The Honorable Keith W. Ahue  
Chairperson  
Commission on Water Resource Management  
Department of Land and Natural Resources  
P. O. Box 621  
Honolulu, Hawaii 96809

Dear Mr. Ahue:  

Withdrawal of Objections

The Department of Hawaiian Home Lands has been in a position to raise objections to various applications for water use permits, particularly in Windward O'ahu, on the basis that water reservations were yet required to meet statutory obligations to Hawaiian home lands.

Please be advised that as the proposed water reservations in O'ahu and Moloka'i water management areas are finalized, our objections for this reason are thereby withdrawn.

Warmest aloha,

Hoaliku L. Drake, Chairman  
Hawaiian Homes Commission

HLD:BH:ci/1608L.77
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

County Of Maui, Department of Parks & Recreation
Application for a Water Use Permit
Kaunakakai Park Well (Well No. 0501-07)
Kamiloloa Ground Water Management Area, Molokai

Applicant:
County Of Maui
Department of Parks & Recreation
1580 Kaahumanu Ave
Wailuku, HI 96793

Landowner:
Molokai Ranch
500 Ala Moana Blvd.
Honolulu, HI 96813

Background

The applicant submitted a completed water use permit application to the Commission on August 1, 1992. Specific information regarding the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibits.

Analysis & Issues

This existing source uses ground water from the Kamiloloa Aquifer System for irrigation of four (4) acres of the Kaunakakai Park. Immediate adverse impacts on other local wells, streams, and the Kamiloloa Aquifer System are not anticipated. There may be intermediate to long-range impacts to wells downgradient. Impact on nearby existing wells should not be any different than it has been over the recent past. No specific objections to this application have been submitted to the Commission.

The applicant’s request for 75,000 gallons per day (gpd) seems unreasonably high for the actual use for four (4) acres of ball park irrigation and should be adjusted. This average use would amount to 18,750 gpd/acre of actual irrigation. For comparison, furrow irrigated sugarcane uses roughly 7,000 gpd/acre. According to Maui County Guidelines a park may use 1,700 gpd/acre. This would correspond to demand of 6,800 gpd (or 1,700 gpd/ac. x 4 ac.) for the Kaunakakai Park. However, other county guidelines use as high as 4,000 gpd/acre which would correspond to a demand of 16,000 gpd for the Kaunakakai Park. Also, actual use reporting by the applicant has been less than adequate to estimate actual use. The last water use report was submitted in January 1992 and although a meter exists water use is estimated by pump capacity multiplied by pumping time. Given the aridity of the Kaunakakai area staff feels that the upper range, or the 4,000 gpd/acre, is probably more reasonable and would amount to an average use of 16,000 gpd.

As of July 16, 1993, total pending applications for the Kamiloloa Aquifer System amount to 3.935 million gallons per day (mgd) which is 31% of the system’s estimated sustainable yield. Therefore, pending applications for existing uses fall within the system’s sustainable yield.

ITEM 4
Chairperson and Members  
Commission on Water Resource Management  
August 4, 1993

The reservation issue concerning the Department of Hawaiian Home Lands (DHHL) is not clear in the Kamiloloa Aquifer System. The latest draft report from the Molokai Working Group indicates that there are no existing or major projected increases for DHHL potable needs in the area (see Exhibits 2 and 3). However, the non-potable water needs projected to the year 2010 for homestead lands in the Central Aquifer Sector and small portions of the West and Southeast Aquifer Sectors total 23.5 mgd (see Exhibit 4). The portion of DHHL lands in the Kamiloloa Aquifer System is small compared to overall DHHL lands (see Exhibit 5), but this aquifer system may provide sources for non-potable DHHL demands in other areas in the future as well. Staff feels that since this use has been existing and is of beneficial use to the community the DHHL reservation issue should not prohibit action on this application.

The Molokai Working Group has made three recommendations regarding the Southeast Aquifer Sector, which encompasses the Kamiloloa Aquifer System. They are:

1. Limit ground water withdrawal to 50% of its developable yield subject to verification of existing users and water use permits.

2. Any withdrawals from this Sector should not diminish water supplies and supply availability for traditional uses, including taro patches and fishponds.

3. Development of additional water from the Southeast Sector should be reserved first for residences of this Sector who are not yet served.

Staff finds that there is no reason to believe that this use will violate these recommendations made by the Molokai Working Group.

Finally, there has been concern over the approval of new water use permits in newly designated water management areas when existing uses have not yet applied. Existing water users have until July 1993 to apply for water use permits. On February 17, 1993, the Commission set forth the policy to defer all new water use applications until July 1993 to address this issue. This application is for an existing use, not a new use.
RECOMMENDATION

That the Commission approve the issuance of an interim water use permit to the County Of Maui, Department of Parks & Recreation for the reasonable and beneficial use of 16,000 gallons per day, based on a 12-month moving average basis, of water from the Kaunakakai Park Well (Well No. 0501-07) for irrigation of 4 acres of the Kaunakakai Park, subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

4. The water use permit shall be an interim permit subject to the five-year verification period afforded to existing users.

5. The issuance of the interim permit shall be withheld until the reservation of water for DHHL is set by rule. Until the reservation issue is resolved, the applicant may continue this existing use within the limits approved by the Commission.

6. That the applicant shall submit an acceptable well completion report to the Commission. Staff will provide guidance to the applicant to satisfy this condition.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL:

KEITH W. AHUE, Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER: Kamiloloa System, Southeast Sector, Molokai
Sustainable Yield: 3 mgd
Existing Water Use Permits: 0 mgd
Available Allocation: 3 mgd
Total of other pending allocations: 0.935 mgd

WELL: Kaunakakai Park Well (Well No. 0501-07)
Location: Kolapa Place, Kaunakakai, Molokai, TMK:5-3-2:167
Year Drilled: NA
Casing Diameter: 10 to 12 in.
Elevations (msl= 0 ft.)
Water Level: NA ft.
Ground: NA ft.
Bottom of Solid Casing: NA ft.
Bottom of Perforated: NA ft.
Bottom of Open Hole: NA ft.
Total Depth: NA ft.
Grouted Annulus Depth: NA ft.

Use Information

Quantity Requested: 75,000 gallons per day.
Existing Type of Water Use: Irrigation for 4 acres of ball park.
Place of Water Use: Kam V Hwy, Kaunakakai at TMK: 5-3-3:1
Reported Water Usage: *43,000 gpd
Nearby Similar Water Usage: NA gpd
Kamiloloa Aquifer System Current 12-Month Moving Average Withdrawal: (NA% of SY)

* Note: estimate based on 1 monthly report on 1/92.

ATTACHMENT A
Nearby Surrounding Wells and Other Registered Ground Water Use

There are 9 other wells within a mile of the well (see Exhibit 1). 3 of these wells are currently in use. Information from the registration program indicates there are possibly 50 existing wells in the Kamiloloa Aquifer System. Several are not in use or are rights claims. Of course, there are several significant users which have not been fully verified to date. The Molokai Water Use and Development Plan does not estimate the existing withdrawals from the Kamiloloa Aquifer System but the for the Maui DWS Kaunakakai-Kawela district, a larger but close geographic area estimate, total use is 0.41 mgd as of May 1991.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star-Bulletin on December 7 & 12, 1992 and copies of the notice were sent to the Mayor's office and the Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by December 28, 1992.

Objections

The public notice specifies that an objector meet the following requirements: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; (3) state all grounds for objections to the proposed permits, (4) provide a copy of the objection letter(s) to the applicant, and (5) submit objections meeting the previous requirements to the Commission by December 28, 1992.

To the best of staff's knowledge there are no objectors who have property interest within the Kamiloloa Aquifer System or who will be directly and immediately affected by the proposed water use. All objections and/or comments to the application are summarized as follows:

<table>
<thead>
<tr>
<th>Objector</th>
<th>Objection</th>
</tr>
</thead>
<tbody>
<tr>
<td>NHAC</td>
<td>General process of water use permit applications. No specific objections to this application.</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>No effect</td>
</tr>
<tr>
<td>Aquatic Resources</td>
<td>No potential effects on surface water.</td>
</tr>
</tbody>
</table>

Briefs in Support

Responses to objections, or briefs in support, regarding the application are required to be filed with the Commission ten (10) days after an objection is filed and, presumably, copies are served to the applicant. No briefs in support were filed with the Commission.

Field Investigation

The water source and existing use was investigated on November 11, 1992. The
investigation(s) verified the applicants request for water use permit by updating the actual acreage from 8 acres to 4 acres of existing use and the well number and location.
STANDARD WATER USE PERMIT CONDITIONS

1. The ground water described in the water use permit may only be taken from the location described, used for the reasonable-beneficial use described, and at the location described above and in the attachments. Reasonable-beneficial use means "the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is not wasteful and is both reasonable and consistent with the state and county land use plans and the public interest." (HAR §13-171-2).

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HAR §13-171-13 which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in section §13-171-2;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with state and county general plans and land use designations;
   f. Is consistent with county land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and 174C-101(a), HRS.

4. The ground water approved must not interfere with surface or ground water rights or reservations.

5. The ground water use approved must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use permit is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and staff submittal approved by the Commission at its August 4, 1993 meeting are incorporated into the permit by reference.

8. Any modification of the permit terms, conditions, or uses can only be made with the express written consent of the Commission on Water Resource Management.

9. The water use permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect water sources in quantity, quality, or both;
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June 1987, shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Homes, if applicable; or
   g. Carry out such other necessary and proper exercise of the State’s and the Commission’s police powers under law as may be required.
Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. If the ground water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

11. An approved flowmeter(s) must be installed to measure withdrawals and a monthly record of withdrawals, water-levels, salinity, and temperature must be kept and reported to the Commission on a yearly basis in accordance with the Commission’s September 16, 1992 action on reporting requirements.

12. The water use permit shall be subject to the Commission’s periodic review of the applicable aquifer’s sustainable yield. The amount of ground water use authorized by the permit may be reduced by the Commission if the sustainable yield of the Kamiloloa Aquifer System, or relevant modified aquifer, is reduced;

13. The water use permit may not be transferred or the use rights granted by this permit sold or in any other way alienated. Pursuant to HAR §13-171-25 and the requirements of Chapter 174C, the Commission has the authority to allow the transfer of the permit and the use rights granted by the permit in a manner consistent with HAR §13-171-25. Any such transfer shall only occur with the Commission’s prior express written approval. Any sale, assignment, lease, alienation, or other transfer of any interest in this permit shall be void.

14. The use(s) authorized by law and by the water use permit do not constitute ownership rights.

15. The permittee shall request modification of the permit when necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee’s water use.

16. The permittee shall prepare and submit a water shortage plan within 30 days of issuance of the permit to assist the Commission in fulfilling HAR §13-171-42(c). The permittee’s water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the Kamiloloa Ground Water Management Area.

17. The water use permit granted shall be an interim water use permit, pursuant to HAR §13-171-21. The final determination of the water use quantity shall be made within five years of the filing of the application to continue the existing use.

18. The water use permit shall be issued only after AG review.
Molokai Working Group

BREAKDOWN OF EXISTING GROUNDWATER USAGE IN MGD

<table>
<thead>
<tr>
<th>SECTOR</th>
<th>SYSTEM</th>
<th>ORGANIZATION</th>
<th>USAGE (MGD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CENTRAL SECTOR</td>
<td>Manawainui System</td>
<td>1. Hawaiian Research</td>
<td>0.56</td>
</tr>
<tr>
<td></td>
<td>Kualapuu System</td>
<td>1. County DWS</td>
<td>0.59</td>
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<tr>
<td></td>
<td></td>
<td>2. DHHL</td>
<td>0.38</td>
</tr>
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<td></td>
<td></td>
<td>3. Kaluakoi Resort</td>
<td>0.82</td>
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<td><strong>Subtotal</strong></td>
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<td><strong>1.79</strong></td>
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<tr>
<td>NORTHEAST SECTOR</td>
<td>Kahanui System</td>
<td>1. National Park Service</td>
<td>0.22</td>
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<tr>
<td></td>
<td>Waikolu System</td>
<td>1. DOA MIS</td>
<td>1.13</td>
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<tr>
<td>SOUTHEAST SECTOR</td>
<td>Kamiloloa System</td>
<td>1. Hawaiian Research</td>
<td>0.26</td>
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<tr>
<td></td>
<td>Kawela System</td>
<td>1. County DWS</td>
<td>0.32</td>
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<tr>
<td></td>
<td></td>
<td>2. Kawela Plantation</td>
<td>0.16</td>
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<td></td>
<td></td>
<td>3. Kamalo Ranch</td>
<td>0.04</td>
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<tr>
<td></td>
<td><strong>Subtotal</strong></td>
<td></td>
<td><strong>0.52</strong></td>
</tr>
<tr>
<td></td>
<td>Ualapue System</td>
<td>1. County DWS</td>
<td>0.18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Kamalo Ranch</td>
<td>0.22</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. Place, M. J.</td>
<td>0.22</td>
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<tr>
<td></td>
<td><strong>Subtotal</strong></td>
<td></td>
<td><strong>0.62</strong></td>
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<tr>
<td>WEST SECTOR</td>
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<td><strong>0.00</strong></td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>5.10</strong></td>
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</tbody>
</table>

EXHIBIT 2
Molokai Working Group

BREAKDOWN OF 2010 POTABLE WATER USE PROJECTIONS IN MGD

CENTRAL SECTOR
Manawainui System
1. Hawaiian Research 0.56

Kualapuu System
1. County DWS 0.94
2. DHHL 0.84
3. Kaluakoi Resort 2.14
4. Other State Projects 0.11
5. Palaau Industrial Park 0.20
6. Others (Kualapuu, Kalae, Kipu) 0.20
Subtotal 4.43

NORTHEAST SECTOR
Kahanui System
1. National Park Service 0.22

Waikolu System
1. DOA MIS 2.70

SOUTHEAST SECTOR
Kamiloloa System
1. Hawaiian Research 0.26

Kawela System
1. County DWS 0.32
2. Kawela Plantation 0.40
3. Kamalo Ranch 0.04
Subtotal 0.76

Ualapue System
1. County DWS 0.18
2. Kamalo Ranch 0.22
3. Place, M. J. 0.22
Subtotal 0.62

Alpha USA 2.01

WEST SECTOR

TOTAL 11.55

1 Water development source unidentified.

EXHIBIT 3
### Non-Potable Water Use Projections in MGD*

<table>
<thead>
<tr>
<th>Source</th>
<th>5 to 10 years</th>
<th>Total</th>
<th>2010 to Build out</th>
<th>Total</th>
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<tbody>
<tr>
<td>DHHL</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Hoolehua</td>
<td>4.00</td>
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<td>16.0</td>
<td></td>
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<tr>
<td>Kalamaula</td>
<td>1.42</td>
<td></td>
<td>7.5</td>
<td></td>
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<tr>
<td>Subtotal DHHL</td>
<td></td>
<td>5.42</td>
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<td>23.5</td>
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<tr>
<td>Other MIS users</td>
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<td>2.50</td>
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</tr>
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<td><strong>Subtotal</strong></td>
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<td>5.92</td>
<td></td>
<td>26</td>
</tr>
<tr>
<td><strong>Molokai Ranch</strong></td>
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<tr>
<td>Agriculture, Dairy, Pastures:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Ag. Park - Kualapuu</td>
<td>7.70</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2. Coffee - 800 acres</td>
<td>1.50</td>
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<tr>
<td>3. Dairy - 4,000 head</td>
<td>0.70</td>
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<tr>
<td>4. Palm Nursery - brackish</td>
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</tr>
<tr>
<td>5. Feedlot</td>
<td>0.20</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>6. Pastures</td>
<td>0.20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Hay - assume all irrigated on Homesteads</td>
<td>0.00</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Subtotal Agriculture</td>
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<td>10.6</td>
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</tr>
<tr>
<td>Recreation:</td>
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<td></td>
</tr>
<tr>
<td>1. Maunaloa Links</td>
<td>0.25</td>
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</tr>
<tr>
<td>2. Ironwoods</td>
<td>0.20</td>
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<tr>
<td>3. Network</td>
<td>0.05</td>
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<tr>
<td>Subtotal Recreation</td>
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<td><strong>Subtotal</strong></td>
<td></td>
<td>11.4</td>
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<td>11.1</td>
</tr>
<tr>
<td>Kaluakoi Resort</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation: Golf Course Addition (two 36-hole courses)</td>
<td>0.00</td>
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<td>2.8</td>
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</tr>
<tr>
<td>Alpha USA</td>
<td>1.50</td>
<td></td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>20.52</td>
<td></td>
<td>42.9</td>
</tr>
</tbody>
</table>

*Estimates furnished by users and were accepted by working group without challenge.

1From DHHL projections
   From DOA - MIS average delivery = 7.5 mgd
   \[ \frac{2}{3} \times 7.5 \text{ mgd} = 5.0 \text{ mgd preference to DHHL} \]
   \[ \frac{1}{3} \times 7.5 \text{ mgd} = 2.5 \text{ mgd for other MIS users} \]
   Note: deficit from MIS of 0.42 mgd

2Assumes maximum usage of 1/3 of MIS for other users

3Water development source unidentified

4A portion of this projection will be met by the MIS and a portion from private sources

Note: Non-Potable Water Use Projections are for major agricultural and recreational uses in central and western areas of the island. It does not include instreams uses, fishponds, taro patches, aquacultural projections, etc.

**EXHIBIT 4**
MOLOKAI AQUIFER SECTORS
WATER SOURCE AND SERVICE AREAS

SOURCE: DEPARTMENT OF LAND AND NATURAL DEVELOPMENT, 1988
WATER RESOURCES DEVELOPMENT MOLOKAI DOWNSHILL BULLETIN B-10
BELT COLLINS & ASSOCIATES MOLOKAI WATER SYSTEM PLAN
Chairperson Ahue asked if the application was for arboretum use also. Mr. Sakoda said there was no indication on the application that it would be used for the arboretum.

Unanimously approved as amended (Cox/Nakata).

**ITEM 3**

**HASEKO (HAWAII) INC., APPLICATION FOR A PUMP INSTALLATION PERMIT, KEOPU-HASEKO WELL (WELL NO. 3957-01), KEOPU, NORTH KONA, HAWAII**

Ms. Rowena Eberhardt of the Native Hawaiian Advisory Council presented testimony (see Commission file).

Unanimously approved (Nakata/Cox).

**ITEM 4**

**COUNTY OF MAUI, DEPARTMENT OF PARKS AND RECREATION, APPLICATION FOR A WATER USE PERMIT KAUNAKAKAI PARK WELL (WELL NO. 0501-07), KAMLOOA GROUND WATER MANAGEMENT AREA, MOLOKAI**

Mrs. Wilma Grambusch, President of the Kalamaula Homesteaders Association presented testimony.

Unanimously approved (Nakata/Cox).

**ITEM 5**

**KALAIKAMANU HOU CHURCH, APPLICATION FOR A WATER USE PERMIT, KALAIKAMANU WELL (WELL NO. 0602-03), MAUNAWAINUI GROUND WATER MANAGEMENT AREA, MOLOKAI**

Mr. Cox suggested staff draft guidelines for small users for the required water shortage plan.

In regards to Standard Condition 18, Mr. Ing asked about the purpose of the A.G. review. Mr. Tam replied that with standard conditions it is reviewed as to form. If there are special conditions or matters that could affect existing rights, these would be reviewed.

Unanimously approved (Nakata/Cox).

**ITEM 6**

**SHIGENOBU INOUIE, APPLICATION FOR A WATER USE PERMIT, SHEGE'S FARM WELL (WELL NO. 0352-11), KAWELA GROUND WATER MANAGEMENT AREA, MOLOKAI**

Mr. Cox recommended that the conditions for irrigation not state the crops because it is restrictive to use. It was suggested that it be changed to "irrigation of one (1) acre of agricultural use".

Mrs. Grambusch presented testimony.

Mr. Ing asked that the numbering of the Special Conditions be changed to 1, 2, and 3.
MEMORANDUM

TO: Rae M. Loui, Deputy Director
    Commission on Water Resource Management

FROM: Don Hibbard, Administrator

SUBJECT: Water Use Permit Application for Well No. 0501-05
         Kamiloloa, Molokai
         TMK: 5-3-02: 167

We believe that this application by the County of Maui Department of Parks and Recreation to obtain water from the Kaunakakai Regional Park Well will have "no effect" on significant historic sites. The well already exists and the surrounding land has been disturbed.

Please contact Annie Griffin at 587-0013 if you have any questions.

AG:aal
December 7, 1992

MEMORANDUM

TO:   Rae M. Loui, Deputy Director  
      Commission on Water Resource Management

FROM:  Henry Sakuda, Administrator  
        Division of Aquatic Resources

SUBJECT: Comments on Water Use Permit Application for Kamiloloa Ground Water Management Area, Molokai.

The application by County of Maui, Department of Parks & Recreation for Well No. 0501-05* at Kaunakakai, Molokai involves pumping 0.075 million gallons per day of non-potable basal water for irrigation of three ball fields.

There appears to be no potential for impact on surface waters. We therefore have no objections with reference to the potential effects on the aquatic biota.
Mr. Patrick Matsui
County Of Maui, Parks & Recreation
1580 Kaahumanu Avenue
Wailuku, HI 96793

Dear Mr. Matsui:

Enclosed is a copy of the public notice for your water use permit application which will be published in the Honolulu Star Bulletin, issues of December 7 & 14, 1992.

Please be aware that there may be objections to your application. If objections are made, the objector is required to file such objections with the Commission and is also required to send you a copy of the objections.

You, or any other party, may respond to objections by filing a brief in support of your application with the Commission within ten (10) days of the filing of an objection. You, or the other party, must also send a copy of the response to the objector.

If you have any questions, please contact Roy Hardy at 587-0225.

Sincerely,

RAE M. LOUI
Deputy Director
Honorable Linda Crockett Lingle, Mayor
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Dear Mayor Lingle:

Notice of an Application for a Water Use Permit
Kamiloloa Ground Water Management Area, Molokai

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for the County of Maui, Department of Parks & Recreation for Well No. 0501-05, which was published in the Star Bulletin.

In addition, Section 13-171-13(b) of our Administrative Rules states:

"Within sixty days after receipt of notice of a permit application, the county shall inform the commission if the proposed use is inconsistent with the county land use plans and policies."

We have attached a copy of the application for your review and would appreciate receiving your comments, within the next sixty (60) days, on whether this water use is consistent with county plans and policies.

Very truly yours,

WILLIAM W. PATY

Enc.
Honorable Howard S. Kihune, Chair  
County Council  
County of Maui  
200 South High Street  
Wailuku, Hawaii 96793

Dear Mr. Kihune:

Notice of an Application for a Water Use Permit  
Kamiloloa Ground Water Management Area, Molokai

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for the County of Maui, Department of Parks & Recreation for Well No. 0501-05 which was published in the Star Bulletin.

In addition, Section 13-171-13(b) of our Administrative Rules states:

"Within sixty days after receipt of notice of a permit application, the county shall inform the commission if the proposed use is inconsistent with the county land use plans and policies."

We have attached a copy of the application for your review and would appreciate receiving your comments, within the next sixty (60) days, on whether this water use is consistent with county plans and policies.

Very truly yours,

WILLIAM W. PATY

Enc.
Mr. Larry Jefts, Chair
Board of Water Supply
County of Maui
200 South High Street
Wailuku, Hawaii 96793

Dear Mr. Jefts:

Notice of an Application for a Water Use Permit
Kamiloloa Ground Water Management Area, Molokai

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for the County of Maui, Department of Parks & Recreation for Well No. 0501-05 which was published in the Star Bulletin.

In addition, Section 13-171-13(b) of our Administrative Rules states:

"Within sixty days after receipt of notice of a permit application, the county shall inform the commission if the proposed use is inconsistent with the county land use plans and policies."

We have attached a copy of the application for your review and would appreciate receiving your comments, within the next sixty (60) days, on whether this water use is consistent with county plans and policies.

Very truly yours,

WILLIAM W. PATY

Enc.
MEMORANDUM

TO: Interested State Agencies & Other Parties

FROM: Rae M. Loui, Deputy Director
Commission on Water Resource Management

SUBJECT: Water Use Permit Application
Kamiloloa Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for the County of Maui, Department of Parks & Recreation for Well No. 0501-05.

If you have any objections or comments on the above application, please submit them to us in writing by December 29, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

RH:ko
Enc.
Henry M. Sakuda, Administrator
Aquatic Resources Division

Thomas Arizumi, Chief
Environmental Management Division
State Department of Health
ATTN: Mr. William Wong

Mr. Dave Martin
Native Hawaiian Advisory Council
1088 Bishop St., Suite 1204
Honolulu, Hawaii 96813

Ms. Rachel Kamakana
P.O. Box 145
Kaunakakai, Hawaii 96748

Mr. Wayne Meyer
P.O. Box 454
Kaunakakai, Hawaii 96748

Ms. Sarah E. Sykes
P.O. Box 370
Kaunakakai, Hawaii 96748

Don Hibbard, Director
Historic Preservation Program

Ms. Marjorie Ziegler
Sierra Club Legal Defense Fund, Inc.
212 Merchant Street, Room 202
Honolulu, Hawaii 96813

Ms. Noelani Joy
Farrington Ave.
Kaunakakai, Hawaii 96748

Mr. Matthew Adolpho
Moomomi Ave.
Kaunakakai, Hawaii 96748

Mr. David Craddick, Manager
Department of Water Supply
County of Maui
200 South High Street
Wailuku, Hawaii 96793
Applications for the following water use permits have been received and are hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

MANOA IV (Well No. 1848-01)
Applicant: Honolulu Board of Water Supply
630 S. Beretania St.
Honolulu, HI 96843
Date Completed Application Received: November 12, 1992
Aquifer: Nuuanu System, Honolulu Sector, Oahu
Well Source: MANOA IV, Well No. 1848-01, Manoa Park, Manoa Rd., Oahu at Tax Map Key: 2-9-36:3
Quantity Requested: 1,000,000 gallons per day
Proposed Water Use: Municipal for Board of Water Supply System
Place of Water Use: Honolulu

EP 22 (Well No. 1900-02)
Applicant: Hawaii Prince Golf Club
91-1200 Fort Weaver Rd.
Ewa Beach, HI 96706
Date Completed Application Received: November 17, 1992
Aquifer: Puuloa System, Ewa Caprock Sector, Oahu
Well Source: EP 22, Well No. 1900-02, 94-1200 Fort Weaver Rd., Oahu at Tax Map Key: 9-1-10:6
Quantity Requested: Additional 600,000 gallons per day
Proposed Water Use: Golf Course Irrigation
Place of Water Use: Hawaii Prince Golf Club, 91-1200 Fort Weaver Rd. at Tax Map Key: 9-1-10:6

KALAIAMANU HOU (Well No. 0602-03)
Applicant: Kalaianamu Hou Church
P.O. Box 265
Kaunakakai, HI 96748
Date Completed Application Received: November 6, 1992
Aquifer: Maunawaimui System, Central Sector, Molokai
Well Source: Kalaianamu Hou, Well No. 0602-03, Molokai at Tax Map Key: 5-2-9:13
Quantity Requested: 5,000 gallons per day
Existing Water Use: Landscape irrigation of 1.3 acres.
Place of Water Use: Kalaianamu Hou Church at Tax Map Key: 5-2-9:13

(more)
KAUNAKAKAI PARK (Well No. 0501-05)

Applicant: County Of Maui, Department of Parks & Recreation
1580 Kaahumanu Avenue
Wailuku, HI 96793

Date Completed Application Received: October 27, 1992

Aquifer: Kamiloloa System, Southeast Sector, Molokai

Well Source: Kaunakakai Park, Well No. 0501-05, Kolapa Place, Kaunakakai, Molokai at Tax Map Key: 5-3-2:167

Quantity Requested: 75,000 gallons per day

Existing Water Use: Irrigation of 8 acres of turf grass

Place of Water Use: Kam V Hwy, Kaunakakai at Tax Map Key: 5-3-3:1

Written objections or comments on the applications for water use may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permits. Send written objections by December 29, 1992 to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809, and 2) a copy of the objection letter to the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

WILLIAM W. PATY, Chairperson

Dated: NOV 25 1992

APPLICATION FOR WATER USE PERMIT

Instructions: Please print in ink or type and send completed application with attachments to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. Application must be accompanied by 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 567-0223.

1. (a) APPLICANT
   Firm/Name: Parks & Recreation, County of Maui
   Contact Person: Patrick Matsui
   Address: 1560 Kauhauwew Avenue, Wailuku, HI 96793

   (b) LANDOWNER
   Firm/Name: Molokai Ranch
   Contact Person: Ph:
   Address: ___________________ 

2. WATER MANAGEMENT IN: Kamiloa, Molokai

3. (a) EXISTING SOURCE NAME AND STATE NUMBER:
   Source Location: Kaunakakai Regional Park Well (50-01-02)
   (well or stream diversion name/number)

   (b) PROPOSED (NEW) SOURCE NAME:

4. SOURCE LOCATION: Address: Kolapa Place, Kaunakakai
   Tax Map Key: 5-3-02:167
   (Attach a USGS map, scale 1"=2000", and a property tax map showing source location referenced to established property boundaries)

5. SOURCE TYPE (check one):
   □ Stream □ Ground Water □ Dike-confined □ Perched □ Capsule

6. METHOD OF TAKING WATER (check one):
   □ Artesian Flow □ Wells & Pump □ Diverted Surface Flow □ Other (explain)

7. LOCATION OF PROPOSED WATER USE: (If possible, show on same map as source location. Otherwise, attach similar maps)
   (a) Address: Kamlehameha V Highway, Kaunakakai
   Tax Map Key: 5-3-03:por.
   (b) Land Use District (check one): □ Urban □ Agriculture □ Conservation □ Rural
   (c) County Zoning (describe): □ Public/Quasi-Public

8. QUANTITY OF WATER REQUESTED: 75,000 gallons per day

9. METHOD OF MEASUREMENT:
   □ Flowmeter □ Open-pipe □ Weir □ Office □ Other (explain) Estim. (Number of hours of use times gallon of system)
   Flow: 5-3-02:167

10. QUALITY OF WATER REQUESTED:
    □ Fresh □ Brackish □ Salt □ Potable □ Non-Potable

11. PROPOSED USE:
    □ Municipal (including hotels, stores, etc.) □ Domestic (individual, noncommercial, etc.) □ Irrigation
    □ Industrial □ Military □ Other (explain)

12. NUMBER AND TYPE OF UNITS TO BE SERVED (explain):
    Irrigation of three ballfields.

13. TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP:
    Turf grass
    (acre) 8
    (crop) 75
    (indicate hours of operation) 7

14. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:

15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:
   (a) Impact on Sustainable yield (7):
      None
   (b) Permanant or Interim
      Instream Flow Standards affected (7):
      None
   (c) Hawaiian Home Land uses affected (7):
      None
   (d) Other existing legal uses affected (7):
      None
   (e) Other:

16. REMARKS, EXPLANATIONS:

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

NOTE: Signing below indicates that the applicant understands that if a water use permit is granted by the Commission on Water Resource Management, a permit is subject to prior existing permitted uses; changes in sustainable yields and instream flow standards, reserved uses as defined by the Commission, and Hawaiian Home Lands future uses. In addition, applicant understands that, upon permit approval, a water shortage plan must be submitted to the Commission within one year.

Applicant (print) Patrick T. Matsui
Signature ___________________________
Date 9/27/19

Landowner (print) Ian Hurst
Signature ___________________________
Date 9/27/19

For Official Use Only:
Date Received _______________________
Date Approved _______________________

Hydrologic Unit No. ___________________
Diversion Works No. ___________________
State Well No. _______________________

Notice Dates: _______________________
Public Mayor BWS Mail List Bulletin Public Hearing
PUBLIC NOTICE

Applications for Water Use Permits
Ground Water Management Areas

Applications for the following water use permits have been received and are hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

MANOA IV (Well No. 1848-01)
Applicant: Honolulu Board of Water Supply
630 S. Beretania St.
Honolulu, HI 96813
Date Completed Application Received: November 12, 1992
Aquifer: Nuuanu System, Honolulu Sector, Oahu
Well Source: MANOA IV, Well No. 1848-01, Manoa Park, Manoa Rd., Oahu at Tax Map Key: 2-9-36:3
Quantity Requested: 1,000,000 gallons per day
Proposed Water Use: Municipal for Board of Water Supply System
Place of Water Use: Honolulu

EP 22 (Well No. 1900-02)
Applicant: Hawaii Prince Golf Club
91-1200 Fort Weaver Rd.
Ewa Beach, HI 96706
Date Completed Application Received: November 17, 1992
Aquifer: Punalu System, Ewa Caprock Sector, Oahu
Well Source: EP 22, Well No. 1900-02, 94-1200 Fort Weaver Rd., Oahu at Tax Map Key: 9-1-10:6
Quantity Requested: Additional 600,000 gallons per day
Proposed Water Use: Golf Course Irrigation
Place of Water Use: Hawaii Prince Golf Club, 91-1200 Fort Weaver Rd. at Tax Map Key: 9-1-10:6

KALAIAMANU HOU (Well No. 0602-03)
Applicant: Kalamaanu Hou Church
P.O. Box 268
Koamakakai, HI 96748
Date Completed Application Received: November 6, 1992
Aquifer: Maneawaimi System, Central Sector, Molokai
Well Source: Kalamaanu Hou, Well No. 0602-03, Molokai at Tax Map Key: 5-2-9:13
Quantity Requested: 5,000 gallons per day
Existing Water Use: Landscapes irrigation of 1.3 acres.
Place of Water Use: Kalamaanu Hou Church at Tax Map Key: 5-2-9:13

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE) WAS SENT

** COUNT **

# 3

*** SEND ***

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PUBLIC NOTICE

Applications for Water Use Permits
Ground Water Management Areas

Applications for the following water use permits have been received and are hereby made public in accordance with Department of Land and Natural Resources Administrative Rules 13-171, "Designation and Regulation of Water Management Areas."

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Quantity Requested: 5,000 gallons per day
Existing Water Use: Landscape irrigation of 1.3 acres.
Place of Water Use: Kalaiamanu Hou Church at Tax Map Key: 5-2-9:13
KAUNAKAKAI PARK (Well No. 0501-05)
Applicant: County Of Maui, Department of Parks & Recreation
1580 Kaahumanu Avenue
Wailuku, HI 96793
Date Completed Application Received: October 27, 1992
Aquifer: Kamiloloa System, Southeast Sector, Molokai
Well Source: Kaunakakai Park, Well No. 0501-05, Kolapa Place, Kaunakakai, Molokai at
Tax Map Key: 5-3-2:167
Quantity Requested: 75,000 gallons per day
Existing Water Use: Irrigation of 8 acres of turf grass
Place of Water Use: Kam V Hwy, Kaunakakai at Tax Map Key: 5-3-3:1

Written objections or comments on the applications for water use may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permits. Send written objections by December 29, 1992 to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809, and 2) a copy of the objection letter to the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

WILLIAM W. PATY, Chairperson

Dated: NOV 25 1992

**PUBLIC NOTICE**

Applications for Water Use Permits
Ground Water Management Areas

Publish in issues of December 7 & 14, 1992
(see attached notice)

Price List No. FL 92-66

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$1,000.00
FIELD MEMORANDUM

DECLARANT (File Reference): MAUI PARKS REC

SITE VISIT DATE: November 6, 1992

PRESENT: Zachery Helm (District Supervisor)
Sterling Chow

STATUS: (1) Drilled well currently in use. Well to be assigned well number 0501-07 (Kaunakakai-Maui Parks).
(2) Unused well on Kaunakakai School property. Well to be assigned well number 0501-08 (Kaunakakai-Maui Parks).

SOURCE(S): (1) TMK: 5-3-2:167. USGS Kaunakakai quad (Mo-3). Kamiloloa aquifer. Well to assigned well number 0501-07 (Kaunakakai-Maui Parks).
(2) TMK: 5-3-2:52. USGS Kaunakakai quad (Mo-3). Kamiloloa aquifer. Well to be assigned well number 0501-08 (Kaunakakai-Maui Parks).

USE(S): (1) TMK: 5-3-2:52. USGS Kaunakakai quad (Mo-3). Landscape irrigation for Kaunakakai Regional Park.
(2) Not in use. Possible future use for irrigation of Kaunakakai Park and county swimming pool, USGS Kaunakakai quad (Mo-3).

FIELD NOTES:

(1) Well 0501-07 (Kaunakakai-Maui Parks):

1. Source: Well dimensions unknown by Parks personnel. Per field inspection, well has submersible pump with 30 hp motor, 4-inch diameter cast iron outlet pipe, and estimated 10 to 12-inch diameter casing. Per file information, well has 25 hp motor and 250 gpm pump.

2. Use: Water currently used to irrigate 4 acres of ball fields at Kaunakakai Regional Park. Total regional park acreage is 7 acres with 3 acres undeveloped.

3. Quantity: The ball fields at Kaunakakai Regional Park are irrigated for 2 hours at night Monday through Thursday and 3-1/2 to 4 hours on Friday and Saturday. The well does have
a meter on the transmission line, but the meter readings are currently not recorded. I reminded Zachery Helm of the water use reporting requirements and hand delivered a blank Monthly Ground Water Reporting form on November 16, 1992.

Estimated monthly use is 1,040,000 gallons per month using a pump capacity of 250 gpm and a total of 16 hours of use per week (2 hours Monday thru Thursday and 4 hours Friday and Saturday).

   Use, TMK: 5-3-2:52.
   Using the GPS: latitude = 21 deg 05 min 40.6 sec N
                  longitude = 157 deg 01 min 7.5 sec W

5. Ownership: Well site leased by the county from Molokai Ranch, Ltd.

6. Well number 0501-07 (Kaunakakai-Maui Parks) will be assigned to this well.
October 21, 1992

Ms. Rae M. Loui, Deputy Director
Commission on Water Resource Management
Department of Land and Natural Resources
State of Hawaii
P. O. Box 621
Honolulu, HI 96809

Dear Ms. Loui:

Application for a Water Use Permit
Kamiloloa Ground Water Management Area, Molokai

In response to your request of September 18, 1992, we are returning the completed form of the subject application.

If you have any questions, please call me at 243-7383.

Very truly yours,

PATRICK T. MATSUI
Park Maintenance Superintendent

PTM: jm
Encl.
Mr. Patrick Matsui  
Park Maintenance Superintendent  
Department of Parks & Recreation  
County of Maui  
1580 Kaahumanu Avenue  
Wailuku, HI 96793

Dear Mr. Matsui:

Application for a Water Use Permit  
Kamiloloa Ground Water Management Area, Molokai

We acknowledge receipt of your water use permit application for the Kaunakakai Park Well (Well No. 0501-05) on August 1, 1992. However, you need to submit the following information before your application is considered complete:

1) Signature of the source landowner, Molokai Ranch;  
2) Further detail on highlighted (Items 9 and 14).

Upon submittal of the requested information, we will process and send you a copy of the public notice for your application and any further information regarding the status of your application. In addition, we may need to visit and verify your proposed water source and use sites if we have not done so already under our registration program.

If you have any questions, please contact Ed Sakoda at 587-0225.

Sincerely,

[Signature]

RAE M. LOUI  
Deputy Director

RH:ko  
Enc.
Mr. Patrick Matsui  
Park Maintenance Superintendent  
Department of Parks & Recreation  
County of Maui  
1580 Kaahumanu Avenue  
Wailuku, HI 96793  

Dear Mr. Matsui:  

Application for a Water Use Permit  
Kamiloloa Ground Water Management Area, Molokai  

We acknowledge receipt of your water use permit application for the Kaunakakai Park Well (Well No. 0501-05) on August 1, 1992. However, you need to submit the following information before your application is considered complete:  

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2) Further detail on highlighted (Items 9 and 14).  

Upon submittal of the requested information, we will process and send you a copy of the public notice for your application and any further information regarding the status of your application. In addition, we may need to visit and verify your proposed water source and use sites if we have not done so already under our registration program.  

If you have any questions, please contact Ed Sakoda at 587-0225.  

Sincerely,  

[Signature]  
RAE M. LOUI  
Deputy Director  

RH:ko  
Enc.
August 27, 1992

Ms. Rae M. Loui, Deputy Director
Commission on Water Resource Development
Department of Land and Natural Resources
State of Hawaii
P. O. Box 621
Honolulu, HI 96809

Dear Ms. Loui:

Transmitted herewith is our Ground Water Use Permit Application for the Kaunakakai Regional Park Well and Pump.

Please feel free to call me at 243-7383 should you have any questions.

Your favorable consideration of this matter would be greatly appreciated.

Very truly yours,

PATRICK T. MATSUI
Park Maintenance Superintendent

PTM: jm
Transmittal
APPLICATION FOR WATER USE PERMIT

1. (a) APPLICANT
   Firm/Name: Parks & Recreation, County of Maui
   Contact Person: Patrick Matsui
   Address: 1580 Kaahumanu Avenue, Wailuku, HI 96793

2. WATER MANAGEMENT KILOMETER: Kamiloloa, Molokai

3. (a) EXISTING SOURCE NAME AND STATE NUMBER: Kaunakakai Regional Park Well (4501-05)
   (b) PROPOSED (NEW) SOURCE NAME:

4. SOURCE LOCATION: Address: Kolapa Place, Kaunakakai
   Tax Map Key: 5-3-02:167
   (Attach a USGS map, scale 1"=2000", and a property tax map showing source location referenced to established property boundaries.)

5. SOURCE TYPE (check one): ☐ Stream ☐ Basal ☐ Dike-confined ☐ Perched ☐ Caprock

6. METHOD OF TAKING WATER (check one): ☐ Artesian Flow ☐ Well & Pump ☐ Diverted Surface Flow ☐ Other (explain)

7. LOCATION OF PROPOSED WATER USE: (If possible, show on same maps as source location. Otherwise, attach similar maps)
   (a) Address: Kamehameha V Highway, Kaunakakai
   Tax Map Key: 5-3-03:por.
   (b) Land Use District (check one): ☐ Urban ☐ Agriculture ☐ Conservation ☐ Rural
   (c) County Zoning (describe): Public/Quasi-Public

8. QUANTITY OF WATER REQUESTED: 75,000 gallons per day

9. METHOD OF MEASUREMENT: ☐ Flowmeter ☐ Open-pipe ☐ Well ☐ Office ☐ Other (explain)

10. QUALITY OF WATER REQUESTED: ☐ Fresh ☐ Brackish ☐ Salt ☐ Potable ☐ Non-Potable

11. PROPOSED USE: ☐ Municipal (including hotels, stores, etc.) ☐ Domestic (Individual, noncommercial, etc.) ☐ Irrigation
    ☐ Industrial ☐ Military ☐ Other (explain)

12. NUMBER AND TYPE OF UNITS TO BE SERVED (explain): Irrigation of three ballfields

13. TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP: 8 acres Turf grass

14. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION: 5-hours/day

15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:
    (a) Impact on Sustainable yield (?): None
    (b) Permanent or Interim
        Instream Flow Standards affected (?): None
    (c) Hawaiian Home Land uses affected (?): None
    (d) Other existing legal uses affected (?): None
    (e) Other:

16. REMARKS, EXPLANATIONS:

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

   Applicant (print) Patrick T. Matsui
   Signature ____________________________
   Date 11/7/92

   Landowner (print) ____________________________
   Signature ____________________________
   Date ____________________________

NOTE: Signing below indicates that the applicant understands that, if a water use permit is granted by the Commission on Water Resource Management, a permit is subject to prior existing permitted uses, changes in sustainable yields and instream flow standards, reserved uses as defined by the Commission, and Hawaiian Home Lands future uses. In addition, applicant understands that, upon permit approval, a water shortage plan must be submitted should the Commission require one.

For Official Use Only:
Date Received ____________________________
Date Accepted ____________________________
Hydrologic Unit No. ____________________________
Diversion Works No. ____________________________
State Well No. ____________________________

Notice Dates:

WPD Form 6-24-92
APPLICATION FOR WATER USE PERMIT

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

APPLICATION FOR WATER USE PERMIT

1. (a) APPLICANT
Firm/Name: Parks & Recreation, County of Maui
Contact Person: Patrick Matsui
Address: 1580 Kaahumanu Avenue
Wailuku, HI 96793
(b) LANDOWNER
Firm/Name: Molokai Ranch
Contact Person: Pat Hara
Address: Kamiloloa, Molokai

2. WATER MANAGEMENT:
Kaunakakai Regional Park Well (5521-03)

3. (a) EXISTING SOURCE NAME AND STATE NUMBER:
Kaunakakai Regional Park Well (5521-03)
(b) PROPOSED (NEW) SOURCE NAME:

4. SOURCE LOCATION:
Address: Kipapa Place, Kaunakakai
Tax Map Key: 5-3-02:167

5. SOURCE TYPE:
Stream  X  Basin  X  Dike-confined  X  Perched  X  Caprock

6. METHOD OF TAKING WATER:
Artesian Flow  X  Wall & Pump  X  Surface Flow  X  Other (explain)

7. LOCATION OF PROPOSED WATER USE:
(a) Address: Kamehameha V Highway, Kaunakakai
Tax Map Key: 5-3-031 partial
(b) Land Use District:
Urban  X  Agriculture  X  Conservation  X  Rural
(c) County Zoning (describe): Public/Quasi-Public

8. QUANTITY OF WATER REQUESTED: 75,000 gallons per day

9. METHOD OF MEASUREMENT:
Flowmeter  X  Open-pipe  X  Well  X  Orifice  X  Other (explain)
Estimate: N/A
Number of hours of use output of system (if applicable): N/A

10. QUALITY OF WATER REQUESTED:
Fresh  X  Brackish  X  Salt  X  Potable  X  Non-Potable

11. PROPOSED USE:
Municipal (including hotels, stores, etc.)  X  Domestic (individual, noncommercial, etc.)  X  Irrigation
Industrial  X  Military  X  Other (explain)

12. NUMBER AND TYPE OF UNITS TO BE SERVED (explain):
Irrigation of three ballfields.

13. TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP:
8 acres  Turf grass

14. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:
5-hours/day [4:00am - 9:00am] (indicate hours of operation)

15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:
(a) Impact on Sustainable yield (?):
None
(b) Permanent or Interim
Instream Flow Standards affected (?):
None
(c) Hawaiian Home Land uses affected (?):
None
(d) Other existing legal uses affected (?):
None
(e) Other:
None

16. REMARKS, EXPLANATIONS:

NOTE: Signing below indicates that the applicant understands that, if a water use permit is granted by the Commission on Water Resources Management, a permit is subject to prior existing permitted uses, changes in sustainable yields and instream flow standards, reserved uses as defined by the Commission, and Hawaiian Home Lands future uses. In addition, applicant understands that, upon permit approval, a water shortage plan must be submitted should the Commission require one.

Applicant (print): Patrick T. Matsui
Signature: [Signature]
Date: 1/27/92

LANDOWNER (print): Ian Hurst
Signature: [Signature]

For Official Use Only:
Date Received: ____________________________
Hydrologic Unit No.: _______________________
Date Accepted: ____________________________
State Water No.: ____________________________

Notice Date: ____________________________
Public ____________________________
Mayor ____________________________
BWS ____________________________
Mail List ____________________________
Bulletin ____________________________
Public Hearing ____________________________

5/24/92 A-3A 2a
Exhibit 1
WATER USE PERMIT NO. 195

This report has been prepared in accordance with 13-171-22(b) of the Hawaii Revised Statutes requiring a 20-year review of issued water use permits to determine permit compliance. Following is a summary of permit information, site characteristics, methodology, findings, and recommendations for this State permit file.

Permit Information

Water User: Department of Parks & Recreation
County of Maui
1580 Kaahumanu Ave.
Wailuku, HI 96793

Landowner of Source: Molokai Ranch
500 Ala Moana Blvd.
Honolulu, HI 96813

Permitted Withdrawal Rate: 0.075 mgd (Based upon a 12-month moving average)

Water Management Area: Kamiloloa

Island: Molokai

Aquifer Sector/System: Southeast/Kamiloloa

System Sustainable Yield: 3 mgd

Water Type: Non-Potable

Original CWRM Date: August 4th, 1993

Standard Conditions: 1-11, 13-14, 16, 20-23

Special Conditions: None

Water Source

State Well Number(s): 0501-07

Well Name: Kaunakakai Park

Water Source TMK Number(s): 2nd Division, 5-3-002:167

State Land Use Classification(s): N/A

County Zoning Classification(s): N/A

Geographical Coordinates: N/A

End Use

End Use TMK Number(s): 2nd Division, 5-3-003:001

State Land Use Classification(s): Urban

County Zoning Classification(s): Public/Quasi-P

Beneficial Use Explanation: Use for irrigation of 4 acres of Kaunakakai Park
Background Information

Water Use Permit 195 was approved during the August 4th, 1993 Commission on Water Resource Management meeting. There are no monthly water use reports or salinity records on file for State Well No. 0501-07. Standard conditions 1-11, 13-14, 16, & 20-23 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the permit file.

Field Investigation Information

No field investigation was conducted for Water Use Permit 195. Brown and Caldwell attempted to contact the permittee on three different occasions via standard mail. Cover letters accompanied by survey forms were sent out on November 21st, 2007, February 20th, 2008, and July 15th, 2008 to 1580 Kaahumanu Avenue. Since no response was received by the end of the field investigation phase of this project, Brown and Caldwell was not able to verify any of the information listed in this report. Reference the permit file for supporting documentation relevant to this contact process.

Summary of Findings for Water Use Permit No. 195

Although no field investigation was completed for this Water Use Permit, information pertinent to permit compliance was gathered during the research phase of this project.

The following are a list of standard condition(s) that the permittee is found to be in non-compliance with:

(10) An approved flowmeter must be installed to measure monthly withdrawals and a month record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis.

Since there are no water withdrawal or salinity records on file for State Well No. 0501-07, the permittee is found to be in violation of Standard Condition (10).

Recommendations

- Address the following discrepancies between the Commission's electronic database and actual field investigation findings:
  - No discrepancies found
• Address violation of Standard Condition (10) regarding non-reporting of water use and salinity levels
• Address issue of lack of response in regards to the Commission's attempt to contact the permittee during this permit review process.
Standard Conditions List

1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means “the use of water in such a quantity as is necessary for economic and efficient utilization, which is both reasonable and consistent with State and County land use plans and the public interest.” (HRS § 174C-3)

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49(a), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in Section 221 of the Hawaiian Homes Commission Act and HRS § 174C-101(a).

4. The ground-water use here must not interfere with surface or other ground-water rights or reservations.

5. The ground-water use here must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use authorized here is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and submittal, as amended, approved by the Commission at its <Insert Date> meeting are incorporated into this permit by reference.

8. Any modification of the permit terms, conditions, or uses may only be made with the express written consent of the Commission.

Variations of Standard Condition (8) are as follows:
   i. Modification of any permit condition shall be approved by the Commission. Modification of any permit condition without notification may result in the revocation of the water use permit.
9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect the water sources (quantity or quality);
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. Carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis (attached).

Variations of Standard Condition (10) are as follows:
   i. The applicant shall keep monthly pumpage estimates to be submitted annually to the Commission.
   ii. An approved flowmeter(s) need not be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a yearly basis (attached).
   iii. An approved flowmeter(s) must be installed to measure withdrawals and a monthly record of withdrawals, water-levels, salinity, and temperature must be kept and reported to the Commission on a monthly basis in accordance with the Commission's September 16, 1992 action on reporting requirements.
   iv. Approved flowmeters must be installed to measure monthly withdrawals and a monthly record of withdrawals must be kept and reported to the Commission on Water Resource Management on a monthly basis.
   v. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a quarterly/yearly basis (attached).
   vi. An approved flowmeter shall be installed to measure water withdrawals
   vii. An approved flowmeter(s) must be installed to measure withdrawals; and a record of the withdrawals must be kept and reported to the Department of
Although not stated as a condition of the permit §13-168-7 HAR requires you to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular monthly basis using the enclosed water use report form.

An approved flowmeter shall be installed and the withdrawal from Well 1851-73 shall be recorded and reported to DLNR on a monthly basis by the owner and/or operator of the well.

The withdrawals from these wells shall be recorded and reported to the DLNR on a monthly basis by the BWS.

The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting water usage on a monthly basis.

Water usage shall be measured on a monthly basis and reported to the Commission along with water level and salinity measurements.

This permit shall be subject to the Commission’s periodic review of the <Aquifer> Aquifer System’s sustainable yield. The amount of water authorized by this permit may be reduced by the Commission if the sustainable yield of the <Aquifer> Aquifer System, or relevant modified aquifer(s), is reduced.

A permit may be transferred, in whole or in part, from the permittee to another, if:

- The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of use, remain the same; and
- The Commission is informed of the transfer within ninety days.

Failure to inform the department of the transfer invalidates the transfer and constitutes a ground for revocation of the permit. A transfer, which involves a change in any condition of the permit, including a change in use covered in HRS § 174C-57, is also invalid and constitutes a ground for revocation.

The uses(s) authorized by law and by this permit do not constitute ownership rights.

The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances that will affect the permittee’s water use.

The permittee understands that under HRS § 174C-58(4), that partial or total nonuse, for reasons other than conservations, of the water allowed by this permit for a period of four (4) continuous years or more may result in a permanent revocation as to the amount of water not in use. The Commission and the permittee may enter
into a written agreement that, for reasons satisfactory to the Commission, any period of nonuse may not apply towards the four-year period. Any period of nonuse which is caused by a declaration of water shortage pursuant to section HRS § 174C-62 shall not apply towards the four-year period or forfeiture.

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the <Aquifer>Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of instream standards and policies relating to the Stream Protection and Management (SPAM) program, as well as legislative mandates to protect stream resources.

18. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

19. Special conditions in the attached cover transmittal letter or attached exhibits are incorporated herein by reference.

20. If the ground-water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

Variations of Standard Condition (20) are as follows:
   i. The permit may be revoked if work is not started within six months of the date of issuance or if work is suspended or abandoned for six months. The work proposed in the permit application shall be completed within two years from the date of permit issuance.

21. This permit may not be transferred or the use rights granted by this permit sold or in any other way alienated. Pursuant to HRS § 174C-59 and the requirements of Chapter 174C, the Commission on Water Resource Management has the authority to allow the transfer of the permit and the use rights granted by this permit in a manner consistent with HRS § 174C-59. Any such transfer shall only occur with the Commission’s prior express written approval. Any sale, assignment, lease, alienation, or other transfer of any interest in this permit shall be void.

22. The water use permit granted shall be an interim water use permit, pursuant to HRS § 174C-50. The final determination of the water use quantity shall be made within five (5) years of the filing of the application to continue the existing use.

23. The water use permit shall be issued only after agricultural review.

24. That scheduled adjustments to Oahu Sugar Co. permitted use shall be initiated upon discontinuance of agricultural uses.
25. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on <Insert Date>.

26. The permit shall be subject to the review by the Attorney General.

27. The permit holder may be required to relinquish this permit at any time or specified time after issuance to the Board of Land and Natural Resources in accordance with Chapter 166 of Title 13.

28. The applicant shall obtain the necessary land acquisition documents from the Hawaii Housing Authority.
Special Conditions List

1. Should an alternate permanent source of water be found for this use, then the Commission reserves the right to revoke this permit, after a hearing.

2. In the event that the tax map key at the location of the water use is changed, the permittee shall notify the Commission in writing of the tax map key change within thirty (30) days after the permittee receives notice of the tax map key change.

3. The applicant shall contact the Environmental Management Division, State Department of Health, at 586-4304, concerning “GUIDELINES APPLICABLE TO GOLF COURSES IN HAWAII” date <Insert Date & Version #>.

4. Standard Condition 10 is emphasized, to report consumption on a regular basis.

5. The applicant may continue this existing use of ground water within the limits approved by the Commission, and the actual issuance of the interim permit shall not be a reason to interrupt this existing use.

6. This interim water use permit shall cease to become interim and shall be subject to HRS § 174C-55 upon administrative review of the quantity within five (5) years, provided that all conditions of the use (including the review of the quantity which shall not be greater than the amount initially granted) remain the same. Enforcement of the allocation limit shall be stayed pending staff’s review and issuance of a permanent water use permit.

7. As-built drawings of the well and pump, and a complete pumping test record shall be submitted within sixty (60) days.

8. In the event the pump tests show that aquifer boundary conditions do not support the requested withdrawals, the Commission reserves the right to amend this permit, after a hearing, to a level that is supported by the pump tests.

9. The existing use may be continued within the levels approved by the Commission, and the actual issuance of the permit document shall not be a reason to interrupt the approved level of use.

10. The filing of an application by Kukui, Inc. for a new or modified water use permit for the Kualapuu Aquifer in excess of 2.0 mgd (total system withdrawal) shall be just cause for re-consideration of this interim permit by the Commission.

11. Upon completion of a new transmission line for the transport of water use by Well #17, the permit shall be modified to reduce the allocation amount by the additional 79,220 gallons per day allocated for use of the Molokai Irrigation System.

12. Within six (6) months from the date of approval of a water use permit for the well, the applicant shall conduct a feasibility study and submit a report describing
alternative sources of nonpotable water for irrigation uses at the resort area. It is suggested that the developer consider use of dual lines in the subdivisions so that effluent may be used in the existing reuse system. Another consideration is the development of brackish water wells in the Kaluakoi Aquifer system for mixing with the effluent generated at the resort.

13. Within six (6) months from the date of approval of a water use permit for the well, the application shall evaluate the filter back discharges into Kakaako Gulch to determine if excessive preventable waste is occurring and identify possible measures to eliminate or reduce such waste. The evaluation shall be conducted in cooperation with the Commission staff and staff of the Department of Health’s Safe Drinking Water Branch, which regulates the drinking water system.

14. Within six (6) months from the date of approval of a water use permit for the well, the applicant shall 1) implement a leakage control and detection system and compete repairs to prevent such leakage and 2) implement use of xeriscaping and low-flow fixtures.

15. Action on the future use portion of the water use permit application for Well #17 (Well No. 0901-01) is deferred pending the establishment of existing uses in the aquifer. Kukui Inc.’s application for uses in excess of those uses existing on July 15, 1992 will be considered “new” uses and will be taken up by the Commission as soon as other existing use applications have been decided. In the interim,
   a. The Commission shall recognize that there is disagreement between the applicant’s staff calculations of reasonable-beneficial existing use
   b. The Applicant will have the burden of proof to show within six (6) months reasonable-beneficial existing use calculations that support the applicant’s request as opposed to staff’s calculations.
   c. The Commission’s enforcement of the approved existing use allocation will be suspended for six (6) months.

16. The permittee shall submit a notice of intent and written request to continue the use at least ninety (90) days prior to the expiration of the interim five-year permit.

17. The Commission shall delegate to Maui Department of Water Supply the authority to allocate the use of water for municipal purposes, as provided in §174C-48(b).

18. Maui Department of Water Supply shall be exempt from the requirements for permit modifications, as provided in §174C-57(c).

19. The permittee must meter water use and monitor chloride concentrations on a monthly basis and submit monthly reports of water use and chloride concentrations to the Commission.

20. Standard Condition 16 is waived for saltwater wells.

21. The permit will be revoked if (1) stream monitoring shows that pumping the well reduces stream flow, or (2) the electromagnetic resistivity survey indicates that the
well was drilled into a dike compartment, unless the applicant submits a petition for an amendment to the interim instream flow standard with the well completion report. However, no use of the water may be made without a Pump Installation Permit, which cannot be issued during consideration of the amendment of the interim instream flow standard.

22. The applicant shall present the results of the electromagnetic resistivity survey, pump tests, and stream monitoring to a community meeting as well as to the Commission.

23. A final determination of water use quantity shall be made within five (5) years of the filing date of the application (<Insert Date>) to continue existing use.

24. The applicant shall implement, by December 31, 1995, a biological and hydraulic monitoring program for a minimum 2-year period that: 1) documents the existing operating procedure, 2) seeks to identify the impacts of all operating alternatives on Waikolu Stream, and 3) seeks to identify the effectiveness of weir modifications (Dam No. 1). This program shall incorporate the three new wells, Wells #4-6 (Well Nos. 0855-06, -05, & -04, respectively), which may be pumped within the approved limits, for monitoring and testing purposes only. Further, semi-annual reports summarizing data and preliminary findings shall be submitted to the Commission. It is suggested that the Department of Agriculture work with the State Division of Aquatic Resources and other affected agencies to prepare the monitoring program in light of the difficult technical questions raised by this application. A particular concern is the coordination of this monitoring program with the ongoing National Park Service study by Anne Brasher. A draft of this plan shall be submitted to the Commission staff within ninety (90) days for technical review and comment. Results of the monitoring program shall be used to make recommendations to the Commission on any additional use of the wells, and shall be made readily available to all interested parties.

25. That the Commission approves the well construction permit for the Kamiloloa-Waiola Well (Well No. 0759-01), subject to the standard well construction conditions and the special conditions for the pumping well for the aquifer tests.

26. That the Commission authorizes the Chairperson to approve and issue a pump installation permit upon acceptance of adequate pump test result, subject to the standard pump installation conditions.

27. Should the well be used for back-up domestic supply, applicant is advised to contact DOH or otherwise ensure safe drinking water quality is maintained.

28. The applicant shall follow the agreed monitoring plan.

29. If pesticides used by the applicant are found in ground or surface water and can be traced to the applicant's use, the CWRM may revoke the permit immediately upon such finding.
30. Issuance of the interim permit shall be withheld until the reservation of water for DHHL is set by rule. Applicant may continue this existing use within the approved limits.

31. The applicant shall submit well modification and pump installation permit applications for administrative approval by chairperson prior to beginning any work required to complete well.

32. Should any stream flow impacts result from use, petition to amend interim instream flow standards shall be submitted.

33. Should any dewatering result from use, pumping shall cease immediately.

34. Shall submit accurate schematic diagram of distribution system for the battery of 5 wells.

35. Shall be subject to a 6-month independent audit & monitoring.

36. Final pump capacity shall be determined from pump test results & approved administratively by signature of chair.

37. The permittee shall seek and submit to the Commission within ninety (90) days written confirmation from the Department of Land Utilization of the non-conforming use.

38. Pumping shall cease immediately if the chloride reports show that the brackish water developed in the well exceeds 1,000 mg/l of chloride, unless a variance from the chloride limit has been granted. The authority to approve future variance requests is delegated to the chairperson.

39. The duration of the interim permit shall be:
   a. To July 1, 2006, or
   b. Until treated wastewater is available and acceptable for use, or
   c. Until such time that a significant change in permitted, actual, or projected uses or water supply occurs.

40. Action on any interim permit may be initiated by the Commission or any permittee upon letter request or pursuant to §174C-57 Haw. Rev. Stat. (Modification of permit terms).

41. This permit is approved under the assumption that wastewater will become available for reuse as an alternative supply source.

42. Require adherence to the chloride sampling protocol and the submittal of weekly chloride data. The authority to approve variances from the weekly reporting requirement is delegated to the Chairperson.

43. Require adherence to the Conservation Conditions.
44. In the event a water shortage is declared by the Commission, permittees in the <Insert Aquifer System> shall comply with the <Insert Aquifer System> water shortage plan adopted by the Commission.

45. The permittee shall contact the Department of Health, Clean Water Branch and obtain the necessary discharge permit(s).

46. Permit shall be interim and replaces existing WUP for 2051-07 & 11.

47. Applicant shall submit an acceptable archaeological inventory survey report to DHP. If historic sites affected, a plan to mitigate these affects must be accepted by DHP and completed by applicant.

48. Should the well be used for back-up domestic supply, applicant is advised to contact DOH or otherwise ensure safe drinking water quality is maintained.

49. (The permittee) may report monthly pumpage on yearly basis.

50. Prior to issuance of any permits, must submit filing fee for after-the-fact pump installation permit.

51. The term of this permit shall be twenty years from the date of issuance of the permit with a five-year Board review to determine compliance with the provisions of the permit.

52. The amount of water to be withdrawn under this permit shall be 0.19 mgd, averaged annually, for irrigation use. This permitted use of 0.19 mgd when added to a preserved use of 0.27 mgd amounts to a total of 0.46 mgd, averaged annually, which may be withdrawn from well 1646-01.

53. The use authorized by the permit must not interfered substantially and materially with existing individual household uses and existing uses.

54. The use of this well shall be subject to the shortage and emergency powers of the Board of Land and Natural Resources (BLNR).

55. This permit may be suspended or revoked, in accordance with Chapter 166.

56. The permit holder may be required to relinquish this permit to BLNR, in accordance with Chapter 166

57. The withdrawal from Well 1646-10 shall be recorded and reported to DLNR on a monthly basis by the permittee.

58. In the event that emergency water use occurs, the permittee shall notify the Commission in writing within one (1) day of pumping, to in form the Commission as to the nature of the emergency and the expected duration of the emergency. A water
use report shall also be filed pursuant to Standard Condition 10 and Administrative Rule 13-168-7.

59. Note DOH's requirements related to non-potable water systems (attached to original permit).

60. Standard Condition 16 requiring the submittal of a water shortage plan is waived.

61. All non-potable spigots and piping shall be clearly labeled as "DO NOT DRINK, NON-POTABLE" to prevent direct human consumption.

62. Standard Condition 10 is modified. Due to the inability to take water level measurements, the requirement to measure monthly water levels is waived. In addition, as long as the U.S. Geological Survey is collecting and analyzing the chloride content of the well water, the requirement for the permittee to measure and report chlorides is also waived.

63. Well elevation components must be surveyed by a licensed surveyor and this information must be submitted to commission prior to issuance of permanent permit.

64. The permittee shall obtain approvals from the Department of Health and the U.S. Environmental Protection Agency prior to use of the water.

65. This water use permit, WUP No. <Insert #>, shall supersede WUP No. <Insert #>.

66. WUP No. <Insert #> is revoked

67. Standard Condition 17 is waived.

68. Standard Condition 22 for interim water use permits shall not apply.

69. To supplement our records, we request that you provide a map of the Galbraith Est. lands west of Wahiawa (2100 ac+.) and the associated TMK's for use area.

70. Deferred action on portion requested for golf course irrigation pending further refinement of irrigation requirement and a feasibility study for utilization of surface water sources, including Wahiawa Reservoir.

71. Written justification be provided for any 'cushion' of 0.5 mgd.

72. The water use permit shall be an interim permit. The duration of the interim permit shall be until treated wastewater is available and acceptable for use. The permittee shall continue discussions with Honolulu Board of Water Supply regarding the use of reclaimed water.

73. The permittee is put on notice that this is a qualified approval in that this permit may be modified or revoked prior to the expiration of the interim permit if the
Commission decides that the use of additional basal ground water for dust control and landscape irrigation is not reasonable-beneficial use.

74. The permittee encouraged to use drought-tolerant landscaping to conserve water.

75. Should the applicant provide written evidence that the county DHCD approves a 201E exemption for the elderly affordable housing project then the applicant may modify a corresponding portion of their existing aquacultural use to be used by the exemption approved project within the Commission approved water use permit limits under recommendation 5.

76. The applicant shall obtain a water lease/permit from Land Division prior to actual use of the well water.

77. Require the permittee to sign a contract by May 14, 1998 with the City Department of Wastewater Management to buy and use 0.400 mgd of R-1 water for a corresponding reduction in allocation for Well Nos. 1900-02, 17 to 20, and 1901-03.

78. Standard Condition 9 is waived.

79. Standard Condition 10 is modified to exempt the permittee from monthly measurements of salinity and temperature.

80. Standard Condition 10 is waived.

81. Applicant must seek a determination from BLNR and Land Mgt Div as to whether water license required. If required, license must be obtained prior to issuance of permit. If not, permit will be issued w/out further action.

82. Commission defers action on use in excess of 452,000 gpd pending additional info from BWS and further staff analysis.

83. The permit shall be subject to the Commission’s sustainable yield review by December 1990.

84. The Commission shall delegate to the Honolulu Board of Water Supply the authority to allocate the use of water for municipal purposes, in accordance with §174C-48(b) HRS.

85. Honolulu Board of Water Supply shall be exempt from the requirements of permit modifications as provided in §174C-57.

86. BWS must participate in discussions, to be coordinated by Commission Staff, regarding a monitoring program to address impacts to Kaneohe Bay water quality, prior to any action on applications for future municipal uses.

87. A pump installation permit application must be made and approved prior to the installation of a permanent pump.
88. The water withdrawn shall be 0.7 mgd for municipal use.

89. The installed pump capacity of the well shall not be more than 700 gpm or 1.01 mgd.

90. The term of permit shall automatically expire twelve months from the date of issuance.

91. The Honolulu Board of Water Supply may continue to submit monthly water data on their own form, provided that the data are submitted in a format that is acceptable to the Commission staff.

92. Standard Condition 7 shall not apply.

93. Standard Condition 22 shall not apply.

94. Standard Condition 10 is modified to exempt the permittee from monthly measurements of salinity and temperature.

95. This permit shall be subject to conditions providing for stream restoration if the Commission determines that additional water should be returned to the streams.

96. HECO 1 mgd for industrial use

97. Campbell Estate 1 mgd for municipal use through BWS, by separate agreement with HECO

98. BWS 1 mgd for municipal use.

99. The permit shall be subject to the Commission’s sustainable yield review by <Insert Date>.

100. The applicant shall obtain the current version of the Department of Health’s Guidelines Applicable to Golf Courses in Hawaii. Where relevant and viable, items of the guidelines should be implemented and sustained appropriately. To obtain the current version, contact the Safe Drinking Water Branch, Environmental Management Division at 808-586-4258 (Honolulu).

101. The future use portion of the application shall be deferred until existing uses in the Koolauloa area are established.

102. The water to be withdrawn under this permit shall be a total of 0.03 mgd (0.02 mgd preserved plus an additional 0.01 mgd permitted use), averaged annually, for domestic and irrigation use.

103. Existing well 1851-09 shall be properly sealed by a licensed drilling contractor. A well modification permit application, enclosed, shall be submitted to the Department for approval of the well sealing. A filing fee for sealing the well will not be required.
104. The permittee is required to test the source using a certified private laboratory and submit the test results to the Commission within three (3) months. The Commission will then forward the results to the Department of Health for their review. The Department of Health recommends that the well be routinely tested for microbiological and chemical parameters thereafter.

105. The permittee is required to submit a completed Registration of Well and Declaration of Water use by <Insert Date>.

106. The permittee shall contact the Department of Health for a written determination on the status of their water system and comply with any Department of Health requirements for monitoring and testing.

107. In the event that the original spring source decontaminates, the new well authorized will be shut down.

108. That within each aquifer the total permitted use shall not exceed the sustainable yield.

109. That any water available for allocation shall be for in-district use.

110. That scheduled reductions to Oahu Sugar Co. permitted use shall be initiated upon final termination of an Osco lease or sub-lease, whichever occurs later.

111. That permits for water use issued in accordance with the proposed schedule shall be interim permits subject to review and adjustment by 1995.

112. That the permit shall be an interim permit for a new use which is afforded to existing users as specified in §13-171-20.

113. That the original allocation of 0.200 mgd shall be taken to hearing for possible revocation at a later date to complete the transfer of the water use permit entirely to Well No. 3407-02. This revocation would reduce the current allocation afforded to the Kunihiro Well (Well No. 3406-06) to zero.

114. This allocation incorporates the unspecified domestic needs of the applicant and therefore necessitates a single meter be installed at the well.

115. Should any impacts to nearby wells or streams be established by the use of this well, the applicant shall address these issues to the satisfaction of the Commission.

116. If an economically feasible nonpotable source is identified, the applicant shall convert to the alternative nonpotable source.

117. The permit shall be subject to the Chairperson’s approval of a water use plan recommending possible measures to prevent or minimize saltwater contamination and establish courses of action to follow should the aquifer become to saline to use.
118. Permittee shall provide the necessary end-use information on the 10th residence to allow regulation of the use under Chapter 174C.

119. Standard Conditions 10 & 18 shall not apply.

120. Standard Condition 10 is modified to exempt the permittee from the requirement to install a flowmeter. Salt water withdrawals may instead be estimated based on pumping capacity and run time.

121. The applicant shall review the existing year long period of pumpage and streamflow data and provide analysis on ground and surface water interaction. Deadline is January 25, 1994.

122. The water use permit for Well Nos. 2301-27 to -32 for 0.75 mgd (WUP No. 419) shall be revoked upon issuance of a pump installation permit for the well.

123. The permittee shall use mulching to decrease evaporative losses and manage irrigation scheduling to minimize water demand.

124. The permittee shall submit a detailed agricultural plan to support any future water use permit application for increased agricultural use at this parcel.

125. If not already obtained, the permittee shall seek and obtain any necessary permits from the Department of Health for the proposed discharge to Malaekahana Stream.

126. Standard Condition 10 is modified to waive the requirement for installing a water meter on Well Nos. 2358-21, 22, and 29. The permittee shall install a water meter on Well No. 2358-26 to measure total monthly flow through the discharge line. This quantity should then be assumed to be the rate of natural flow from the other three wells for monthly reporting purposes.

127. The permit shall be effective upon submittal of documentation by Navy that it has met the DOH requirements for a public system.

128. This WUP shall be subject to Army's application for a WUP to reduce the permitted use of the Army's Schofield Shaft (2901-02 to 04, 10) by 0.208 mgd to a new total of 5.648 mgd. The Army's application shall be submitted within 60 days after the approval of this WUP or this WUP shall be void. Approval of the modification request shall be obtained from the CWRM prior to use of Well No. 3100-02 and issuance of this WUP.

129. Navy shall submit an after-the-fact PIPA, and approval of the permit shall be obtained prior to use of the well.

130. The well shall not be used for drinking water purposes unless it is properly tested and treated.
131. This permit is approved subject to reclaimed water becoming a practical alternative and provided that the Department of Health approves the reuse application.

132. Should any opae ula be recovered in the well water, the permittee shall notify the Division of Aquatic Resources and provide specimens to the Division of Aquatic Resources for analysis.

133. If a single meter at the well is used, the Commission shall allow an additional 1,000 gallons per day to the water use permit amount for the domestic needs of two residences, although a permit for individual domestic consumption is not required. Otherwise, the applicant must provide a meter to separately measure the irrigation consumption.

134. This permit is approved under the requirement that conversion to either: 1) treated wastewater becoming available for reuse as an alternative supply source, provided that Department of Health concerns over the use of treated effluent over the potable water aquifer have been addressed; and/or 2) other nonpotable source becoming available will occur in a timely manner.

135. These permits shall be subject to a review of actual use within four years for possible modification of the permitted amount.

136. The permit shall be reviewed in two (2) years for possible additional revocation due to nonuse.

137. The allocation is based on the projects listed in Exhibit 5 (of Item 10 of the May 20, 1998 Staff Submittal), except for the Queen’s Beach GC (TMK 139-11-2,3), Lot 9 (TMK 139-17-51), and Varsity Place (TMK 128-24-35).

138. Kamehameha Schools Bishop Estate/Honolulu Board of Water Supply shall transfer the water use permit within ninety (90) days of the effective date of the transfer of the pump station to the Honolulu Board of Water Supply, pursuant to §174C-59 Hawaii Revised Statutes.

139. The permittee shall ensure that the water is recycled by either directing it into the Waiahole Ditch for use by downstream farmers (subject to the approval of the Agribusiness Development Corporation’s Board) or into Waiekele Farm’s existing irrigation system.

140. The permittee shall file a completed application to modify WUP No. 758 to reduce the allocation by 0.100 mgd within 60 days. If a completed water use permit modification application is not received within 60 days from this submittal’s date, then the subject water use permit application (WUPA No. 767) shall be deemed denied without prejudice without the need for another hearing.

141. The water withdrawn shall be for municipal use. No improvements to the existing sources are required as the existing source capacities are greater than the increase.
142. Water license must be determined through LM.

143. Proposed other uses will be considered at a later date.
November 21st, 2007

WUP Holder
Department of Parks & Recreation
1580 Kaʻahumanu Ave.
Wailuku, HI 96793

Subject: WUP 195

Water Use Permit Review

In accordance with 13-171-22(b) of the Hawaii Revised Statutes, the Commission on Water Resource Management is required to conduct a 20 year permit review of issued permits to determine permit compliance. As a permit holder, we are contacting you to conduct a review of your water use permit.

As part of the permit review, we must perform field investigations for verification purposes. We have contracted with Brown and Caldwell to conduct such field investigations. Please fill out the enclosed survey form, indicating the best date and time within the time period given, and a representative from Brown and Caldwell will contact you to make further field visit arrangements.

We thank you for your cooperation in promoting beneficial and reasonable use of our ground water while protecting our limited natural supply.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director
cleanup shall coincide with rubbish producing events.

B. Dust

(1) The cost for all dust control sprinkling shall be paid for by the Contractor and shall extend for the entire period of construction.

(2) Unless otherwise directed by the Department of Water, dust shall be kept down to an acceptable level at all times, including non-working hours, weekends and holidays by sprinkling water.

(3) Sprinkling or watering work which shall also be paid by the Contractor and which shall be a part of the lump sum bid:

a. Areas planted with ground cover and/or grass.

b. Areas outside the Contract Zone Limits such as adjacent roads and streets.

C. Noise

(1) All internal combustion engine-powered equipment shall have mufflers to minimize noise and shall be properly maintained to reduce noise to acceptable levels.

(2) No blasting and use of explosives shall be permitted.

(3) Starting and running on-highway vehicular equipment shall not be done prior to 6:45 a.m. without prior approval of the Department of Water.

D. Erosion: During interim grading operations, the grade shall be maintained so as to preclude any damages to adjoining property from water and eroding soil. Temporary berms, cut-off ditches, and other provisions which may be required because of the Contractor's method of operation shall be installed at no cost to the County. Drainage outlets and silting basins shall be constructed and maintained as shown on the plans to minimize erosion and pollution of waterways during construction.

E. Others

(1) Wherever trucks and/or vehicles leave the site and enter surrounding paved streets, the Contractor shall prevent any materials from being carried onto the pavements. Wastewater shall not be discharged into existing streams, waterways, or drainage systems such as gutters and catch basins unless treated to comply with Department of Health water pollution regulations.
February 20th, 2008

Water Use Permit Holder
Maui Department of Parks & Recreation
1580 Ka’ahumanu Ave.
Wailuku, HI 96793

Subject: WUP 195

Second Notice of Water Use Permit Review

In accordance with §174C-56 of the Hawaii Revised Statutes and 13-171-22(b), Hawaii Administrative Rules, the Commission on Water Resource Management is required to conduct a 20-year permit review of issued permits to determine permit compliance and prepare a formal report to legislature for public review. As a water use permit holder, we are notifying you of this statutory requirement and are asking for your help in the review of your water use permit.

As part of the permit review, we must perform field investigations for verification purposes. We have contracted with Brown and Caldwell to conduct such field investigations. Please fill out the enclosed survey form, indicating the best date and time within the time period given, and return the form via mail to Brown and Caldwell. A representative from Brown and Caldwell will then contact you to make further field visit arrangements.

Please note that this is the second notice that we are sending to attempt to make contact with you. If we cannot conduct a field investigation to verify your water use, we may commence proceedings to revoke your permit. Once your permit is revoked, you will no longer be able to use ground water from your well. Upon revocation, any water use without a valid permit will be subject to fines of up to $5,000 per day. As such, it is in your best interest to return the form to Brown and Caldwell as soon as possible.

We thank you for your cooperation in promoting beneficial and reasonable use of our ground water while protecting our limited natural supply.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director
(2) Trucks hauling debris shall be covered as required by PUC regulations. Truck hauling fine materials shall be covered.

(3) No dumping of waste concrete will be permitted at the job site unless otherwise permitted in the Special Provisions.

(4) Except for rinsing of the hopper and delivery chute, and for wheel washing where required, concrete trucks shall not be cleaned on the job site.

(5) Except in an emergency, such as mechanical breakdown, all vehicle fueling and maintenance shall be done in designated area. A temporary berm shall be constructed around the area when runoff can cause problems.

(6) Spray painting will not be allowed unless done by the “airless spray” process.

F. Protection of Land Resources: Land resources within the project area and outside the limits of permanent work performed under the contract shall be preserved in their present condition or be restored to a natural condition that will not detract from the appearance of the surrounded area. Except in areas marked on the drawings to be cleared, the Contractor shall not deface, injure or destroy trees or shrubs nor remove or cut them without approval. Any tree or other landscape features scarred or damaged by the Contractor’s equipment or operation shall be restored as nearly as possible to its original condition at the Contractor’s expense.

G. Historical and Archaeological Finds: All items having any apparent historical or archeological interest discovered in the course of the construction activities shall be preserved. The Contractor shall leave the archeological finds undisturbed and immediately report the finds to the Department of Water so that the proper authorities may be notified.

H. Water Pollution: The Contractor shall not pollute water resources including streams and drainage systems with fuel, oils, bituminous materials, calcium chloride, acids, construction wastes, wash waters or other harmful materials. Surface drainage from cuts and fills whether or not complete, and from waste disposal areas shall, if turbidity producing materials are present, be held in suitable sedimentation ponds or shall be graded to control erosion to meet acceptable limits. Objectionable construction discharges shall be processed, filtered, ponded or otherwise treated prior to their discharge into a waterway or drainage system. Disposal of any material, garbage, oil, grease, chemicals, trash and other similar materials on areas adjacent to streams or drainage systems shall not be allowed.
July 15, 2008

Department of Parks & Recreation
County of Maui
1580 Ka'ahumanu Ave.
Wailuku, HI 96793

Dear Sir or Madam:

3rd Notice of Water Use Permit Permit Review

In accordance with §174C-56 of the Hawaii Revised Statutes and 13-171-22(b), Hawaii Administrative Rules, the Commission on Water Resource Management is required to conduct a 20-year permit review of issued water use permits to determine permit compliance and prepare a formal report to the 2009 legislature for public review. We are notifying you of this statutory requirement as you are a water use permit holder and are asking for your help in the review of your water use permit. For your reference, your Water Use Permit number is Water Use Permit No. 195 (Well No. 0501-07). This notice is our third attempt at contacting you for this statutory review, which must be completed soon to be ready for the beginning of the 2009 legislative session.

As part of the permit review, we must perform field investigations for verification purposes. We have contracted with Brown and Caldwell to conduct such field investigations. Please fill out the enclosed survey form, indicating the best date and time your field investigation can be conducted, and return the form via mail to Brown and Caldwell no later than July 18th, 2008. A representative from Brown and Caldwell will then contact you to make field visit arrangements.

If we cannot conduct a field investigation to verify your water use, we may commence proceedings to revoke your permit. Once your permit is revoked, you will no longer be able to use ground water from your well without applying for and obtaining a new water use permit. Upon revocation, any water use without a valid permit will be subject to fines of up to $5,000 per day. As such, it is in your best interest to return the form to Brown and Caldwell as soon as possible.

We thank you for your cooperation in promoting reasonable and beneficial use and protection of our public trust ground water resources.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

Enclosure
Water Use Permit Survey
(Please complete one survey form for each WUP)

WUP Number: ____________________________ Well Number(s): _______________________

Contact Information (of the person who will be present at site visit):
Name: ____________________________________________
Phone (for phone interview): __________________________ Fax: ___________
Email: ____________________________________________
Best time to reach for phone interview:

Property Information (of the water use/well location):
Address: ____________________________________________
City: ____________________________ Zip: ___________
Well Location TMK (list all if multiple wells present):
Water Use TMK (list all if used on multiple lots):

Water Use/Well Information:
Is the water source currently in use? Yes □ No □
If no, please explain:

What are you currently using the water for? (example: "Use for 45 acres of diversified agriculture and 3 residences"): ____________________________________________

Is a flow meter installed and working properly? Yes □ No □
If no, please explain:

Do you submit monthly water use reports to the State? Yes □ No □
If no, please explain:

Field Investigations:
A representative from Brown and Caldwell will be visiting wells in your area over the next two months between the times of 9:00 am and 5:00 pm. Each site investigation will take approximately 1-2 hours. Please indicate up to three potential days of the week and availability times for an on-site inspection of the well location and verification of water use compliance. The permit holder must provide Brown and Caldwell with at least five (5) working days notice of the need to reschedule.

Option #1 Date (M-F): ____________ Time: 9:00 am □ 12:00 pm □ 3:00 pm □
Option #2 Date (M-F): ____________ Time: 9:00 am □ 12:00 pm □ 3:00 pm □
Option #3 Date (M-F): ____________ Time: 9:00 am □ 12:00 pm □ 3:00 pm □

Once this survey is returned, a Brown and Caldwell representative will be contacting you to conduct a phone interview and finalize the exact date and time of your field investigation. Please fax/mail completed surveys by July 18th, 2008 and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:
1099 Alakea Street, Suite #2400
Honolulu, HI 96813
Tel: (808) 203-2661
Fax: (808) 533-0226
mcsmith@brwncald.com

For Official Use Only
Received: _________ Information Updated: _________ Phone Interview Complete: ____
Notes/Comments: ____________________________________________
END USE
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

County Of Maui, Department of Parks & Recreation
Application for a Water Use Permit
Kaunakakai Park Well (Well No. 0501-07)
Kamiloloa Ground Water Management Area, Molokai

Applicant:
County Of Maui
Department of Parks & Recreation
1580 Kaahumanu Ave
Wailuku, HI 96793

Landowner:
Molokai Ranch
500 Ala Moana Blvd.
Honolulu, HI 96813

Background

The applicant submitted a completed water use permit application to the Commission on August 1, 1992. Specific information regarding the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibits.

Analysis & Issues

This existing source uses ground water from the Kamiloloa Aquifer System for irrigation of four (4) acres of the Kaunakakai Park. Immediate adverse impacts on other local wells, streams, and the Kamiloloa Aquifer System are not anticipated. There may be intermediate to long-range impacts to wells downgradient. Impact on nearby existing wells should not be any different than it has been over the recent past. No specific objections to this application have been submitted to the Commission.

The applicant’s request for 75,000 gallons per day (gpd) seems unreasonably high for the actual use for four (4) acres of ball park irrigation and should be adjusted. This average use would amount to 18,750 gpd/acre of actual irrigation. For comparison, furrow irrigated sugarcane uses roughly 7,000 gpd/acre. According to Maui County Guidelines a park may use 1,700 gpd/acre. This would correspond to demand of 6,800 gpd (or 1,700 gpd/ac. x 4 ac.) for the Kaunakakai Park. However, other county guidelines use as high as 4,000 gpd/acre which would correspond to a demand of 16,000 gpd for the Kaunakakai Park. Also, actual use reporting by the applicant has been less than adequate to estimate actual use. The last water use report was submitted in January 1992 and although a meter exists water use is estimated by pump capacity multiplied by pumping time. Given the aridity of the Kaunakakai area staff feels that the upper range, or the 4,000 gpd/acre, is probably more reasonable and would amount to an average use of 16,000 gpd.

As of July 16, 1993, total pending applications for the Kamiloloa Aquifer System amount to 0.935 million gallons per day (mgd) which is 31% of the system’s estimated sustainable yield. Therefore, pending applications for existing uses fall within the system’s sustainable yield.

ITEM 4
The reservation issue concerning the Department of Hawaiian Home Lands (DHHL) is not clear in the Kamiloloa Aquifer System. The latest draft report from the Molokai Working Group indicates that there are no existing or major projected increases for DHHL potable needs in the area (see Exhibits 2 and 3). However, the non-potable water needs projected to the year 2010 for homestead lands in the Central Aquifer Sector and small portions of the West and Southeast Aquifer Sectors total 23.5 mgd (see Exhibit 4). The portion of DHHL lands in the Kamiloloa Aquifer System is small compared to overall DHHL lands (see Exhibit 5), but this aquifer system may provide sources for non-potable DHHL demands in other areas in the future as well. Staff feels that since this use has been existing and is of beneficial use to the community the DHHL reservation issue should not prohibit action on this application.

The Molokai Working Group has made three recommendations regarding the Southeast Aquifer Sector, which encompasses the Kamiloloa Aquifer System. They are:

1. Limit ground water withdrawal to 50% of its developable yield subject to verification of existing users and water use permits.

2. Any withdrawals from this Sector should not diminish water supplies and supply availability for traditional uses, including taro patches and fishponds.

3. Development of additional water from the Southeast Sector should be reserved first for residences of this Sector who are not yet served.

Staff finds that there is no reason to believe that this use will violate these recommendations made by the Molokai Working Group.

Finally, there has been concern over the approval of new water use permits in newly designated water management areas when existing uses have not yet applied. Existing water users have until July 1993 to apply for water use permits. On February 17, 1993, the Commission set forth the policy to defer all new water use applications until July 1993 to address this issue. This application is for an existing use, not a new use.
RECOMMENDATION

That the Commission approve the issuance of an interim water use permit to the County Of Maui, Department of Parks & Recreation for the reasonable and beneficial use of 16,000 gallons per day, based on a 12-month moving average basis, of water from the Kaunakakai Park Well (Well No. 0501-07) for irrigation of 4 acres of the Kaunakakai Park, subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

4. The water use permit shall be an interim permit subject to the five-year verification period afforded to existing users.

5. The issuance of the interim permit shall be withheld until the reservation of water for DHHL is set by rule. Until the reservation issue is resolved, the applicant may continue this existing use within the limits approved by the Commission.

6. That the applicant shall submit an acceptable well completion report to the Commission. Staff will provide guidance to the applicant to satisfy this condition.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL:

KEITH W. AHUE, Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER:
Kamiloloa System, Southeast Sector, Molokai
Sustainable Yield: 3 mgd
Existing Water Use Permits: 0 mgd
Available Allocation: 3 mgd
Total of other pending allocations: 0.935 mgd

WELL:
Kaunakakai Park Well (Well No. 0501-07)
Kolapa Place, Kaunakakai, Molokai, TMK:5-3-2:167
NA

Location: NA
Year Drilled: NA
Casing Diameter: 10 to 12 in.
Elevations (msl = 0 ft.)
Water Level: NA ft.
Ground: NA ft.
Bottom of Solid Casing: NA ft.
Bottom of Perforated: NA ft.
Bottom of Open Hole: NA ft.

Total Depth: NA ft.
Grouted Annulus Depth: NA ft.

Use Information

Quantity Requested: 75,000 gallons per day.
Existing Type of Water Use: Irrigation for 4 acres of ball park.
Place of Water Use: Kam V Hwy, Kaunakakai at TMK: 5-3-3:1

Reported Water Usage: *43,000 gpd
Nearby Similar Water Usage: NA gpd
Kamiloloa Aquifer System
Current 12-Month Moving Average Withdrawal: NA gpd

* Note: estimate based on 1 monthly report on 1/92.

ATTACHMENT A
Chairperson and Members
Commission on Water Resource Management

August 4, 1993

Nearby Surrounding Wells and Other Registered Ground Water Use

There are 9 other wells within a mile of the well (see Exhibit 1). 3 of these wells are currently in use. Information from the registration program indicates there are possibly 50 existing wells in the Kamiloloa Aquifer System. Several are not in use or are rights claims. Of course, there are several significant users which have not been fully verified to date. The Molokai Water Use and Development Plan does not estimate the existing withdrawals from the Kamiloloa Aquifer System but the for the Maui DWS Kaunakakai-Kawlala district, a larger but close geographic area estimate, total use is 0.41 mgd as of May 1991.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star-Bulletin on December 7 & 12, 1992 and copies of the notice were sent to the Mayor’s office and the Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by December 28, 1992.

Objections

The public notice specifies that an objector meet the following requirements: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; (3) state all grounds for objections to the proposed permits, (4) provide a copy of the objection letter(s) to the applicant, and (5) submit objections meeting the previous requirements to the Commission by December 28, 1992.

To the best of staff’s knowledge there are no objectors who have property interest within the Kamiloloa Aquifer System or who will be directly and immediately affected by the proposed water use. All objections and/or comments to the application are summarized as follows:

<table>
<thead>
<tr>
<th>Objection</th>
<th>Objection Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>NHAC</td>
<td>General process of water use permit applications. No specific objections to this application.</td>
</tr>
<tr>
<td>Historic Preservation</td>
<td>No effect</td>
</tr>
<tr>
<td>Aquatic Resources</td>
<td>No potential effects on surface water.</td>
</tr>
</tbody>
</table>

Briefs in Support

Responses to objections, or briefs in support, regarding the application are required to be filed with the Commission ten (10) days after an objection is filed and, presumably, copies are served to the applicant. No briefs in support were filed with the Commission.

Field Investigation

The water source and existing use was investigated on November 11, 1992. The
Chairperson and Members  
Commission on Water Resource Management  
August 4, 1993

investigation(s) verified the applicants request for water use permit by updating the actual acreage from 8 acres to 4 acres of existing use and the well number and location.

ATTACHMENT A
STANDARD WATER USE PERMIT CONDITIONS

1. The ground water described in the water use permit may only be taken from the location described, used for the reasonable-beneficial use described, and at the location described above and in the attachments. Reasonable-beneficial use means "the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is not wasteful and is both reasonable and consistent with the state and county land use plans and the public interest." (HAR §13-171-2).

2. The right to use ground water is a shared use right.

3. The water use must at all times meet the requirements set forth in HAR §13-171-13 which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in section §13-171-2;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with state and county general plans and land use designations;
   f. Is consistent with county land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and 174C-101(a), HRS.

4. The ground water approved must not interfere with surface or ground water rights or reservations.

5. The ground water use approved must not interfere with interim or permanent instream flow standards. If it does, then:
   a. A separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   b. The interim or permanent instream flow standard, as applicable, must be amended.

6. The water use permit is subject to the requirements of the Hawaiian Homes Commission Act, as amended, if applicable.

7. The water use permit application and staff submittal approved by the Commission at its August 4, 1993 meeting are incorporated into the permit by reference.

8. Any modification of the permit terms, conditions, or uses can only be made with the express written consent of the Commission on Water Resource Management.

9. The water use permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect water sources in quantity, quality, or both;
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;
   e. Reserve water for future uses, provided that all legal existing uses of water as of June 1987, shall be protected;
   f. Meet legal obligations to the Department of Hawaiian Homes, if applicable; or
   g. Carry out such other necessary and proper exercise of the State's and the Commissions's police powers under law as may be required.

ATTACHMENT B
Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

10. If the ground water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

11. An approved flowmeter(s) must be installed to measure withdrawals and a monthly record of withdrawals, water-levels, salinity, and temperature must be kept and reported to the Commission on a yearly basis in accordance with the Commission's September 16, 1992 action on reporting requirements;

12. The water use permit shall be subject to the Commission's periodic review of the applicable aquifer's sustainable yield. The amount of ground water use authorized by the permit may be reduced by the Commission if the sustainable yield of the Kamiloloa Aquifer System, or relevant modified aquifer, is reduced;

13. The water use permit may not be transferred or the use rights granted by this permit sold or in any other way alienated. Pursuant to HAR §13-171-25 and the requirements of Chapter 174C, the Commission has the authority to allow the transfer of the permit and the use rights granted by the permit in a manner consistent with HAR §13-171-25. Any such transfer shall only occur with the Commission's prior express written approval. Any sale, assignment, lease, alienation, or other transfer of any interest in this permit shall be void.

14. The use(s) authorized by law and by the water use permit do not constitute ownership rights.

15. The permittee shall request modification of the permit when necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

16. The permittee shall prepare and submit a water shortage plan within 30 days of issuance of the permit to assist the Commission in fulfilling HAR §13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the Kamiloloa Ground Water Management Area.

17. The water use permit granted shall be an interim water use permit, pursuant to HAR §13-171-21. The final determination of the water use quantity shall be made within five years of the filing of the application to continue the existing use.

18. The water use permit shall be issued only after AG review.

ATTACHMENT B
Exhibit 1
Molokai Working Group

BREAKDOWN OF EXISTING GROUNDWATER USAGE IN MGD

<table>
<thead>
<tr>
<th>Sector</th>
<th>System</th>
<th>Users</th>
<th>Usage (MGD)</th>
</tr>
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<tbody>
<tr>
<td><strong>CENTRAL SECTOR</strong></td>
<td></td>
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<tr>
<td>Manawainui System</td>
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<td>Kualapuu System</td>
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<td>DHHL</td>
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<td>Kaluakoi Resort</td>
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<td><strong>NORTHEAST SECTOR</strong></td>
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<td>National Park Service</td>
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<td>Waikolu System</td>
<td>DOA MIS</td>
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<td>Hawaiian Research</td>
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<td>Kawela Plantation</td>
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<td>Kamalo Ranch</td>
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<td><strong>Subtotal</strong></td>
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<td>Ualapue System</td>
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<td>Kamalo Ranch</td>
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<td>Place, M. J.</td>
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</tbody>
</table>

EXHIBIT 2
Molokai Working Group

BREAKDOWN OF 2010 POTABLE WATER USE PROJECTIONS IN MGD

**CENTRAL SECTOR**
Manawainui System
1. Hawaiian Research 0.56

Kualapuu System
1. County DWS 0.94
2. DHHL 0.84
3. Kaluakoi Resort 2.14
4. Other State Projects 0.11
5. Palaau Industrial Park 0.20
6. Others (Kualapuu, Kalae, Kipu) 0.20
Subtotal 4.43

**NORTHEAST SECTOR**
Kahanui System
1. National Park Service 0.22

Waikolu System
1. DOA MIS 2.70

**SOUTHEAST SECTOR**
Kamiloloa System
1. Hawaiian Research 0.26

Kawela System
1. County DWS 0.32
2. Kawela Plantation 0.40
3. Kamalo Ranch 0.04
Subtotal 0.76

Ualapue System
1. County DWS 0.18
2. Kamalo Ranch 0.22
3. Place, M. J. 0.22
Subtotal 0.62

Alpha USA 2.01

**WEST SECTOR**

**TOTAL** 11.55

1 Water development source unidentified.

EXHIBIT 3
**Molokai Working Group**

**NON-POTABLE WATER USE PROJECTIONS IN MGD***

<table>
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<tr>
<th></th>
<th>5 to 10 years</th>
<th>Total</th>
<th>2010 to Build out</th>
<th>Total</th>
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<tr>
<td><strong>DHHL</strong></td>
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<tr>
<td>Hoolehua</td>
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<td>Agriculture, Dairy, Pastures:</td>
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<tr>
<td>1. Ag. Park - Kualapuu</td>
<td>7.70</td>
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<td>2. Coffee - 800 acres</td>
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<td>3. Dairy - 4,000 head</td>
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<td>4. Palm Nursery - brackish</td>
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<td>5. Feedlot</td>
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<td>6. Pastures</td>
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<td>7. Hay - assume all irrigated on Homesteads</td>
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<tr>
<td>1. Maunaloa Links</td>
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<tr>
<td>2. Ironwoods</td>
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<td>3. Network</td>
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<td>42.9</td>
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</tbody>
</table>

---

*Estimates furnished by users and were accepted by working group without challenge.

1From DHHL projections
   From DOA - MIS average delivery = 7.5 mgd
   2/3 x 7.5 mgd = 5.0 mgd preference to DHHL
   1/3 x 7.5 mgd = 2.5 mgd for other MIS users
   Note: deficit from MIS of 0.42 mgd

2Assumes maximum usage of 1/3 of MIS for other users

3Water development source unidentified

4A portion of this projection will be met by the MIS and a portion from private sources

Note: Non-Potable Water Use Projections are for major agricultural and recreational uses in central and western areas of the island. It does not include instreams uses, fishponds, taro patches, aquacultural projections, etc.

**EXHIBIT 4**