a constructed well. (see definition well construction above and Section 2.1 Well Construction Permits), but in fact we are required to test the existing well: (see Section 2.9 Minimum Well Testing above) Furthermore, I would have done the test pumping prior to sending in the PIP application, if time permitted us to do so, for the sole purpose of assisting the CWRM with required data to help determine feasibility of issuing PIP permit. Linnel I ask you, isn’t this the reason why pump test are conducted, are we not working within the scope, purpose, and more importantly the intent of the standards and guide lines set by the CWRM? Every well is tested prior to issuance of a PIP.

Reviewing the information the CWRM sent us notifying us of the violation (page 2, Pump Installation without a Permit). It states “The timeline for the pump installation prepared by the installer (Exhibit 2) confirms that the pump was installed prior to issuance of pump permit, a violation of the Water Code”. This was an installation of a test pump on 9/13/00 (note: 7/13/00 incorrect date), on 9/16/00 well was tested as required by CWRM see Section 2.9 (a) Minimum Well Testing pg 2-17.

Also states "Wailani Drilling believes that the spirit of the Administration Rules is meet by the fact that the installed pump was not operational and making it so, would have been very difficult." This is absolutely a false statement and definitely taken out of context. Wailani Drilling and I, do everything possible to stay within the scope and more importantly the intent of the Administration Rules as they are written and as Wailani and the CWRM staff understand them. In other words, Wailani Drilling is not attempting to reinterpret or change the rules. We are not claiming to install a permanent pump and ask to be excused for this. We installed the pump at that point in time for testing purposes only, with the full realization that the Commission could decide to not issue a permanent pump permit and we could be required to remove the test pump permanently.

Lets dissect this point:

1. All wells are test pumped (except monitor wells) prior to PIP.
2. The testing is required part of WCP. (even though the definition of well construction excludes any pump installation)
3. After all requirements of WCP are complete all construction stops
4. There is “no rule” requiring the removal of test pump and/or test pump equipment (there is an assumption by some of the staff at the CWRM that the test pump is required to be removed)
5. It is within the scope of CWRM and State Health Department to request additional testing at anytime and/or sampling and have done so, on several occasions. Because of this, removing the test pump prior to the tests results being reviewed and approved by the CWRM would be impractical.
6. The CWRM staff and Wailani Drilling should agree that prior to the PIP, the test pump sole purpose is for testing and water sampling ONLY, as required by Section 2.1 Well Construction Permit pg 2-1 and Section 2.9 (a) Minimum Well Testing pg 2-17. Wailani Drilling have always explained to the well owner that once the WCP is completed no further work can commence until PIP is issued and signed.
7. Once the test data was been submitted to the CWRM, Wailani Drilling then removes “all” test pump equipment rendering the test pump unusable. Though this is not required for use to do so and would cost us more if further tests
Mr. William Dornbush
Front Street Affordable Housing Partners
3660 Waialae Avenue
Honolulu HI 96816

Dear Mr. Dornbush:

After-the-Fact Well Registration
Front Street Affordable Housing Partners Irrigation Well
Well No. 5341-02

We accept your application for an after-the-fact Well Construction Permit and filing of Well Completion Report Part 1 as fulfillment of the registration requirements for wells constructed prior to adoption of the Water Code. We will not be recommending any further action by the Water Commission. This completes your requirements for work on the captioned well.

If you have any questions, please contact Charley Ice of the Water Commission staff at 587-0251 or toll-free at 984-4644, extension 70251.

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

[Handwritten notes:]
No. Please check w/ Richard on the registration forms they need to fill out, file created, etc. Then redraft reply.

Map apologies for mistakes. Earlier letters attached as reference. Also need your CR.
Subject: Timeline and process for Front Street Permanen alleged violation.

Linnel please review the following information:

Timeline:

<table>
<thead>
<tr>
<th>Date</th>
<th>Procedure</th>
<th>Procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>On/or before</td>
<td>Went to Front Street site did a rough inspection to see if existing well was possibly suitable for irrigation well.</td>
<td>None</td>
</tr>
<tr>
<td>11/30/99</td>
<td>1. Measured depth of well (used well camera)</td>
<td>2.9 (a) Minimum Well Testing pg 2-17</td>
</tr>
<tr>
<td></td>
<td>2. Measured depth of casing (used well camera)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Measured static water level (used well camera)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Measured open hole (used well camera)</td>
<td></td>
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<tr>
<td></td>
<td>5. Took water sample</td>
<td></td>
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<tr>
<td></td>
<td>Verbaly reported finding to property owner &amp; developer that the existing well was probably once used for irrigation and would most likely meet their needs but further state required testing would determine for sure if existing well would appropriately produce their irrigation needs.</td>
<td>2.9 (a) Minimum Well Testing pg 2-17</td>
</tr>
<tr>
<td>On/or before</td>
<td>PIP Application was submitted to CWRM</td>
<td></td>
</tr>
<tr>
<td>05/22/00</td>
<td>Note: We were originally going to send in Well testing data/results (step draw down &amp; constant rate tests) along with PIP application to assist in the feasibility of issuing a PIP, but was unable to get the pump tests schedule in prior to submittal of PIP application.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PIP permit approved</td>
<td></td>
</tr>
<tr>
<td>07/06/00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Test pump installed (only), not permanent pump</td>
<td>2.9 (a) Minimum Well Testing pg 2-17</td>
</tr>
<tr>
<td></td>
<td>1. Step draw down test</td>
<td></td>
</tr>
<tr>
<td>09/16/00</td>
<td>Ran required pump tests</td>
<td>2.9 (a) Minimum Well Testing pg 2-17</td>
</tr>
<tr>
<td></td>
<td>1. Step draw down test</td>
<td></td>
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</table>
STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT
November 14, 2001
Wailuku, Maui

Front Street Affordable Housing Partners, LLC and Wailani Drilling Company
AFTER-THE-FACT APPLICATION FOR WELL CONSTRUCTION PERMIT
VIOLATION: INSTALLATION OF PUMP WITHOUT PERMIT
Front Street Housing Irrigation Well (Well No. 5341-02)
Well Construction: 8-inch Casing Diameter, 20.5-ft. Deep Well
Pump Installation: 150 gpm for Landscape Irrigation Use
TMK 4-5-3:13, Front Street at Kenui Street, Lahaina, Maui

APPLICANT: Front Street Affordable Housing Partners, LLC
3660 Waialae Avenue, 418
Honolulu, HI 96816

LANDOWNER: same

DESCRIPTION:
Location: (See Exhibit 1)
Dimensions: (See Exhibit 2)

BACKGROUND:
May 22, 2000 Commission received application for Pump Installation in existing well. The
acknowledgement letter noted that the well was unknown to the Commission’s
databases, and further information on the well was requested. It was also noted that
pump tests would be included as a special condition of a permit. Applicant
subsequently reported that inquiries to previous owners Weinberg Foundation and
Pioneer Mill found no further information on constructing the well. Staff inquiries with
Pioneer Mill operations manager and title search with the help of the Land Division also
yielded no information about well construction.

July 6, 2000 The Pump Installation Permit was approved following pump tests and transmittal of
available geologic and well construction information by pump installation contractor.

July 13, 2000 Pump installed, according to Well Completion Report Part 2 (WCR2).

September 16, 2000 Pump testing performed with temporary controller and power supply; controller and
power supply removed next day, September 17, 2000.

November 8, 2000 WCR2 received with pump test data.

April 6, 2001 Pump installation completed with installation of controller and hard-wiring power.
The Pump Installation Permit was suspended after continuing fruitless research for the original driller led to concern for landowner liability should construction eventually prove faulty. Well owner was asked to submit after-the-fact Well Construction Permit Application (WCPA) to complete the file. Pump Installer Wailani Drilling Company prepared the WCPA with information investigated on-site.

An after-the-fact Well Construction Permit Application was filed by Front Street Affordable Housing Partners.

The permit was reinstated upon transmittal of an after-the-fact application for Commission action to formalize the well construction permit.

**WATER AVAILABILITY:**
Launiupoko Aquifer System of the Lahaina Sector
Estimated Sustainable Yield: 8 mgd
Proposed Use: 0.1 mgd., Landscape Irrigation

**ISSUES/ANALYSIS:**

**After-the-fact Well Construction Permit Application:**
The property in Lahaina town had been part of the Pioneer Mill operation prior to the property’s acquisition by the Harry and Jeanette Weinberg Foundation, and it was later transferred to Front Street Affordable Housing Partners (FSAHP). It remained undeveloped until the housing project got underway. The well was considered an asset for irrigation, and investigated as a possible non-potable source. No information was available on the well, but an excavated hole of unknown origin on-site provided geologic information for the pump installer, Wailani Drilling Company. The contractor also investigated the well construction and provided as much information as possible, and conducted the required pumping tests.

The landowner stated that the well was on-site before the property was acquired in the early 1970s, and that information was requested from preceding owners Weinberg Foundation and Pioneer Mill without success. The landowner guessed that the well may have been used for purposes such as dust or fire control or backup irrigation. However, staff learned that the plantation water system manager with 20 years experience had no knowledge of the well, either. Staff has been unable to confirm any historical information. With the help of the Land Division the title was searched, with no results showing a well. Under Commission policy, after-the-fact permits must be expressly approved by the Commission.

Because the well was intended for irrigation, and because the well had an installed casing, staff believes the lack of information should not preclude beneficial use of the well as planned. The aquifer underlying the site is brackish, used only for irrigation, and is not a plausible candidate for confusion with a potable source without treatment.

**Pump Installation without a Permit:**

HAR §13-168-12(a) states that:

*No well shall be constructed, altered, or repaired and no pump or pumping equipment shall be installed, replaced, or repaired without an appropriate permit from the commission.*

The time line for the pump installation prepared by the installer (Exhibit 2) confirms that the pump was installed prior to issuance of the pump permit, a violation of the Water Code. Wailani Drilling Company believes that the spirit of the Administrative Rules is met by the fact that the installed pump was not operational and making it so would have been very difficult. The Rules, however, are specific in describing “no pump or pumping equipment”, not merely operational parts. Staff operates on the assumption that a well is test-pumped with a driller’s temporary lineshaft pump that is not permanently installed.
This and other cases like this by Wailani Drilling Company have led to a recent meeting with staff and a proposal for an alternative means to assure the purposes of the Water Code without incurring what is perceived as additional risk and expense to driller/installer and permittee. This proposal for a Declaratory Ruling has not been finalized by staff.

**Penalty Calculation:**

Installing a pump without a permit, even under the circumstances in this case, is a violation of the Water Code. Permits must be returned signed prior to commencement of work. This is clear language in the permit, for which both well owner and driller are responsible. Even if Wailani’s reasoning were followed, there were fourteen days elapsed between the removal of the pump controls, at which time the pump also would be removed, and the date the permit was fully signed. The duration calculation of the daily fine for a first-time violation could total $3,500 ($250 x 14 days). This is the first penalty being levied against either the Affordable Housing Partners or Wailani Drilling, underlining a new mood of strict enforcement of the clear language of the permits. The minimum one-time fine is $250 for a violation of the Water Code. This is reflected in the penalty calculation in Exhibit 3.

**RECOMMENDATION:**
That the Commission:

A. Find that the installation of a pump in existing well 5341-02 without a permit is a violation of HRS Chapter 174C-84 and Administrative Rules §13-168-12(a), for commencing to install a permanent pump without appropriate permit from the Commission.

B. Find that both Front Street Housing Affordable Partners and Wailani Drilling are responsible for this violation and fine each $250.

C. Approve an after-the-fact Well Construction Permit for the Front Street Housing Irrigation Well (Well No. 5341-02), with the standard conditions (Exhibit 4).

Respectfully submitted,

LINNEL T. NISHIOKA
Deputy Director

Exhibit(s): 1. (Location Map)  
2. (Pump installation timeline)  
3. (Penalty Calculation Spreadsheet)  
4. (Standard Well Construction Permit Conditions)  
5. (Well Completion Report Part 1)
APPLICATION FOR PERMIT

WELL Construction and/or Pump Installation

APPLICANT INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

1. (a) WELL OWNER: Front Street Affordable Housing
   Mailing Address: 3660 Waiakea Avenue 416
   Contact Person: William Dornbush
   Phone: 734-5279
   Fax: 734-5964

2. (b) LAND OWNER: 3900 CORP.
   Mailing Address: 3660 WAIAKEA AVENUE, SUITE 400, HONOLULU, HI 96816
   Contact Person: LISA OKUHATA
   Phone: 924-1000
   Fax: 922-3975

3. (c) CONTRACTOR: NA
   Mailing Address: _______________________
   Phone: _______________________
   Fax: _______________________

WELL & PUMP INFORMATION: (Please fill in the diagram on the back of this form.)

2. WELL NAME: Front Street Affordable Housing Irrigation Well
   Island: Maui
   Address: Front Street at Kenui Street, Lahaina
   Tax Map Key: Zone: 4 Sec: 5 Plat: 3 Parcel: 13

   Attach the relevant portion of (a) a 7.5-Minute Series USGS topographic map (scale 1:24,000) and include the name of the quad map, and (b) a property tax map, showing well location referenced to established property boundaries.

3. PROPOSED WORK: (check all that apply)
   - Construct New Well
   - Modify Existing Well
   - Abandon/Seal
   - Install New Pump
   - Modify Pump
   - Document after-the-fact construction

   *State Well No. 5341-02* (if unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
   - Drilled
   - Dug
   - Shaft
   - Tunnel

   Is this well part of a battery of wells? Yes
   No (Please describe)

5. PROPOSED PUMPING RATE: 150 gallons per minute

6. PROPOSED USE: (check all that apply)
   - Municipal (including hotels, stores, etc.)
   - Domestic (individual, noncommercial water system)
   - Industrial
   - Irrigation (crop)
   - Landscaping
   - Military
   - Orifice
   - Other (explain):

   Does this well serve 25 or more people at least 60 days per year or have 15 or more service connections? Yes
   No

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 100,000 gallons per day
   (b) METHOD OF FLOW MEASUREMENT:
      - Flowmeter
      - Orifice
      - Other (explain)

OTHER IMPORTANT INFORMATION:

8. LEGAL REQUIREMENTS:
   - CDUP
   - SMAP
   - EIS
   - EA
   - None
   - Other (explain)

9. REMARKS, EXPLANATIONS:
   - well driller unknown, date of construction unknown, well on-site at transfer of property

   (if more space is needed, please attach additional sheet)

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump capacity.

Front Street Affordable

Signature

Date

For official use only
Latitude
Longitude
Aquifer System No.
State Well No.

WCPIDA Form 10/25/00
10. PROPOSED WELL SECTION (Please attach schematic if different from diagram provided below)

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

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

Bottom Elevation of Well Limit = (Water Elevation - 0.25 x Water Level Elevation) / 4

Example: Estimated + 2 ft. Water Level Elev. => Bottom Elevation of Well Limit = (2 - 0.25 x 2) / 4 = -1.5 ft.

**Solid Casing Material:**
- Carbon Steel: compliant with (check one or more): ANSI/AWWA C900, API Spec. 5L, ASTM A53, ASTM A139
- And compliant with (check one or more): ASTM A242, 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 D2995
  - Centrifugally Cast Resin Pipe conforming to ASTM D2997
  - Reinforced Plastic Mortar Pressure Pipe conforming to ASTMD3517
  - Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950
  - FEP Fluorocarbon Tubing conforming to ASTM D3296
  - PTFE Fluorocarbon Tubing conforming to ASTM D3296

**Open Casing Material:**
- Carbon Steel: compliant with (check one or more): ANSI/AWWA C900, API Spec. 5L, ASTM A53, ASTM A139
- And compliant with (check one or more): ASTM A242, 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 ASTMD3517
  - Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950
  - FEP Fluorocarbon Tubing conforming to ASTM D3296
  - PTFE Fluorocarbon Tubing conforming to ASTM D3296

EXHIBIT 2
August 14, 2001

Linnel T. Nishioka, Deputy Director
Commission on Water Resource Management
Department of Land & Natural Resources
P. O. Box 621
Honolulu, HI 96809

Dear Ms. Nishioka:

Re: Reinstatement of Pump Installation Permit
Front Street Housing Irrigation Well (Well No. 5341-02)

Thank you for your letter dated August 6, 2001. In response to your request, 3900 Corp. (Landowner) signed the Application for Permit that your office completed on our behalf.

Front Street Affordable Housing Partners is the leasehold owner of the property and has a lease on the property for 67 years beginning in 1999. As we informed your office previously, the land owner is 3900 Corp.

As you are aware, we retained Wailani Drilling Company to complete the well construction work at the location that Pioneer Mill had previously installed the original well. A check in the amount of $25 payable to the Department of Land and Natural Resources was previously sent as non-refundable filing fee.

Thank you for your assistance in this matter.

Sincerely,

FRONT STREET AFFORDABLE HOUSING PARTNERS
By: LAHAINA HOMES, LLC
its General Partner

William J. Dombush
Manager

Enclosure
pc: 3900 Corp. (w/enclosure)
Wailani Drilling Company (w/enclosure)
Ian Smith, Smith Consultants (w/enclosure)
APPLICATION FOR PERMIT

State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
APPLICATION FOR PERMIT

1. (a) WELL OWNER: Partners
   Mailing Address: 3660 Wai'alea Avenue 418 Honolulu, Hawaii 96816
   Phone: 734-5279
   Fax: 734-5964
   Contact Person: William Dornbush E-mail: 

(b) LAND OWNER: 3900 CORP.
   Mailing Address: 3660 Wai'alea Avenue, Suite 400, Honolulu, HI 96816
   Phone: 924-1000
   Fax: 924-3975
   Contact Person: Lisa Okuhata E-mail: 

(c) CONTRACTOR: NA
   Mailing Address: 
   Phone: 
   Fax: 
   E-mail: 

2. WELL NAME: Front Street Affordable Housing
   Address: Front Street at Kenui Street, Lahaina
   Island: Maui
   Tax Map Key: Zone 5 Sec 13 Plat 6

3. PROPOSED WORK:
   (check all that apply)
   □ Construct New Well
   □ Modify Existing Well
   □ Abandon/Seal
   □ Install New Pump
   □ Modify Pump
   □ Document after-the-fact construction
   *State Well No.: 5341-02
   (if unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
   □ Drilled
   □ Dug
   □ Shaft
   □ Tunnel
   Is this well part of a battery of wells? □ Yes □ No
   (Please describe)

5. PROPOSED PUMPING RATE:
   150 gallons per minute
   Pump Installation Permit approved July 6, 2000

6. PROPOSED USE:
   (check all that apply)
   □ Municipal (including hotels, stores, etc.)
   □ Industrial
   □ Domestic (individual, noncommercial water system)
   Does this well serve 25 or more people at least 60 days per year or have 15 or more service connections? □ Yes □ No
   □ Irrigation (crop)
   □ Landscaping
   □ No. of Acres: 1 to 3
   □ Other (explain):

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 100,000 gallons per day
   (b) METHOD OF FLOW MEASUREMENT:
   □ Flowmeter
   □ Open-pipe
   □ Weir
   □ Orifice
   □ Other (explain)

8. LEGAL REQUIREMENTS:
   □ C-57
   □ SMAP
   □ EIS
   □ EA
   □ None
   □ Other (explain)

9. REMARKS, EXPLANATIONS:
   well driller unknown, date of construction unknown, well on-site at transfer of property

(If more space is needed, please attach additional sheet)

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump capacity.

Front Street Affordable
Well Owner Housing Partners
(print legibly) By ________
Signature __________________________ Date July 11, 2000

Landowner 3900 CORP.
(print legibly) __________________________
Signature __________________________

Contractor (print legibly) Victor M. Parent
(print legibly) __________________________
Signature __________________________ Date August 6, 2000

For official use only
Latitude __________________________
Longitude __________________________
Aquifer System No. __________________________
State Well No. __________________________

WCPIPA Form 10/25/00
10. PROPOSED WELL SECTION (Please attach schematic if different from diagram provided below)

Elevation at top of casing ______ ft., msl*

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

Ground Elevation: 12.62 ft., msl*

Stainless Thermoset Plastic:
- ABS
- PVC
- Carbon

Open:

Solid Casing: (≥ 90% x (Ground Elev.-Water Level Elev.))
- Total Length: 15 feet.
- Nominal Diameter: 8 inches
- Wall Thickness: _______ in.
- Bottom Elevation: _______ ft., msl*

Open Casing:
- □ Perforated
- □ Screen

Total Length: 5 feet
- Nominal Diameter: _______ in.
- Wall Thickness: _______ in.
- Bottom Elevation: _______ ft., msl*

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

Cement Grout: _______ 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 (min.3):
- _______ in.

Rock or Gravel Packing:
- _______ ft.
- Material: _______ (check one):
  - Crushed Basalt
  - Rounded Gravel

Total Depth _______ ft.

Estimated Water Level Elevation: _______ ft., msl*

Solid Casing Material:
- Steel:
  - Schedule 40
  - Schedule 80
  - Schedule 120
- Carbon:
  - ASTM A312
  - ASTM A53
  - ASTM A129
- Stainless Steel:
  - 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 C960
  - □ 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
  - □ 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)
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- The approximate elevation must be referenced to mean sea level (msl) at the time of application filing. Final elevations of well components shall be submitted in the Well Completion/Well Abandonment reports and referenced to a benchmark which has been established by a surveyor licensed by the State.

For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or,
Bottom Elevation of Well Limit = (Water Elevation + 2 x Water Level Elev.) / 4
Example: Estimated = 2 ft. Water Level Elev. → Bottom Elevation of Well Limit = (2 + 2 x 2) / 4 = 1.5 ft.

Solid Casing Materials:
- Carbon Steel: compliant with (check one or more):
  - □ ANSI/AWWA C200
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  - □ FEP Fluorocarbon Tubing conforming to ASTM D3296
Mr. William Dornbush  
Front Street Affordable Housing Partners  
3660 Waialae Avenue 418  
Honolulu, HI 96816  

Dear Mr. Dornbush:  

After-the-Fact Well Construction Permit Application for Well No. 5341-02  

We have received your after-the-fact Well Construction permit application and filing fee for the Front Street Housing Irrigation (Well No. 5341-02). However, your application is incomplete. Matters which must be addressed before we accept your application as complete are as follows:  

1. Please obtain the signature of the landowner, 3900 Corp., on the application. (We inadvertently accepted and approved the pump installation permit application without the required landowner’s signature. We will address this matter before the Commission on Water Resource Management with the after-the-fact well construction permit.)  

2. Please provide the address, phone, fax, email (if available) and a contact for the landowner.  

Because this application for a permit is being made after-the-fact, please submit the information requested above within the next thirty (30) days, as we are planning to take this to the Commission’s September meeting. Failure to do so may result in fines of up to $1,000 per day.  

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

Sincerely,  

LINNEL T. NISHIOKA  
Deputy Director  

LN:ky
Mr. William Dornbush
Front Street Affordable Housing Partners
3660 Waialae Avenue 418
Honolulu, HI 96816

Dear Mr. Dornbush:

After-the-Fact Well Construction Permit Application for Well No. 5341-02

We have received your after-the-fact Well Construction permit application and filing fee for the Front Street Housing Irrigation (Well No. 5341-02). However, your application is incomplete. Matters which must be addressed before we accept your application as complete are as follows:

1. Please obtain the signature of the landowner, 3900 Corp., on the application. (We inadvertently accepted and approved the pump installation permit application without the required landowner’s signature. We will address this matter before the Commission on Water Resource Management with the after-the-fact well construction permit.)

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

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

LN:ky
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

**PAY TO THE ORDER OF:**
Department of Land and Natural Resources

**$25.00**

**DOLLARS**

**PAYMENT**

**Commission on Water Resource Management**
P. O. Box 621
Honolulu, Hawaii 96809

**Tax Map Key:** 4-5-3-13 Lahaina

**MEMO:** Well Construction Permit

---

**DEPARTMENT OF LAND AND NATURAL RESOURCES**

**UAC OR ATTACHED WORKSHEET**

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**Remarks:**
LINE (1) WC/PIP Appl. for Well No. 4226-16
LINE (2) WCPA for Well No. 5118-01
LINE (3) ATF WCPA for Well No. 5341-02
LINE (4) WC/PIP Appl. for Well Nos. 1221-08,09
**PUBLIC RECORD DATA**

**TMK # 2-4-5-3-13**

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<td>Tax Payer:</td>
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<td>Assessed Value</td>
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| Tenure:          | Leasehold                            |
| Semi-Annual Tax  | $8,397.40                            |
| PITT Code:       | 200                                  |
| Zoning:          | A-1                                  |
| Land Use:        | 0                                    |
| Nbhood Code:     | 4511                                 |
| Subdivision:     | Lahaina                              |

| Condo Name:      |                                       |

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This information has been supplied by third parties and has not been independently verified by Hawaii Information Service and is, therefore, not guaranteed.
July 17, 2001

Linnel T. Nishioka, Deputy Director  
Commission on Water Resource Management  
Department of Land & Natural Resources  
P. O. Box 621  
Honolulu, HI 96809

Dear Ms. Nishioka:

Re: Reinstatement of Pump Installation Permit  
Front Street Housing Irrigation Well (Well No. 5341-02)


In response to your request, we have signed the Application for Permit that your office completed on our behalf.

Front Street Affordable Housing Partners is the leasehold owner of the property and has a lease on the property for 67 years beginning in 1999. As we informed your office previously, the land owner is 3900 Corp.

As you are aware, we retained Wailani Drilling Company to complete the well construction work at the location that Pioneer Mill had previously installed the original well.

A check in the amount of $25 payable to the Department of Land and Natural Resources is enclosed as non-refundable filing fee. Also enclosed is a photograph taken May 8, 2001 showing the "well head" at center of the photo.

Thank you for your assistance in this matter.

Sincerely,

FRONT STREET AFFORDABLE HOUSING PARTNERS  
By: LAHAINA HOMES, LLC  
its General Partner  

William J. Dornbush  
Manager

Enclosures  
pc: Wailani Drilling Company (w/enclosures)  
Ian Smith, Smith Consultants (w/enclosures)
APPLICANT INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

Front Street Affordable Housing

Contact Person: William Dornbush
Phone: 734-5279
E-mail: _____________________ _
Fax: 734-5964
Mailing Address: 3660 Waialae Avenue 418
Honolulu, Hawaii 96816

LAND OWNER: NA
Contact Person: _____________________ _
Phone: _____________________ _
Fax: _____________________ _
Mailing Address: _____________________ _

CONTRACTOR: ____________________________________________
Contact Person: _____________________ _
Phone: _____________________ _
Fax: _____________________ _
Lic #: _____________________ _
(circle one: C-57, C-57a, or A)

WELL NAME: Front Street Affordable Housing Irrigation Well
Island: Maui
Address: Front Street at Kenai Street, Lahaina
Tax Map Key: 4 - 5 - 3 - 13

Attach the relevant portion of (a) a 7.5-Minute Series USGS topographic map (scale 1:24,000) and include the name of the quad map, and (b) a property tax map, showing well location referenced to established property boundaries.

3. PROPOSED WORK: (check all that apply)
☐ Construct New Well
☐ Install New Pump*
☐ Modify Existing Well*
☐ Modify Pump*
☐ Abandon/Seal*
☐ Document after-the-fact construction

*State Well No.: 5341-02
(if unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
☐ Drilled
☐ Dug
☐ Shaft
☐ Tunnel

Is this well part of a battery of wells? ☐ Yes ☐ No (Please describe)

5. PROPOSED PUMPING RATE: 150 gallons per minute

Pump Installation Permit approved July 6, 2000

6. PROPOSED USE: (check all that apply)
☐ Municipal (including hotels, stores, etc.)
☐ Industrial
☐ Domestic (individual, noncommercial water system)
☐ Other (explain): ________________ _

Does this well serve 25 or more people at least 60 days per year or have 15 or more service connections? ☐ Yes ☐ No
☐ Irrigation (crop)
☐ landscaping
☐ No. of Acres: 1 to 3
☐ Military
☐ Other (explain): ________________ _

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 100,000 gallons per day
(b) METHOD OF FLOW MEASUREMENT: ☐ Flowmeter ☐ Open-pipe ☐ Weir ☐ Office ☐ Other(explain): ________________ _

OTHER IMPORTANT INFORMATION:

8. LEGAL REQUIREMENTS: ☐ CDUP ☐ SMAP ☐ EIS ☐ EA ☐ None ☐ Other (explain): ________________ _

9. REMARKS, EXPLANATIONS: ________________ _

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump capacity.

Front Street Affordable Housing
Well Owner: _____________________ _
(a) Print legibly
Landowner: _____________________ _
Contractor: _____________________ _
(print legibly)
Signature: _____________________ _
Signature: _____________________ _
Date: _____________________ _
Date: _____________________ _

For official use only
Latitude: ________________ _
Longitude: ________________ _
Aquifer System No.: 5341-02
State Well No.: ________________ _

WCPIPA Form 10/25/00
**10. PROPOSED WELL SECTION**

(If attach schematic if different from diagram provided below)

Elevation at top of casing _____ ft., msl*

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

Ground Elevation: 12.62 ft., msl*

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

Total Length: 15 feet.

Nominal Diameter: 8 inches

Wall Thickness: ____________ in.

Bottom Elevation: ______________ ft., msl*

Open Casing: □ Perforated □ Screen

Total Length: 5 feet

Nominal Diameter: ____________ in.

Wall Thickness: ____________ in.

Bottom Elevation: ______________ ft., msl*

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

Open Hole:

Length: ____________ ft.

Diameter: ____________ in.

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

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

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):

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□ 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

---

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

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

Bottom Elevation of Well Limit = (Water Elevation - 41 x Water Level Elev) / 4

Example: Estimated + 2 ft. Water Level Elev. → Bottom Elevation of Well Limit = (2 - 41 x +2) / 4 = +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 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

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

- ABS Plastic conforming to ASTM F480 and ASTM D1527: (check one):
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  - 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):
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  - PTFE Fluorocarbon Tubing conforming to ASTM D3296
  - FEP Fluorocarbon Tubing conforming to ASTM D3296
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
APPLICATION FOR PERMIT

WELL Construction and/or Pump Installation

Instructions: Please print in ink or type and send completed application with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Application must be accompanied by 3 copies and a non-refundable filing fee of $25.00 payable to the Dept. of Land and Natural Resources. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit http://www.state.hi.us/dlnr/cwrm.

APPLICANT INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

1. (a) WELL OWNER: Front Street Affordable Housing Partners
   Mailing Address: 3660 Waialae Avenue 418
   Honolulu, Hawaii 96816
   Contact Person: William Dornbush
   Phone: 734-5279
   Fax: 734-5264
   E-mail:

2. LAND OWNER: same
   Mailing Address:
   Fax:
   E-mail:

3. CONTRACTOR: NA
   Mailing Address:
   Fax:
   E-mail:

WELL & PUMP INFORMATION: (Please fill in the diagram on the back of this form.)

2. WELL NAME: Front Street Affordable Housing Irrigation Well
   Island: Maui
   Address Front Street at Kenui Street, Lahaina
   Tax Map Key: Zone 4 Sec 5 Plat 3 Parcel 13
   Attach the relevant portion of (a) a 7.5-Minute Series USGS topographic map (scale 1:24,000) and include the name of the quad map, and (b) a property tax map, showing well location referenced to established property boundaries.

3. PROPOSED WORK: (check all that apply)
   □ Construct New Well
   □ Install New Pump*
   □ Modify Existing Well*
   □ Modify Pump*
   □ Abandon/Seal*
   X Document after-the-fact construction
   *State Well No.: 5341-02
   (if unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
   □ Dug
   □ Shaft
   □ Tunnel
   □ Is this well part of a battery of wells? □ Yes □ No (Please describe)

5. PROPOSED PUMPING RATE: 150 gallons per minute
   Pump Installation Permit approved July 6, 2000

6. PROPOSED USE: (check all that apply)
   □ Municipal (including hotels, stores, etc.)
   □ Domestic (individual, noncommercial water system)
   □ Irrigation (crop)
   □ Landscaping
   □ Industrial
   □ Military
   □ Other (explain):

   Does this well serve 25 or more people at least 60 days per year or have 15 or more service connections? □ Yes □ No
   □ No of Acres: 1 to 3
   □ Other (explain):

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 100,000 gallons per day
   (b) METHOD OF FLOW MEASUREMENT:
      □ Flowmeter □ Open-pipe □ Weir □ Office □ Other (explain)

OTHER IMPORTANT INFORMATION:

8. LEGAL REQUIREMENTS:
   □ CDUP □ SMAP □ EIS □ EA □ None □ Other (explain)

9. REMARKS, EXPLANATIONS: well driller unknown, date of construction unknown, well on-site at transfer of property
   (if more space is needed, please attach additional sheet)

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump capacity.

Well Owner: _____________________ 
Landowner: _____________________
Contractor: _____________________
Signatures: _____________________
________________________ 
________________________ 
________________________ 
________________________
Date: _____________________
Date: _____________________

For official use only:
Latitude: _____________________
Longitude: _____________________
State Well No.: _____________________

WCP/IPA Form 10/25/00
10. PROPOSED WELL SECTION (Please attach schematic if different from diagram provided below)

Elevation at top of casing _____ ft., msl*

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

Ground Elevation: 12.62 ft., msl*

Cement Grout: ?? 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 (min.3):

?? in.

Rock or Gravel Packing:

?? ft. Material:

- Crushed Basalt
- Rounded Gravel

Estimated Water Level Elevation: 0.62 ft., msl*

Solid Casing: (± 92% x (Ground Elev.-Water Level Elev))

Total Length: 15 feet.
Nominal Diameter: 6 inches
Wall Thickness: __________ in.
Bottom Elevation: __________ ft., msl*

Open Casing: (check one) □ Perforated □ Screen

Total Length: 5 feet.
Nominal Diameter: __________ in.
Wall Thickness: __________ in.
Bottom Elevation: __________ ft., msl*

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

Open Hole:

Length: __________ ft.
Diameter: __________ ft.
Bottom Elevation: __________ 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 = \((\text{Water Elevation} - 0.25 \times \text{Aquifer Thickness})\) - 18.5 ft.

Example: Estimated + 2 ft. Water Level Elev. → Bottom Elevation of Well Limit = \((2 - 0.25 \times 3)\) - 18.5 ft.

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 □ Type E □ Type S □ Grade B □ Other

Stainless Steel: (check one):

- ASTM A409 (production wells)
- ASTM A312 (monitor wells)

ABS Plastic conforming to ASTM F460 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
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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 □ Type E □ Type S □ Grade B □ Other

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- FEP Fluorocarbon Tubing conforming to ASTM D3296
APPLICATION INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

1. (a) WELL OWNER: Front Street Affordable Housing Partners
   Mailing Address: 3660 Waiakamilo Avenue 41B
   Phone: 734-5279
   Fax: 734-5964

   (b) LAND OWNER: same
   Mailing Address: 
   Phone: 
   Fax: 

   (c) CONTRACTOR: NA
   Mailing Address: 
   Phone: 
   Fax: 

WELL & PUMP INFORMATION:

2. WELL NAME: Front Street Affordable Housing Irrigation Well
   Island: Maui
   Address: Front Street at Kenui Street, Lahaina
   Tax Map Key: Zone: 4 - Sec: 5 - Plat: 13 - Parcel: 

   Well & Pump Information: (Please fill in the diagram on the back of this form.)

   Attach the relevant portion of (a) a 7.5-Minute Series USGS topographic map (scale 1:24,000) and include the name of the quad map, and (b) a property tax map, showing well location referenced to established property boundaries.

3. PROPOSED WORK:
   (check all that apply)
   □ Construct New Well
   □ Modify Existing Well
   □ Abandon/Seal
   *State Well No.: 5341-02
   (if unknown, please call Commission at 587-0225)

4. CONSTRUCTION:
   □ Drilled
   □ Dug
   □ Shaft
   □ Tunnel
   Is this well part of a battery of wells? □ Yes □ No (Please describe)

5. PROPOSED PUMPING RATE: 150 gallons per minute

6. PROPOSED USE:
   (check all that apply)
   □ Municipal (including hotels, stores, etc.)
   □ Domestic (individual, noncommercial water system)
   □ Irrigation (crop)
   □ Industrial
   □ Military
   □ Other (explain):
   Does this well serve 25 or more people at least 60 days per year or have 15 or more service connections? □ Yes □ No
   □ No. of Acres: 1 to 3
   □ Other (explain):

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 100,000 gallons per day
   (b) METHOD OF FLOW MEASUREMENT:
   □ Flowmeter
   □ Open-pipe
   □ Weir
   □ Orifice
   □ Other (explain):

OTHER IMPORTANT INFORMATION:

8. LEGAL REQUIREMENTS:
   □ CDUP □ SMAP □ EIS □ EA □ None □ Other (explain)

9. REMARKS, EXPLANATIONS:
   well driller unknown, date of construction unknown, well on-site at transfer of property
   (If more space is needed, please attach additional sheet)

I understand that approval of this application attaches the following standard conditions: 1) the proposed work is to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) monthly water use data shall be submitted to the Commission; 4) such approval shall not constitute a determination of correlative water rights and shall not guarantee the pump capacity or future use up to the permitted pump capacity.

For Official Use Only: 

State of Hawaii

For Official Use Only:

Date: 3/13/00
10. PROPOSED WELL SECTION (Please attach schematic if different from diagram provided below)

HOLE DIAMETER: __ in.

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

Ground Elevation: __ ft., msl*

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

Total Length: 15 feet.
Nominal Diameter: __ in.
Wall Thickness: _____________ in.
Bottom Elevation: _____________ ft., msl*

Open Casing: □ Perforated □ Screen

Total Length: __ feet.
Nominal Diameter: _____________ in.
Wall Thickness: _____________ in.
Bottom Elevation: _____________ ft., msl*

Open Hole:

Length: _____________ ft.
Diameter: _____________ in.
Bottom Elevation: _____________ ft., msl*

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

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


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 □ 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
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□ 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
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* The approximate elevation must be referenced to mean sea level (msl) at the time of application filing. Final elevations of well components shall be submitted in the Well Completion/Well Abandonment reports and referenced to a benchmark which has been established by a surveyor licensed by the State.
Well No. 5341-02
Well Name Front Street Housing Irrigation
Applicant Front Street Affordable Housing Partners
Date of Review 7/11/00
Reviewer RRI

SECTION 1: WELL LOCATION INFORMATION

<table>
<thead>
<tr>
<th>Island</th>
<th>MAUI</th>
<th>Proposed Use</th>
<th>Irrigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aquifer System</td>
<td>LAHAINA</td>
<td>Proposed Withdrawal</td>
<td>100000</td>
</tr>
<tr>
<td>Aquifer Sector</td>
<td>######</td>
<td>System Sustainable Yield</td>
<td>8</td>
</tr>
</tbody>
</table>

SECTION 2: WELL SECTION DATA (enter data in grey cells only)

<table>
<thead>
<tr>
<th>Elevation at top of casing</th>
<th>ft., m.s.l.</th>
<th>Solid Casing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground Elevation</td>
<td>ft., m.s.l.</td>
<td>Material</td>
</tr>
<tr>
<td>Cement Grout</td>
<td>ft.</td>
<td>Designation</td>
</tr>
<tr>
<td>Rock Packing</td>
<td>ft.</td>
<td>Length</td>
</tr>
<tr>
<td>Hole Diameter</td>
<td>in.</td>
<td>Diameter</td>
</tr>
<tr>
<td>Total Depth</td>
<td>ft.</td>
<td>Wall Thickness</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Estimated Head</th>
<th>ft., m.s.l.</th>
<th>Casing Material</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calculated Aquifer Thickness</td>
<td>41 ft.</td>
<td>Designation</td>
</tr>
<tr>
<td>County Water Supply (Y/N ?)</td>
<td>No/Yes</td>
<td>Length</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Diameter</td>
</tr>
</tbody>
</table>

SECTION 3: CHECKLIST (values to check are shaded)

Well Depth
Theoretical Thickness of Aquifer | 41 ft. |
1/4 Aquifer Thickness             | 10.25 ft.
Depth of Well below Sea Level     | 10.5 ft. too deep (refer to HWCPIS Section 2.2)

Well Casing
Minimum Wall Thickness
   Material
   County or Non-County non-county
   Minimum Thickness per standards ###### in. (refer to HWCPIS Section 2.4 c)
   Wall Thickness Provided | 0.250 in. ###### (refer to HWCPIS Section 2.4 c)

Minimum Length of Solid Casing
   90% of ground to top of aquifer 8.1 ft.
   Length of solid casing Provided | 15 ft. okay (refer to HWCPIS Section 2.4 d)

Casing Material
   ###### (refer to HWCPIS Section 2.4 e)

Annular Space
   If the cell above reads N/A, reference HWCPIS
   Depth of Grouting
   Calculated Depth of Grouting | 6.3 ft.
   Depth of Grouting provided | 0 ft. not enough (refer to HWCPIS Section 2.6 c)
   Thickness of Annular Space | 4 in. too small (refer to HWCPIS Section 2.6 d)
Alternative way for determining $T$ from step-drawdown data (Mink, per. comm)

$$Q = \text{ft}^3/\text{d}$$

$Q_1$ (gpm) $= 208 = 40040 \text{ ft}^3/\text{d}$

$s = \text{ft}$

$Q_2$ (gpm) $= 70 = 13475 \text{ ft}^3/\text{d}$

Set up two equations:

$$s_1 = jQ_1 + nQ_1^2$$

$$s_2 = jQ_2 + nQ_2^2$$

$$Q_2 = 13475 \quad s_2 = 3.7$$

$$Q_1 = 40040 \quad s_1 = 9.02$$

Well Depth below sea level = 23

Radius of well (ft) = 0.25

$$n = s_1 - (Q_1/Q_2)s_2/Q_1(Q_1-Q_2) = -1.9E-09$$

$$j = s/Q - nQ = 0.0003$$

Laminar flow equation:

$s = jQ = 11.99573 \quad 132.99\% \text{ Head loss due to laminar flow}$

Thiem Eq.

$$T = \frac{1}{2\pi j \ln(re/r)}$$

$$re = \text{Well Depth BSL} \times 1.6 = 36.8$$

Therefore:

$$T = \frac{1}{2\pi j \ln(re/r)} = 2652 \text{ ft}^2/\text{d}$$
1. **Pump Tests Check (special condition of PIP? Yes/No?)**
   - Glenn Bauer (initial if yes)
   - **Yes** | **No** | **If no, describe deficiency**
   - Step-Drawdown Test:
     - followed WCPI Stds
     - analysis attached
     - proposed pump cap o.k.
   - Aquifer Pump Test:
     - followed WCPI Stds
     - T & S analysis attached
   - Well Interference:
     - estimated Steady-State
drawdown at 1-mile radius is ________ ft.
     - analysis attached
   - Stream Surface Water Impacted:
     - If yes, identify most probable stream

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

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

4. Roy (initial) check

5. Susan Subia (initial) finalize

6. Linnel (initial) signature

7. Charley/Lenore/Ryan File
July 5, 2001

William J. Dornbush, Manager
Front Street Affordable Housing Partners
3660 Waialae Avenue 418
Honolulu, HI 96816

Dear Mr. Dornbush:

Reinstatement of Pump Installation Permit
Front Street Housing Irrigation Well (Well No. 5341-02)

Thank you for your letter of June 5, 2001 responding to our request for pertinent information concerning the construction of the captioned well. We accept your statement that the well was in place when you acquired the property, and have no further information. Our separate inquiries have the same result.

While we must take the matter to the Commission as an after-the-fact well construction permit, our recommendation will be to mitigate all fines. With this letter we reinstate your pump installation permit without further delay, with our apologies for this inconvenient step.

Our concern for protecting your liability through the Hawaii Well Construction and Pump Installation Standards led us to seek information along three lines of inquiry: (1) a title search; (2) contacting Pioneer Mill, the logical prior user; (3) acquiring well construction information from the pump installer. The title search yielded no definitive information concerning improvements or past leases. The manager with a lengthy history at Pioneer Mill is quite unaware of this well; while Pioneer Mill had registered a number of wells they used, the one in question remains a mystery. Finally, your pump installer has been gracious to prepare and forward the information he gathered on site during his scoping process, and he has provided all the details we show on the enclosed Well Construction Permit application form. Please verify, sign, and return at your earliest convenience. If possible, we would like to have a photo of the wellhead for our files.

Under the circumstances, we are unable to assure the quality of the well construction, and do not know what liability you may have assumed as a landowner. This is your official notification of permit reinstatement, to be filed with your permit. Thank you very much for your assistance and patience.

If you have any questions, please contact Charley Ice of the Water Commission staff at 587-0251 or toll-free at 984-4644, extension 70251.

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

Cl:ky

Wailani Drilling Company
July 5, 2001

William J. Dornbush, Manager
Front Street Affordable Housing Partners
3660 Waialae Avenue 418
Honolulu, HI 96816

Dear Mr. Dornbush:

Reinstatement of Pump Installation Permit
Front Street Housing Irrigation Well (Well No. 5341-02)

Thank you for your letter of June 5, 2001 responding to our request for pertinent information concerning the construction of the captioned well. We accept your statement that the well was in place when you acquired the property, and have no further information. Our separate inquiries have the same result.

While we must take the matter to the Commission as an after-the-fact well construction permit, our recommendation will be to mitigate all fines. With this letter we reinstate your pump installation permit without further delay, with our apologies for this inconvenient step.

Our concern for protecting your liability through the Hawaii Well Construction and Pump Installation Standards led us to seek information along three lines of inquiry: (1) a title search; (2) contacting Pioneer Mill, the logical prior user; (3) acquiring well construction information from the pump installer. The title search yielded no definitive information concerning improvements or past leases. The manager with a lengthy history at Pioneer Mill is quite unaware of this well; while Pioneer Mill had registered a number of wells they used, the one in question remains a mystery. Finally, your pump installer has been gracious to prepare and forward the information he gathered on site during his scoping process, and he has provided all the details we show on the enclosed Well Construction Permit application form. Please verify, sign, and return at your earliest convenience. If possible, we would like to have a photo of the wellhead for our files.

Under the circumstances, we are unable to assure the quality of the well construction, and do not know what liability you may have assumed as a landowner. This is your official notification of permit reinstatement, to be filed with your permit. Thank you very much for your assistance and patience.

If you have any questions, please contact Charley Ice of the Water Commission staff at 587-0251 or toll-free at 984-4644, extension 70251.

Sincerely,

[Signature]
LINNEL T. NISHIOKA
Deputy Director

Cl:ky
c. Wailani Drilling Company
**Commission on Water Resource Management**

**Route Slip for Permit Issuance**

**From:** Charley  
**Date:** 02 July 01  
**Suspense Date:**

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**WELL NUMBER:** 5341-02  
**WELL NAME:** Front St. Affordable Housing (Migration)

- **Well Construction**
- **Pump Installation**

Well was constructed by unknown parties on unknown date. Current landlord stipulates they received title with well installed. No one has knowledge, no leads have developed new info. Waiau provided this much info as prep to PIP (new pump). Please review and comment.
**State of Hawaii**
**COMMISSION ON WATER RESOURCE MANAGEMENT**
**Department of Land and Natural Resources**

**WELL COMPLETION REPORT - PART I**

---

**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 808-671-0225. For updates to this form or additional information, please visit our website at [http://www.state.hi.us/land/cwrml](http://www.state.hi.us/land/cwrml).

---

1. **State Well No.:** 5341-02  
   **Well Name:** FRONT STREET IRIGATION HOUSING  
   **Island:** MAUI

2. **Address:** 3440 WAIKALAE AVE  
   **Tax Map Key:** 4-5-3:13

3. **Drilling Company:** N/A

4. **If drilled, type of Rig:**  
   - [ ] Rotary  
   - [ ] Percussion  
   **Drilled/cased/grouted completed:** EST. 1985

5. **Date Well Construction:** N/A  
   **Attach Driller's Log (1/2/99 DL Form)**

6. **Initial water-level encountered:** N/A ft. below ground  
   **Date and time of measurement:** N/A

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)**

---

**Parameters prior to pump test:**

9. **Water-level:** 2.0 ft. above msl  
   **Date and time of measurement:** 9/14/00

10. **Chloride:** 2340 ppm  
    **Date and time of sampling:** 9/14/00

11. **Temperature:** 77 °F  
    **Date and time of measurement:** 9/14/00

---

12. **Fill in the as-built section on the other side of this sheet.**

13. **Attach plot plan and surveyor's stamped elevation report.**

14. **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.)**

---

**Remarks:**

---

**Licensed Driller (print)** N/A  
**C-57 Lic. No.**

**Signature** N/A  
**Date**

**Surveyor (print)**
**L.P.L.S. Lic. No.**

**Signature**
**Date**

**Permittee (print)** UNKNOWN

**Signature**
**Date**
**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 □ Type E □ Type S □ Grade B □ Other

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

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

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

- Thermoset Plastic: (check one)
  - Filament Wound Resin Pipe conforming to ASTM D2996
  - 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 □ Type E □ Type S □ Grade B □ Other

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

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

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

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  - PTFE Fluorocarbon Tubing conforming to ASTM D3296
  - FEP Fluorocarbon Tubing conforming to ASTM D3296
1. State Well No.: 5341-02  
2. Address: 3440 WALLAPAPUC  
3. Drilling Company: N/A  
4. If drilled, type of Rig: □ Rotary □ Percussion □ Drilled  
5. Date Well Construction (drilled, cased, grouted) completed: 1/5/1985  
   In addition to the driller's log, if a geologic log was prepared, please submit with this form.  
6. Initial water-level encountered: 20 ft. below ground  
7. Step-Drawdown Test completed? □ No □ Yes  
8. Constant Rate Aquifer Test completed? □ No □ Yes  
9. Water-level: 21.02 ft. above msl  
10. Chloride: 2360 ppm  
11. Temperature: 77 °F  
12. Fill in the as-built section on the other side of this sheet.  
13. Attach plot plan and surveyor's stamped elevation report.  
14. 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.)  
15. Remarks:  

---

**Licensed Driller** (print) N/A  
Signature N/A  
Date

**Surveyor** (print)  
Signature  
Date

**Permittee** (print)  
Signature  
Date

For Official Use Only:
Return Receipt Fax Memo

For: Charlie Ice

Charlie. Enclosed are the following items:

- Letter to correct Lot # for Vandevelde
- WCR 1 for Manawai-Papanui well #5517-02
- WCR 1 revised for O'Neil well #5514-02 received survey
- After the fact information for Front Street #5341-02

Please confirm receipt by checking off the enclosed items and faxing a copy of this memo to me at 808-572-0925.

From: Bill Steele
Front Street After the fact Well drawing
State Well- # 5341-02
Elevation @ Slab is 12.62 ft above m.s.l.

Static water level 11.6 ft.  Total Well Depth 35 ft.
initial chlorides 2360 ppm

Pump tested at 208 gpm for 8 hours with maximum drawdown of 9.17 ft. and no change in chlorides from 2360 ppm.

*Estimated
Note: not drawn to scale
Mahoe helped me search the title.
Fee title passed from Amfac to "3900 Corp" in 1993, may have leased earlier (not on title). No record of well. We can guess it was extemporized by Charley, if we are concerned and they supply documentation to prove well in before 1987.

(1) Unsuspend PIP.
(2) Have them register the source using registration forms (see Rickmore for help).
FRONT STREET AFFORDABLE HOUSING PARTNERS  
Lahaina Homes LLC, General Partner  
3660 Waialae Avenue, Suite 418  
Honolulu, HI 96816  
Tel: (808) 734-5279  
Fax: (808) 734-5964  

June 5, 2001  

Linnel T. Nishioka, Deputy Director  
State of Hawaii  
Dept. of Land and Natural Resources  
Commission on Water Resource Management  

RE: Front Street Housing Irrigation Well (Well No. 5341-02)  
Pump Installation Permit Suspension  

Dear Ms. Nishioka:  

We are writing in response to your letter received June 4, 2001 which relates to suspending the  
pump installation permit for our Front Street Housing Irrigation Well. We are concerned by your  
letter as suspension of the irrigation well pump installation permit severely jeopardizes the  
recently completed project. The Front Street Apartments is a County of Maui and HCDCH  
approved affordable housing project comprised of 142 low-income rental apartment units.  

The approved landscape designed for the project has been installed and requires adequate  
watering to be established. The irrigation well is designed as the sole source of water to the  
project for irrigation as the County supplied water is designed for domestic use and fire  
prevention only. This design was incorporated as a result of the existing well and the State Water  
Resource Commission’s review and approval of the pump installation permit. We are more than  
willing to cooperate in supplying any and all additional information you may required to re-issue  
the pump installation permit in an attempt to resolve this issue as soon as possible.  

We believe that a recap of the events relating to this issue may be helpful in understanding how  
we arrived at our current situation. The land with the existing well is currently owned by the 3900  
Corp. (a Harry and Jeanette Weinberg Foundation company) and is leased to Front Street  
Affordable Housing Partners for the purpose of creating and establishing “low income”  
available rental housing. It is our understanding that the property was purchased by the  
Weinberg group from Pioneer Mill (AMF AC) in the 1970s and the well was in existence at that  
time. We would assume that Pioneer Mill used the well for sugar cane irrigation purposes and  
dug the well at some time prior to the Weinberg’s purchase. It is again our understanding that the  
well was not utilized from the time of Weinberg’s purchase until now.  

Front Street Affordable Housing Partners retained the services of Wailani Drilling in November  
of 1999 to investigate the possible use of the existing well for the project’s irrigation purposes.  
Upon completion of Wailani Drilling’s investigation, it was determined that the well could meet  
the irrigation demands, but that a Pump Installation Permit Application would need to be  
submitted and approved prior to utilizing the resource. As you are aware, in cooperation with  
Wailani Drilling, the appropriate permit was submitted and processed accordingly. Upon  
completion of the process, the project was issued the pump installation permit and the well was  
put into use as irrigation water in mid-May 2001.
In response to your request, we have instructed our landscape contractor to suspend the use of the well until further notice. We are attempting to utilize temporary County of Maui water via a construction water meter to keep the recently installed landscape growing. This process is time consuming and creates additional cost to the project. We hope that upon your review of this response letter, as well as gathering additional information, you will be able to reissue the previously granted permit.

Please contact us if you have any questions or need additional information. Thank you for your continued assistance.

Sincerely,

FRONT STREET AFFORDABLE HOUSING PARTNERS
By: Lahaina Homes, LLC, Its General Partner

William J. Dornbush
Manager

Pc: 3900 Corp.
Wailani Drilling
Smith Construction Consultants
BG Equipment & Rentals
FAX TRANSMITTAL
FRONT STREET AFFORDABLE HOUSING PARTNERS
LAHAINA HOMES, LLC
3660 Waialae Avenue, Suite 418
Honolulu, Hawaii 96816
Tel (808) 734-5279
Fax (808) 734-5964

To: LINNEL T. NISHIOKA
Fax No.: 587-0219
Company: COMMISSION ON WATER RESOURCE MANAGEMENT
From: BILL DORNBUSH

Copy by Fax: Doug Bigley, SunAmerica
Christian Hart, Community Builders Group
Wailani Drilling
Smith Construction Consultants
BG Equipment & Rentals

Message:

No. of Pages (including this cover sheet): 3
Date Sent: June 7, 2001
Original to follow via mail.
If there are any problems with this transmission, please call (808) 734-5279 immediately.
June 5, 2001

Linnet T. Nishioka, Deputy Director
State of Hawaii
Dept. of Land and Natural Resources
Commission on Water Resource Management

RE: Front Street Housing Irrigation Well (Well No. 5341-02)
Pump Installation Permit Suspension

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The approved landscape designed for the project has been installed and requires adequate watering to be established. The irrigation well is designed as the sole source of water to the project for irrigation as the County supplied water is designed for domestic use and fire prevention only. This design was incorporated as a result of the existing well and the State Water Resource Commission’s review and approval of the pump installation permit. We are more than willing to cooperate in supplying any and all additional information you may required to re-issue the pump installation permit in an attempt to resolve this issue as soon as possible.

We believe that a recap of the events relating to this issue may be helpful in understanding how we arrived at our current situation. The land with the existing well is currently owned by the 3900 Corp. (a Harry and Jeanette Weinberg Foundation company) and is leased to Front Street Affordable Housing Partners for the purpose of creating and establishing “low income” affordable rental housing. It is our understanding that the property was purchased by the Weinberg group from Pioneer Mill (AMFAC) in the 1970s and the well was in existence at that time. We would assume that Pioneer Mill used the well for sugar cane irrigation purposes and dug the well at some time prior to the Weinberg’s purchase. It is again our understanding that the well was not utilized from the time of Weinberg’s purchase until now.

Front Street Affordable Housing Partners retained the services of Wailani Drilling in November of 1999 to investigate the possible use of the existing well for the project’s irrigation purposes. Upon completion of Wailani Drilling’s investigation, it was determined that the well could meet the irrigation demands, but that a Pump Installation Permit Application would need to be submitted and approved prior to utilizing the resource. As you are aware, in cooperation with Wailani Drilling, the appropriate permit was submitted and processed accordingly. Upon completion of the process, the project was issued the pump installation permit and the well was put into use as irrigation water in mid-May 2001.
In response to your request, we have instructed our landscape contractor to suspend the use of the well until further notice. We are attempting to utilize temporary County of Maui water via a construction water meter to keep the recently installed landscape growing. This process is time consuming and creates additional cost to the project. We hope that upon your review of this response letter, as well as gathering additional information, you will be able to reissue the previously granted permit.

Please contact us if you have any questions or need additional information. Thank you for your continued assistance.

Sincerely,

FRONT STREET AFFORDABLE HOUSING PARTNERS
By:      Lahaina Homes, LLC, Its General Partner

William J. Dornbush
Manager

Pc:      3900 Corp.
          Wailani Drilling
          Smith Construction Consultants
          BG Equipment & Rentals
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0 register well?  Proof of existence
1987?

So they are claiming that well was in 
operation - o.k. We need some details
on the well (which I think the driller is
getting). When did pump go in and when
was permit signed? Late report, did work 
who signed permit, anything else?
TO: Ian Smith  
Smith Development

FROM: Bill Dornbush, Manager  
Lahaina Homes, LLC

DATE: June 5, 2001

RE: Front Street Affordable Apartment Project, Lahaina, Maui  
Irrigation Well No. 5341-02

Enclosed is a letter that we received yesterday, June 4, 2001 from Linnel Nishioka, Deputy Director of the Commission on Water Resource Management, State of Hawaii.

They are suspending the pump installation permit effectively immediately. Thus, we must stop using the well.

We would appreciate you discussing this with Wailani Drilling. I will be discussing this matter with you later today.

Thank you for your continued assistance.

Enclosure

pc: Wailani Drilling  
Coastal Construction Company  
Andy Bunn, Esq.  
Dan Rigney, SunAmerica  
Christian Hart, Community Builders Group  
Linnel Nishioka, Commission on Water Resource Management
Mr. William Dornbush  
Front Street Affordable Housing Partners  
3660 Waialae Avenue  
Honolulu HI 96816  

Dear Mr. Dornbush:

Pump Installation Permit Suspension  
Front Street Housing Irrigation Well (Well No. 5341-02)

It has become apparent that the captioned well, for which we have no registration or previous records of any sort, may have been illegally constructed. If so, it was improper for us to issue a pump installation permit. In everyone's best interest, it is necessary to suspend the pump installation permit, effective immediately as of the date of this letter, pending information on the approximate date of well construction and the identity of the driller. As the current owner of interest in the property, the primary responsibility for well improvements falls to you. We made a request for information to Pioneer Mill, who we understand may have been the previous owner, but have not received a reply. The pump installer is also supplying us with any available construction details.

Please acknowledge this request within thirty (30) days to avoid further liability and be aware that fines of up to $1000/day are possible.

If you have any questions, please contact Charley Ice of the Water Commission staff at 587-0251 or toll-free at 984-4644, extension 70251.

Sincerely,

LINNEL T. NISHIOKA  
Deputy Director
COMMISSION ON WATER RESOURCE MANAGEMENT

FROM: Charley                  DATE: 30 May 01                  SUSPENSE DATE

TO:                          INIT.                      TO:               INIT.          FOR:         PLEASE:
   BAUER, G.     ____                  HARDY, R.                      ____              Approval  ____ Review & Comment
   FUJII, N.     ____                  HIRANO, E.                       ____         Signature  ____ Type Draft
   OHYE, M.      ____                  SAKODA, E.                       ____         Information  ____ Type Final
   JINNAI, R.    ____                  NAKANO, D.                       ____         ____ File
   IMATA, R.     ____                  NISHIOKA, L                     ___        ____ Xerox ___ copies
   NAKAMA, L.    ____                  DANBARRA, S                      ___        ____ Take Action:
   HIGA, D.      ____                  SUBIA, S.                        ___        ____ Please See Me

5841-02 mr. doc.  

How innocent discrepancies mount...  

Work without signed PIP is least of the worries regret now.
COMMISSION ON WATER RESOURCE MANAGEMENT

FROM: Charley

DATE: 19 Apr 01

TO: BAUER, G.
    FUJII, N.
    OHYE, M.
    JINNAI, R.
    IMATA, R.
    NAKAMA, L.
    HIGA, D.
    HARDY, R.
    HIRANO, E.
    SAKODA, E.
    NAKANO, D.
    NISHIOKA, L.
    DANBARRA, S.
    SUBIA, S.
    YODA, K.

FOR: Approval
     Signature
     Information

PLEASE:
     Review & Comment
     Type Draft
     Type Final
     File
     Xerox ______ copies
     Take Action:
     Please See Me

Concerning the possible violation of doing work w/o permit - mitigate to 40? Fred Hong well (5616-04) similar, but WEP issued on same application - no way to do pump testing without pump, before receiving permit to sign - but also, controller not installed until permit signed. I recommended that date to file as pump installation date in WER 2.
To: Charlie Ice  
For: State of Hawaii Water Resource Commission  
From: Bill Steele  
Reference: Pump Installation for Front Street Project #5341-02  

Charlie,  

Here is a time line for the Front Street Pump installation:  

1. 7/13/00 Pump installed with no controller and not hard wired in.  
2. 9/16/00 Pump test performed with temporary controller & generator for power  
   (This gave us data required by the state & that information was used by Front  
   Street to design irrigation system and landscaping)  
3. 9/17/00 Controller & generator removed  
4. 9/20/00 PIP signed by Permittee  
5. 10/1/00 PIP signed by Installer  
6. 4/06/01 Final pump installation: permanent controller has hard wired and installed on  
   complex office 20 ft away (Pump now operational)  

We temporarily installed this pump prior to signing PIP to obtain Step Drawdown and  
Constant Rate data this is consistent to procedure we follow on Well Construction but since  
speaking to you on 4/16/01 you informed me that on Pump only installations the PIP should  
be signed prior to any work being performed.  

Thank you for correcting us on this matter and on all future Pump installation jobs  
Wailani Drilling will not start any work until PIP is signed by all parties and submitted to  
Water Resource Commission.  

Thanks, Bill Steele
To: Charlie Ice
For: State of Hawaii Water Resource Commission

From: Bill Steele

Reference: Pump Installation for Front Street Project #5341-02

Charlie,

Here is a time line for the Front Street Pump installation:

1. 7/13/00  Pump installed with no controller and not hard wired in.
2. 9/16/00  Pump test performed with temporary controller & generator for power
   (This gave us data required by the state & that information was used by Front
    Street to design irrigation system and landscaping)
3. 9/17/00  Controller & generator removed
4. 9/20/00  PIP signed by Permittee
5. 10/1/00  PIP signed by Installer
6. 4/06/01  Final pump installation: permanent controller has hard wired and installed on
   complex office 20 ft away (Pump now operational)

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Thank you for correcting us on this matter and on all future Pump installation jobs
Wailani Drilling will not start any work until PIP is signed by all parties and submitted to
Water Resource Commission.

Thanks, Bill Steele

Certified By And A Member Of The National Ground Water Association
In the 09 April 01 transmittal packet, the items were split up and routed separately. No cover list was included, but to the best of my knowledge these were the items (please indicate if other items escaped my attention):

S616-04 Honig - signed PIP
signed WCR 2
5341-02 Front St. Housing - signed PIP
5515-04 Johnson - signed PIP

However, it seems the signed PIPs for Honig and Front St. were signed months after work was completed. This is technically a violation, as work should not be done w/o a valid (signed) permit. There may be some fine.

12Apr: pump installed for test;
controller connected after permit WCR2 completed.
**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 521, Honolulu, Hawaii 96806. 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 808-586-3220. For updates to this form or additional information, please visit our website at [http://www.state.hi.us/dlnr/wrm/](http://www.state.hi.us/dlnr/wrm/)*

<table>
<thead>
<tr>
<th>1. State Well No.:</th>
<th>5341-02</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Address:</td>
<td>Front and Kanui Streets, Lahaina</td>
</tr>
<tr>
<td>3. Pump Installation Company:</td>
<td>WAILANI DRILLING</td>
</tr>
<tr>
<td>4. Date Pump Installed:</td>
<td>7/13/00</td>
</tr>
<tr>
<td>5. PERMANENT PUMP INFORMATION</td>
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</tr>
<tr>
<td>Pump Type, Make, Serial No.:</td>
<td>GRUNFLO, SUB. 150515-0</td>
</tr>
<tr>
<td>Motor Type, H.P., Voltage, rpm:</td>
<td>FRANKLIN SUB. 15 HP, 220V, 3450 RPM</td>
</tr>
<tr>
<td>Type of flow meter:</td>
<td>DIAL ODOMETER which measures in G.P.M.</td>
</tr>
<tr>
<td>6. Method of flow measurement:</td>
<td></td>
</tr>
<tr>
<td>☐ Flowmeter</td>
<td>Manufacturer SCHLUMBERGER Make DIRECT READ Size 3&quot;</td>
</tr>
<tr>
<td>☐ Weir*</td>
<td>☐ Open Pipe*</td>
</tr>
<tr>
<td>☐ Other*, attach schematic</td>
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<tr>
<td>7. Fill in the as-built section on the other side of this sheet.</td>
<td></td>
</tr>
<tr>
<td>8. Other remarks/comments:</td>
<td></td>
</tr>
</tbody>
</table>

**Pump Installation Contractor (print)**

Mike Robertson (C57C-67a/A) Lic. No. 2015

**Signature**

Mike Robertson

**Date** 10/21/00

**Permittee (print)**

by Lahaina Homes LLC ITS General Partner

**Signature**

by William J. Hooback, Manager

**Date** 10/31/2000
Bench mark elevation surveyed to nearest 0.01 ft. = 12.62 ft. mean sea level

Benchmark elevation surveyed to nearest 0.01 ft. = 12.62 ft. mean sea level

Elevation of top of chase tube = 15.02 ft. mean sea level

Pump intake depth = 28.62 ft.
(referenced to bench mark)

Chase tube depth = 25.62 ft.
(referenced to bench mark)

If airline installed, bottom of airline elevation = NA ft. mean sea level
TO: Mike Robertson

FROM: Charley Tee

Transmitting a TMK map showing parcel 4-5-3:13, where well no. 5341-02 (Front St. Housing irrigation well) is located.

Please mark the map to pinpoint the well location.

Return Fax: 587-0219
Return Post: P.O.Box 621, Honolulu 96809
<table>
<thead>
<tr>
<th>FROM:</th>
<th>DATE:</th>
<th>SUSPENSE DATE:</th>
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<td>Roy Charley</td>
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<th>TO:</th>
<th>INIT.</th>
<th>FOR:</th>
<th>PLEASE:</th>
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<td>LUM, A.</td>
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<td>Approval</td>
<td>See Me</td>
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<td>CHING, F.</td>
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<td>NAKAMA, L.</td>
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<td>Signature</td>
<td>Review &amp; Comment</td>
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<td>DANBARA, S.</td>
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<td>NISHIOKA, L.</td>
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<td>OHYE, M.</td>
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<td>SAKODA, E.</td>
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<td>UYENO, D.</td>
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<td>JINNAI, R.</td>
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<td>YODA, K.</td>
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<td>KUNIMURA, I.</td>
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</table>
MEMO and ROUTE SLIP

WCR 2 Check for Well No. 5341-02 (survey to regulation memo)

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

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

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

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

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

2. **Pump Installation Check**
   - Mitch Ohye (initial)
   - Yes No
   - If no, describe deficiency

   - data complete
   - followed WCPI Stds
   - well database updated

3. Charley/Lenore/Ryan (initial) take action based on above
4. Roy (initial) check
5. Susan Subia (initial) finalize
6. Linnei (initial) signature
7. Charley/Lenore/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 521, 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/

<table>
<thead>
<tr>
<th>1. State Well No.:</th>
<th>5341-02</th>
<th>Well Name:</th>
<th>Front Street Housing Irrigation</th>
<th>Island:</th>
<th>Maui</th>
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<td>2. Address:</td>
<td>Front and Kenui Streets, Lahaina</td>
<td>Tax Map Key:</td>
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<td>3. Pump Installation Company:</td>
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<td>Pump Type, Make, Serial No.:</td>
<td>GRUNFL O SUB. 150515-0</td>
<td>Rated Capacity:</td>
<td>150 gpm</td>
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<td>Motor Type, H.P., Voltage, rpm:</td>
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<td>G. P. M.</td>
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<td>6. Method of flow measurement:</td>
<td>Flowmeter</td>
<td>Manufacturer Schlumberger</td>
<td>Make DIRECT READ Size 3&quot;</td>
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<td>Weir*</td>
<td>Open Pipe*</td>
<td>Orifice*</td>
<td>Other*, explain below</td>
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<td></td>
<td>*attach schematic</td>
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</tbody>
</table>

**Pump Installation Contractor (print):** Mike Robertson (C-57) C-57a/A Lic. No. 2015

**Signature:**

Mike Robertson

**Date:** 10/21/00

**Permittee (print):**

**by Lahaina Homes LLC its General Partner**

**Signature:**

by William J. Kwobrack, Manager

**Date:** 10/31/2000

WCR2 Form 5/2/00
**STEP-DRAWDOWN PUMP TEST DATA**

(not required for wells producing < 100,000 gpd or 70 gpm)

<table>
<thead>
<tr>
<th>Pumped Well No.</th>
<th>Observation well no.</th>
<th>Distance between Obs. &amp; Pumped Well</th>
<th>Reference pt. for depth to water</th>
<th>Static Water Level @ start of test</th>
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</thead>
<tbody>
<tr>
<td>5341-02</td>
<td>N/A</td>
<td>ft.</td>
<td>ft. msl</td>
<td>91.02 ft. msl</td>
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</tbody>
</table>

Target Q: 150 gpm

Water level measurements by: [ ] steel tape [ ] pressure transducer [ ] airline

START TEST Date: 9/14/00 Time of day: 4:00 AM

**Flow Meter Reading Start:** 193,970 gals

<table>
<thead>
<tr>
<th>Suggested Elapsed Time</th>
<th>Actual Elapsed Time</th>
<th>Depth to water (nearest 0.1 ft)</th>
<th>Drawdown S (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (at least 3 steps) (gpm)</th>
<th>EC (µmhos)</th>
<th>Cl⁻ (mg/l)</th>
<th>Temp. 77° F or ° C</th>
<th>Data in this table is for:</th>
<th>Remarks</th>
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<tr>
<td>Suggested Elapsed Time (min)</td>
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<td>Depth to water (nearest 0.1 ft)</td>
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<td>EC (μmhos)</td>
<td>Cl⁻ (mg/l)</td>
<td>Temp. °F or °C</td>
<td>Remarks</td>
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</tr>
</tbody>
</table>

Data in this table is for:  
☐ Pumped Well  
☐ Observation Well

Max possible duration, water level or quality did not stabilize for any 24 period

Begin recovery data next page
Flow meter reading at end of pumped period: 229,900 gals

1 starting pumping rate Q
2 minimum length of step period of constant pumping rate
3 minimum mandatory Chloride (Cl⁻) measurement/sampling at end of every step
4 Use same ending drawdown figure as start for recovery
<table>
<thead>
<tr>
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END TEST  Date: 9/16/00  Time of day: 8:00 AM

ADDITIONAL REMARKS:

Person in charge of pump test (print): Bill Steele

Signature: ____________________________

The signature above indicates that the data reported on this form is accurate and true to the best of the person's knowledge who operated this pump test.
## CONSTANT-RATE PUMP TEST DATA

Pumped Well No. **5341-02**  
Observation well no. **N/A**  
Pumped Well Name **FORT ST. HOUSING WELL**  
Target Q **150** gpm  
Reference pt. for depth to water **12.67** ft. msl  
Static Water Level @ start of test **-41.02** ft. msl  
Distance between Obs. & Pumped Well **N/A** ft.

Water level measurements by:  
- **Steel tape**  
- **Pressure transducer**  
- **Airline**

**START TEST**  
Date: **9/16/00**  
Time of day: **8:00 AM**

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1. Chloride sampling required
2. Use same ending drawdown figure as start for recovery

Max possible duration, water level or quality did not stabilize for any 24 period

Begin recovery data next page

Flow meter reading at end of pumped period: 639,960 gals
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END TEST Date: 9/16/00 Time of day: 4:00 PM

ADDITIONAL REMARKS:

Person in charge of pump test (print): Bill Steele

Signature: [Signature]

The signature above indicates that the data reported on this form is accurate and true to the best of the person's knowledge who operated this pump test.
## Table 1 (SDPTD Form 12/17/97)

**STEP-DRAWDOWN PUMP TEST DATA**  
(not required for wells producing < 100,000 gpd or 70 gpm)

<table>
<thead>
<tr>
<th>Pumped Well No.</th>
<th>Observation well no.</th>
<th>Distance between Obs. &amp; Pumped Well</th>
<th>Reference pt. for depth to water</th>
<th>Static Water Level @ start of test</th>
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<td>(a.m.)</td>
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</table>

Water level measurements by:  
- [ ] steel tape  
- [ ] pressure transducer  
- [ ] airline

**START TEST**  
- Date: 9/14/00  
- Time of day: 4:00 AM

**Flow Meter Reading Start:** 193,970 gals

<table>
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<th>Suggested Elapsed time (min)</th>
<th>Actual Elapsed Time (min)</th>
<th>Depth to water (nearest 0.1 ft)</th>
<th>Drawdown S (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (at least 3 steps, gpm)</th>
<th>EC (μmhos)</th>
<th>Cl⁻ (mg/l)</th>
<th>Temp. 77°F or °C</th>
<th>Remarks</th>
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Data in this table is for:  
- [ ] Pumped Well  
- [ ] Observation Well  

Remarks:

1. Chloride sample taken
2. Step 2 begin?
<table>
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<th>Suggested Elapsed Time (min)</th>
<th>Actual Elapsed Time (min)</th>
<th>Depth to water (nearest 0.1 ft)</th>
<th>Drawdown S (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (at least 3 steps) (gpm)</th>
<th>EC (µhos)</th>
<th>Cl⁻ (mg/l)</th>
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| Max possible duration, water level or quality did not stabilize for any 24 period |
| Begin recovery data next page |
| Flow meter reading at end of pumped period: 229,900 gals |

1 starting pumping rate Q
2 minimum length of step period of constant pumping rate
3 minimum mandatory Chloride (Cl⁻) measurement/sampling at end of every step
4 Use same ending drawdown figure as start for recovery
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<th>Actual elapsed time (min)</th>
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<th>Recovery Drawdown S (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (gpm)</th>
<th>EC (umhos)</th>
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**END TEST** Date: 9/16/00 Time of day: 8:00 AM

ADDITIONAL REMARKS:

Person in charge of pump test (print): **Bill Steele**

Signature: [Signature]

The signature above indicates that the data reported on this form is accurate and true to the best of the person's knowledge who operated this pump test.
9. AS-BUILT PUMP SECTION
(Please attach as-built if different from diagram provided below)

Bench mark elevation surveyed to nearest 0.01 ft. = 12.62 ft. mean sea level

Elevation of top of chase tube = 13.02 ft. mean sea level

Pump intake depth = 28.62 ft. (referenced to bench mark)

Chase tube depth = 25.62 ft. (referenced to bench mark)

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

9341-02 FRONT ST. HOUSING IRK
# CONSTANT-RATE PUMP TEST DATA

| Flow Meter Reading Start: 130600 gals |

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<tr>
<th>Suggested elapsed time (min)</th>
<th>Actual elapsed time (min)</th>
<th>Depth to water (unadjusted to nearest 0.1 ft)</th>
<th>Drawdown (gpm)</th>
<th>Pumping rate Q (gpm)</th>
<th>EC (µmhos)</th>
<th>Cl⁻ (mg/l)</th>
<th>Temp. 77°F or °C</th>
<th>Remarks</th>
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Data in this table is for:

- Pumped Well
- Observation Well

Remarks:

- Start Test
- Start pump/Cl⁻ taken
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<th>Suggested elapsed time (t) (min)</th>
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<th>Depth to water (nearest 0.1 ft)</th>
<th>Drawdown (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (gpm)</th>
<th>EC (umhos)</th>
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1 Chloride sampling required
2 Use same ending drawdown figure as start for recovery

Data in this table is for:
- Pumped Well
- Observation Well

Remarks

Max possible duration, water level or quality did not stabilize for any 24 period

Begin recovery data next page
Flow meter reading at end of pumped period: 239.960 gallons
### Table 2 (CRPTD Form 12/17/87)

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<th>Actual elapsed time (min)</th>
<th>Depth to water (nearest 0.1 ft)</th>
<th>Recovery Drawdown (unadjusted to nearest 0.1 ft)</th>
<th>Pumping rate Q (gpm)</th>
<th>EC (µhos)</th>
<th>Cl⁻ (mg/l)</th>
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**END TEST** Date: 9/14/00  Time of day: 4:00 PM

**ADDITIONAL REMARKS:**

Person in charge of pump test (print): **Bill Steele**

Signature: 

The signature above indicates that the data reported on this form is accurate and true to the best
NAME - FRONT STREET IRRIGATION WELL
WELL # - 5341-02
CONSTANT RATE PUMP DATA
Mr. William Dorbush  
Front Street Affordable Housing Partners  
3660 Waialae Avenue  
Honolulu, Hawaii 96816

Dear Mr. Dorbush:

Pump Installation Permit  
Front Street Housing Irrigation Well (Well No. 5341-02)

Enclosed are two (2) originals of your approved Pump Installation Permit for the captioned well(s) that authorize permanent pump installation work for your well(s). As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 11:

Special Conditions

1. Step-Drawdown and Long-Term Pump Tests shall be conducted and submitted prior to completion of installation of the permanent pump. The capacity of the pump permitted under this permit is subject to change if pump test results warrant.

2. Periodic water quality testing is highly recommended in view of unknown properties of the casing and grouting.

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

Please sign and have the contractor sign both permit originals and return one for our files. A copy of the Well Completion Report (Part II) and a copy of your water use report form are enclosed for your use. Please be aware that your driller has some unfinished business with the Water Commission that must be resolved in order for us to accept his signature on a permit, and no work shall commence unless a copy of the permit has been returned fully signed by both permittee and driller.

IMPORTANT - Pump installation shall not commence until a fully signed permit is returned to the Commission. Except for the monthly water use report form, please provide copies of all the information in this packet to your pump installation contractor.

If you have any questions, please call the Commission staff at 587-0251 or toll-free at 984-2400, extension 70251.

Aloha,

TIMOTHY E. JOHNS  
Chairperson

Enclosure  
c: Wailani Drilling Inc.
PUMP INSTALLATION PERMIT
Front Street Housing Irrigation Well, Well No. 5341-02

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Front Street Housing Irrigation Well (Well No. 5341-02) at Lahaina, Maui, TMK 4-5-13 subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97) which include but are not limited to the following conditions:

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

2. The pump installation permit shall be for installation of a 150 gpm capacity, or less, pump in the well.

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

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

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

6. The permittee, 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.

7. The pump installation permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

8. The permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee, well operator, and/or well owner notice of the proposed action and an opportunity to be heard.

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

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

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

Date of Approval: July 6, 2000
Expiration Date: July 6, 2002

TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the pump installer have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature: William J. Dornbusch
Manager
Date: 9/25/2000

Printed Name: William J. Dornbusch Firm or Title:
Lahaina Homes, LLC

Installer's Signature: Mike Robertson
Date: 9/4/00

Printed Name: Mike Robertson Firm or Title: Waihau Dillingham Inc.

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

Attachments
USGS
Department of Health, Safe Drinking Water & Wastewater Branch
Molokai Department of Water Supply
Mr. William Dorbush  
Front Street Affordable Housing Partners  
3660 Waialae Avenue  
Honolulu, Hawaii 96816  

Dear Mr. Dorbush:

Pump Installation Permit  
Front Street Housing Irrigation Well (Well No. 5341-02)

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Please sign and have the contractor sign both permit originals and return one for our files. A copy of the Well Completion Report (Part II) and a copy of your water use report form are enclosed for your use. Please be aware that your driller has some unfinished business with the Water Commission that must be resolved in order for us to accept his signature on a permit, and no work shall commence unless a copy of the permit has been returned fully signed by both permittee and driller.

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If you have any questions, please call the Commission staff at 587-0251 or toll-free at 984-2400, extension 70251.

Aloha,

TIMOTHY E. JOHNS  
Chairperson

Enclosure  
c: Wailani Drilling Inc.
PUMP INSTALLATION PERMIT
Front Street Housing Irrigation Well, Well No. 5341-02

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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.

2. The pump installation permit shall be for installation of a 150 gpm capacity, or less, pump in the well.

3. The permittee, well operator, and/or well owner shall provide and maintain an approved meter or other appropriate means for measuring and reporting withdrawals and water levels, and 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).

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TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

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Permittee's Signature: _____________________________ Date: __________

Printed Name: ______________________ Firm or Title: __________________________

Installer's Signature: ______________________ C-57, C-57a, or A License #: __________ Date: __________

Printed Name: ______________________ Firm or Title: __________________________

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

Attachments
- USGS
  Department of Health/ Safe Drinking Water & Wastewater Branch
  Maui Department of Water Supply
PUMP INSTALLATION PERMIT
Front Street Housing Irrigation Well, Well No. 5341-02

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management’s Administrative Rules, Section 13-168, entitled “Water Use, Wells, and Stream Diversion Works”, this document permits the pump installation for Front Street Housing Irrigation Well (Well No. 5341-02) at Lahaina, Maui, TMK 4-5-3:13 subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97) which include but are not limited to the following conditions:

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

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

6. The permittee, 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.

7. The pump installation permit application is incorporated into this permit by reference and is subject to the Hawaii Well Construction & Pump Installation Standards (1/23/97). If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

8. The permit may be revoked if work is not started within six (6) months after the date of approval or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than three (3) months prior to the date the permit expires. If the commencement date is not met, the Commission may revoke the permit after giving the permittee, well operator, and/or well owner notice of the proposed action and an opportunity to be heard.

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

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

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

Date of Approval: July 6, 2000
Expiration Date: July 6, 2002

TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the pump installer have signed, dated, and returned the permit to the Commission. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $1000 per day starting from the permit date of approval.

Permittee's Signature: William J. Dornbush, Manager
Date: 9/20/2000

Printed Name: William J. Dornbush
Firm or Title: Lahaina Homes LLC
Its General Partner

Installer's Signature: Mike Robertson, C-57a or A License # 20015
Date: 10/1/00

Printed Name: Mike Robertson
Firm or Title: Wailua Drilling Inc.

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

Attachments:
USGS
Department of Health/ Safe Drinking Water & Wastewater Branch
Hawaii Department of Water Supply
TO: Dean Y. Uchida, Administrator  
Land Division  
FROM: Linnel T. Nishioka, Deputy Director  
Commission on Water Resource Management  
SUBJECT: Pump Installation Permit Application  
Front Street Housing Irrigation Well (Well No. 5341-02)  

Transmitted for your review and comment is a copy of the captioned well application which includes a request for a pump installation permit.

We would appreciate your comments on the captioned with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by July 14, 2000.

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 Lenore Nakama 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.

[X] 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

[X] Other comments: Original source of title is Land Commission Award 6498:2 issued between 1845 and 1850.

Contact Person: Gary Martin Phone: 587-0421
Signed:  
Date: 7/11/00
TO: Honorable Bruce S. Anderson, Director
    Department of Health
    Attention: Dennis Tulang, Wastewater Branch
    William Wong, Safe Drinking Water Branch

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

SUBJECT: Pump Installation Permit Application
    Front Street Housing Irrigation Well (Well No. 5341-02)

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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 Lenore Nakama of the Commission staff at 587-0218.

RESPONSE:

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

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

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

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

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

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

No comments/objections

Contact Person: Lei N. Kajiwara
    Phone: 586-4294

Signed: Lei N. Kajiwara
    Date: 7-1-2000
TO: Honorable Bruce S. Anderson, Director
   Department of Health
   Attention: Dennis Tulang, Wastewater Branch
   William Wong, Safe Drinking Water Branch

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

SUBJECT: Pump Installation Permit Application
         Front Street Housing Irrigation Well (Well No. 5341-02)

Transmitted for your review and comment is a copy of the captioned well application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by July 14, 2000.

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 Lenore Nakama of the Commission staff at 587-0218.

Cl: ss
Attachment(s)

RESPONSE:

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

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[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations. However, ALL CROSS-CONNECTIONS BETWEEN THIS IRRIGATION SYSTEM AND ANY POTABLE SYSTEM MUST HAVE PROPER BACKFLOW PREVENTION DEVICES.

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

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

[ ] No comments/objections

Contact Person: Melvin J. Hamano
Phone: 587-0218

Signed: Melvin J. Hamano
Date: June 26, 2000
Mr. William Dorbush  
Front Street Affordable Housing Partners  
3660 Waialae Avenue  
Honolulu, HI 96816

Dear Mr. Dorbush:

Pump Installation Permit Application for Well No. 5341-02

We acknowledge receipt, on May 22, 2000, of your completed pump installation permit application for the Front Street Housing Irrigation Well (Well No. 5341-02). You can expect your application to be processed within ninety (90) days from this date.

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

As we have no prior aquifer pump test information from the well construction phase of this process, pump tests will be included as a special condition of permit approval. Your licensed pump installer can advise you on the details. Additionally, we would like to know the approximate year this well was constructed.

If you have any questions about your permit application, please contact the Commission staff at 587-0251.

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

Ci:ss

c: Wailani Drilling, Inc.
TO: Honorable Bruce S. Anderson, Director  
Department of Health  
Attention: Dennis Tulang, Wastewater Branch  
William Wong, Safe Drinking Water Branch  

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

SUBJECT: Pump Installation Permit Application  
Front Street Housing Irrigation Well (Well No. 5341-02)  

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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 Lenore Nakama of the Commission staff at 587-0218.  

Cl: ss  
Attachment(s)  

RESPONSE:  

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

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

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

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

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

[ ] No comments/objections  

Contact Person: ___________________________ Phone: ___________________________  
Signed: ___________________________ Date: ___________________________
TO: Dean Y. Uchida, Administrator  
Land Division

FROM: Linnel T. Nishioka, Deputy Director  
Commission on Water Resource Management

SUBJECT: Pump Installation Permit Application  
Front Street Housing Irrigation Well (Well No. 5341-02)

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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 Lenore Nakama of the Commission staff at 587-0218.

Cl:ss Attachment(s)

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: __________________________
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REMARKS:
LINE (1) WELL NO. 5341-02 (PIPA)
LINE (2)
LINE (3)

SMITH CONSTRUCTION CONSULTANTS
1043 MAKAWAO AVE., SUITE #208
MAKAWAO, HI 96768
808-572-3011

BANK OF HAWAII
PUKALANI BRANCH
PUKALANI, HAWAII 96768
59-102/1213

PAY Twenty five $25.00

TO THE ORDER OF
Dept. of Land + Natural Resources

DATE 5/19/00 AMOUNT $25.00

AUTHORIZED SIGNATURE
DATE 5/30/100  TIME 3:30 p.m.

WHILE YOU WERE OUT

M. Bill Steele

Phone

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Message: Needs to fill out well and establish when well was drilled.

Operator
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
APPLICATION FOR PERMIT
☐ Well Construction or ☐ Pump Installation

Instructions: Please print in ink or type and send completed application with attachments to the Commission on Water Resource Management, P.O. Box 521, Honolulu, Hawaii 96820. Application must be accompanied by 3 copies and a non-refundable filing fee of $25.00 payable to the Dept. of Land and Natural Resources. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-6225.
(Also, please check out website at: http://www.hawaii.gov/dlnr/derm/wrm.html)

APPLICANT INFORMATION: (Fill out all three, if applicable, and place a check next to the primary contact)

1. (a) ☐ WELL OWNER: William Dorbusch Contact Person: Same Phone: 808-734-5279
Mailing Address: Front Street Affordable Housing Partners 3660 Kilauea Ave Honolulu HI 96816
Fax: 808-724-5904 E-mail: 
(b) ☐ LAND OWNER: Same Contact Person: Phone: 
Mailing Address: 
Fax: E-mail: 
(c) ☐ CONTRACTOR: Waioli Drilling Inc Contact Person: Mike Roberts Phone: 808-573-8273
Mailing Address: 655 Kukui Au Hilo HI 96724
Fax: 572-0435 E-mail: 
License #: 3015 (circle one: (A) C-67a, or A)

WELL & PUMP INFORMATION: (Please fill in the diagram on the back of this form.)

2. WELL LOCATION/NAME: Front St. Housing Island: Maui
Address: Front Street and Kenoi Street Tax Map Key: (2) 4-5-0312

Attach the relevant portion of a (a) 7.5-Minute Series USGS topographic map (scale 1"=24,000), and (b) a property tax map, showing well location referenced to established property boundaries.

3. PROPOSED WORK:
☐ Drill New Well
☐ Deepen
☐ Install New Pump
☐ Modify Existing Well
☐ Redirect
☐ Replace Pump
☐ Abandon/Seal *

* Well No.: Be sure to complete and submit well abandonment report upon completion of work.

4. CONSTRUCTION:
☐ Bore
☐ Driven
☐ Drilled
☐ Racial
☐ Dug

Is this well a part of a battery of wells? ☐ Yes ☐ No (Please describe.)

5. PROPOSED PUMP INFORMATION: Rated Pump Capacity: 150 gallons per minute

Pump Type (Check one): ☐ Deep Well Turbine ☐ Rotary
☐ Submersible ☐ Rotary-Displacement
☐ Centrifugal ☐ Rotary-Gear
☐ Impulse ☐ Diesel

Powered by: ☐ Electric

6. PROPOSED USE:
☐ Municipal (including hotels, stores, etc.) ☐ Industrial
☐ Domestic (individual, noncommercial water system) ☐ Other (explain):
☐ Irrigation (crop) ☐ Landscaping
☐ Military

7. (a) PROPOSED AMOUNT OF WITHDRAWAL: 10,000 gallons per day
(b) METHOD OF FLOW MEASUREMENT:
☐ Flowmeter ☐ Open-pipe ☐ Weir ☐ Orifice

8. OTHER INFORMATION:

Omit down this form if not registered by
Amfac

9. REMARKS, EXPLANATIONS:

I understand that approval of this application attaches the approval date; 2) the contractor shall submit to it the permitted work; 3) monthly water use data shall be water rights and shall not guarantee the pump capacities.

Proposed work is to be completed within two (2) years of permit report within 30 days after the completion date of approval shall constitute a determination of compliance.

Well Owner: ____________________________ Date: 5/18/2000
Landowner: ____________________________ Date: 5/18/2000
Contractor: ____________________________ Date: 5/18/2000
Signature: ____________________________
Signature: ____________________________
Signature: ____________________________

Field Checked By: ____________________________ Longitude: ____________________________
Date: ____________________________ Latitude: ____________________________
State Well No.: 5341-01

WCPIFORM (5/13/99)
For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or, Bottom Elevation of Well Limit = (Water Elevation - \( \frac{1}{4} \times \text{Water Level Elevation} \))

Example: Estimated + 2 ft. Water Level Elev. --> Bottom Elevation of Well Limit = \( (2 - \frac{1}{4} \times 2) \) = -12.5 ft.

* 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 Construction and Well Abandonment reports and referenced to a benchmark which has been established by a surveyor licensed by the State.

**Solid Casing Material:**
- Steel: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139
- Stainless Steel: (check one): □ ASTM A409 □ ASTM A312
- ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one): □ Schedule 40 □ Schedule 80
- PVC Plastic conforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one): □ Schedule 40 □ Schedule 80
- 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 C650
  □ PTFE Fluorocarbon Tubing conforming to ASTM D3296
  □ FEP Fluorocarbon Tubing conforming to ASTM D3296

**Open Casing:**
- Steel: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139
- Stainless Steel: (check one): □ ASTM A409 □ ASTM A312
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  □ Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C650
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  □ FEP Fluorocarbon Tubing conforming to ASTM D3296

**Open Hole:**
- Material: □ Crushed Basalt □ Rounded Gravel
- Water Level Elevation: \( 0.6 \) ft. msl
- Rock or Gravel Packing:
  - Material: □ Crushed Basalt □ Rounded Gravel

Please refer to the HAWAII WELL CONSTRUCTION AND PUMP INSTALLATION STANDARDS to assure that your construction plans are in compliance with all existing regulations.
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  □ 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 D1521: (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: (N/A)

- 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  □ 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 D1521: (check one): □ Schedule 40  □ Schedule 80
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Not on well index not registered. May need some evidence that this well actually existed <1987. Missing some other answers (pink). Told Mike he needs to use new application form.

Is this the old Pioneer mill WAHIKULU well?

O.K Oop's - no 5341-024 (5341-01)

Find it hard to believe that "old" well has PVC casing.