November 29, 1993

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:

Water Use Permits

Thank you for the opportunity to respond to these applications for permits in Windward O'ahu and on Moloka'i:

(O'ahu):

Kualoa-Ranch (3351-04)
Kahana-State Park (3352-01)
Papaakoko-Hanohano (3553-01)

(Moloka'i):

Ualapue-Petro (0549-01)
Pukoo-Duvauchelle (0448-08)

None of these applications are expected to affect Hawaiian home lands. We have no comments on the Kualoa or Kahana applications; we ask that the Papaakoko application's new use proposal be deferred until all existing correlative uses are determined.

We have no comment on the Ualapue application. We note that the Duvauchelle use is adjacent to a fishpond and are aware that rules under consideration would protect use of fishponds. You might condition any approval such that, if groundwater pumping should adversely affect traditional use of the fishpond, pumping adjustments might be necessary.

Warmest aloha,

Hoaliku L. Drake, Chairman
Hawaiian Homes Commission
MINUTES
FOR THE MEETING OF THE COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: November 17, 1993
TIME: 1:30 p.m.
PLACE: Mitchell Pauole Center
Conference Room
Kaunakakai, Molokai, Hawaii

ROLL CALL
Chairperson Ahue called the meeting of the Commission on Water Resource Management to order at 1:35 p.m.

The following were in attendance:

MEMBERS: Mr. Keith Ahue
Mr. Richard Cox
Mr. Guy Fujimura
Mr. J. Douglas Ing
Mr. Robert Nakata
Dr. John Lewin

STAFF: Ms. Rae Loui
Mr. Edwin Sakoda
Mr. Roy Hardy
Ms. Lenore Nakama
Ms. Sharon Kokubun

OTHERS:
Weymouth Kamakana
Pearl Petro
John Urauchi
Eugene Gerguson
Sarah Sykes
Michael Ribao
Mark/Becky Yuen
Wilma Grambusch
Dave Martin
DeGray Vanderbilt
Rachael Kamakana
Greg Helm
Peter Eichhorn
Myrl Florea
Noelani Joy
Colette Machado
Michael Foulkes
Barry Ching

All written testimonies submitted at the meeting are filed in the Commission office and are available for review by interested parties. Some items were taken out of sequence to accommodate requests by applicants or interested parties.

ITEM 1 MINUTES OF THE OCTOBER 13 AND 27, 1993 MEETINGS
Unanimously accepted with the correction of the dates on the header pages for the minutes of October 13, 1993 (Cox/Nakata).

ITEM 2 AMENDMENT TO CHAPTER 13-171 HAWAII ADMINISTRATIVE RULES (HAR), ADDING A NEW SECTION 13-171-63, DEPARTMENT OF HAWAIIAN HOME LANDS RESERVATION FOR KUALAPUU, MOLOKA'I

Ms. Loui explained that the proposed rule was amended to address concerns raised at the public hearing held on October 13, 1993. Therefore, the rule reads more directly that the Commission hereby reserves .905 mgd from the Kualapuu Aquifer for use on Hawaiian Home Lands on Molokai.
Mr. Dave Martin of the Native Hawaiian Advisory Council submitted concerns (see Commission files) but stated they would not contest the issue. 

Unanimously approved (Cox/Nakata).

ITEM 6  
APPLICATIONS FOR WATER USE AND WELL CONSTRUCTION/ PUMP INSTALLATION PERMITS, UALAPUE GROUND WATER MANAGEMENT AREA, MOLOKAI

1. John N. Urauchi, Well No. 0352-12  
Unanimously approved (Cox/Nakata).

2. Ellen M. Osborne, Well No. 0448-01  
Mr. Nakata asked if the concerns of Historic Preservation were addressed. The investigation was satisfactory and Historic Preservation had no objections to Mrs. Osborne's water use permit request.  
Unanimously approved (Cox/Nakata).

3) Pearl Friel Petro, Well No. 0549-01  
Unanimously approved (Cox/Nakata).

ITEM 3  
DEFERRAL OF WATER USE PERMIT APPLICATIONS, MOLOKAI GROUND WATER MANAGEMENT AREAS

1. Wilma Kamakana Grambusch, Well Nos. 0352-17, 0456-01, & 18 to 20  
Unanimously approved for deferral (Fujimura/Cox).

2. Kainalu Ranch, Well No. 0546-02  
Unanimously approved for deferral (Fujimura/Cox).

3. Zelie Duvauchelle, Well No. 0448-08  
Ms. Collete Machado was concerned because they relied on the water that drains from the Duvauchelle property. Mr. Hardy explained that further field investigation is necessary before any decision can be made on the application. Ms. Machado said she would discuss the matter with Mr. Hardy after the meeting.  
Unanimously approved for deferral (Fujimura/Cox).

ITEM 4  
HALE MAHAOLU APPLICATION FOR A WATER USE PERMIT, HOME PUMEHANA WELL (WELL NO. 0501-06), KAMILOLOA GROUND WATER MANAGEMENT AREA, MOLOKAI

Unanimously approved (Nakata/Cox).
ITEM 5  WATER USE APPLICATIONS, MANAWAINUI GROUND WATER MANAGEMENT AREA, MOLOKAI

Mr. Cox asked for comments on testimony submitted by Mr. Martin on their concerns of how the numbers were developed and if the short growing season was taken into consideration. Mr. Hardy explained that by using a 12-month moving average, that is taken into consideration.

Mrs. Wilma Grambusch stated her objections to the permit applications because withdrawals of brackish or potable water would have an affect on the Kalamaua Homestead lands. She felt there was not enough monitoring information and that the eco-balance on the south shore water would be threatened.

Mr. Mike Ribao of Maui Electric commented on the recommendations of staff.

Mr. Cox asked if the requests were for existing uses only and if staff did consider the use of brackish water. Mr. Hardy replied that except for Application 5 which was for a future use, all requests were for existing uses. In regards to the brackish water, if it is from the aquifer system, it is deducted from the sustainable yield.

1. Hawaiian Research Ltd., Well No. 0603-01
   Unanimously approved the water use permit as recommended by staff (Nakata/Cox).

   Unanimously approved the water use permit as recommended by staff (Nakata/Cox).

   Unanimously approved the water use permit as recommended by staff (Nakata/Cox).

4. Maui Electric Company, Ltd., Molokai Division, Well Nos. 0603-06 and 0604-04 & 05
   Unanimously approved to deny without prejudice the water use permit as recommended by staff (Nakata/Cox).

5. Molokai Ranch Ltd., Well No. 0706-02
   Unanimously approved the water use permit as recommended by staff (Nakata/Cox).

ITEM 7  HONOLULU BOARD OF WATER SUPPLY APPLICATION FOR PUMP INSTALLATION PERMITS, MILILANI WELLS 9 & 10 (WELL NOS. 2858-01 & 02), PEARL HARBOR, OAHU

Unanimously approved (Cox/Nakata).

ITEM 8  HONOLULU BOARD OF WATER SUPPLY APPLICATION FOR WELL CONSTRUCTION/PUMP INSTALLATION PERMITS, WAIPAHU III WELLS (WELL NOS. 2452-26 TO 30) PEARL HARBOR, OAHU

Unanimously approved (Cox/Nakata).
Chairperson and Members  
Commission on Water Resource Management  
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ITEM 9  
HONOLULU BOARD OF WATER SUPPLY APPLICATION FOR WELL CONSTRUCTION/PUMP INSTALLATION PERMITS, WAIWA 575-FT. WELLS 1 & 2 (WELL NOS. 2658-03 & 2659-04), PEARL HARBOR, OAHU

Unanimously approved (Cox/Nakata).

ITEM 10  
HONOLULU BOARD OF WATER SUPPLY APPLICATION FOR WELL CONSTRUCTION/PUMP INSTALLATION PERMITS, WAIWA 765-FT. WELLS 1 & 2 (WELL NOS. 2658-04 & 05), PEARL HARBOR, OAHU

Unanimously approved (Cox/Nakata).

The Board of Water Supply applications (Items 7 to 10) were heard, discussed, and acted on together.

Mr. Ing asked how staff would know if the Board was drawing more water than what is being requested. Mr. Sakoda replied that monthly pumping records are submitted and reviewed.

ITEM 11  
OTHER BUSINESS

24-Inch pipeline being installed by Kukui-Molokai

Ms. Sarah Sykes expressed her concern that the construction and grading work done by the Molokai Ranch is too close to and may degrade the drinking water wells and that further evaluation such as an EIS is needed.

Chairperson Ahue stated that the issue of an environmental assessment and EIS is currently being reviewed by DLNR staff but is a Board of Land and Natural Resources issue, not a Water Commission issue.

Mr. DeGray Vanderbilt also testified that an EIS should be done.

ADJOINTMENT  
The meeting was adjourned at 2:37 p.m.

Respectfully submitted,

SHARON S. KOKUBUN, Secretary

APPROVED AS SUBMITTED:

RAE M. LOUI, Deputy Director
Applications for Water Use and
Well Construction/Pump Installation Permits
Ualapue Ground Water Management Area, Molokai

Applicant:                              Landowner:
1. (Well No. 0352-12)                   Same
   John N. Urauchi
   P.O. Box 7
   Kaunakakai, HI 96748

2. (Well No. 0448-01)                   HSPA
   Ellen M. Osborne
   Star Route 224-A
   Kaunakakai, HI 96748
   P.O. Box 1057
   Aiea, HI 96701

3. (Well No. 0549-01)                   Same
   Pearl Friel Petro
   P.O. Box 125
   Kaunakakai, HI 96748

Background

The applicants submitted completed water use permit applications to the
Commission as indicated in Exhibit 1. Specific information regarding the source, use,
notification, objections, and field investigation(s) are described in Attachment A and the
attached exhibits. An application for a well construction/pump installation permit was
filed for Well No. 0352-12 on July 16, 1993. This existing well was dug in the 1920's
and used until the 1940's.

Analysis & Issues

Overall Ualapue Ground Water Management Area Conditions

Currently, authorized uses account for only about 2% (0.195 mgd) of the aquifer
system's estimated sustainable yield of 8 million gallons per day (mgd). Actual
withdrawals from the system are still in the process of being established; however,
estimates of existing ground water withdrawals range from 0.172 mgd based on reported
monthly water use (12-month moving average withdrawal as of July 1993) to 0.62 mgd
reported by The Molokai Working Group. Pending permit applications show a total
request of 0.064 mgd (see Exhibit 1), which is well within the limit of available water.
No significant increases in potable water needs are projected to the year 2010 by the
Molokai Working Group (Exhibits 3 and 4).
With the exception of one incomplete application (for Timothy Meyer, Well No. not assigned) and two applications requiring further field investigation (Well Nos. 0352-17 & 0448-08), all pending water use permit applications are presented in this submittal for Commission action and total 0.064 mgd, or <1% of the sustainable yield.

The Molokai Working Group has made three recommendations regarding the Southeast Aquifer Sector, which encompasses the Ualapue 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.

Considering the estimated 24 mgd sustainable yield of the Southeast Sector in relation to current and foreseeable future withdrawals which total about 1.9 mgd (includes permitted uses, pending permit applications for both existing and future uses, and projected increases to the year 2010 in potable water demand) water availability does not appear to be an issue at present. Staff finds that there is no reason to believe that the following Molokai application requests will violate any of these recommendations made by the Working Group.

1. **John N. Urauchi** - This existing dug well is currently unused and has not been in use since 1946. The well is currently filled with silt, and an application for a well construction/pump installation permit to redevelop the source is also pending. The applicant requests an allocation of 1,000 gpd of brackish water for future agricultural irrigation and aquacultural use on a 0.25-acre parcel. On September 15, 1993, the Commission deferred action on this water use permit application and requested that the applicant provide written documentation showing definite plans to use the requested amount within the next four (4) years. In compliance with this request, on October 18, 1993, the applicant submitted a four-year timetable outlining his plans for water use (see Attachment D). Staff finds this document to be adequate justification for the applicant’s request for a water use permit at this time.

The well is located near sea level just inland from the Kamalo Harbor. There are no wells located downgradient; however, there are several other active wells in the immediate vicinity of this source (see Exhibit 2A). Because this request is for a very small quantity of water, it is unlikely that the proposed withdrawal will have any measurable impact on other local pumped wells, surface waters, and the Ualapue Aquifer System. No specific objections to this water use permit have been submitted to the Commission.

2. **Ellen M. Osborne** - This existing dug source has not been used for a number of years because of large boulders and sediment at the well’s bottom. Although the pump is run intermittently to keep the pump and motor in working condition, county water is currently supplying the applicant’s domestic and nursery irrigation needs. The applicant plans to use fresh, potable water from this source to augment the supply of county water for irrigation of 4.5 acres of ginger and heliconia. Domestic needs will continue to be met by the county water system. On September 15, 1993, the Commission deferred action on this water use permit application and requested that the applicant provide written documentation showing definite plans to use the requested amount within the next four (4) years. In compliance with this request, on September 30, 1993, the applicant submitted a written statement of her intent to use this water within the specified time period (See Attachment E).
The State Historic Preservation Division (HPD) had requested on September 30, 1993 that any action on this permit application be deferred pending the completion of an investigation for alleged multiple violations of HRS Chapter 6E-11 involving the subject well. On October 13, 1993, staff was informed that the investigation was completed to the satisfaction of HPD and the Dept. of the Attorney General. No other specific objections to this application have been submitted to the Commission.

This request is for a small quantity of water to replace an existing use of county water for nursery irrigation. Unacceptable adverse impacts to other local wells, streams, and the Ualapue Aquifer System are not anticipated.

3. Pearl Friel Petro - This request is for an existing use of fresh water from the Mapulehu Tunnel for irrigation of 2 acres of banana, papaya, and citrus fruit trees. Water contained in the tunnel flows by gravity through a 2"-diameter galvanized pipe to the use site. The applicant estimates the irrigation requirement is about 10,000 gpd. From the Oahu Water Requirements Forecast, developed by the State Dept. of Agriculture, the applicant's estimate of the daily irrigation demands appears reasonable; the forecast indicates bananas require slightly more than 3,000 gallons per acre per day (gal/ac/day), while papayas may require up to 5,000 gal/ac/day. The forecast does not include an estimate for citrus fruit trees. Using the most water-intensive plant, papayas, a use of 10,000 gpd over 2 acres would be justified. The quantity of water used is not metered. However, a standard condition of a water use permit for this existing amount is that a meter be installed and that the applicant report monthly water use on a yearly basis.

This tunnel has been used as a source of irrigation water supply since the 1940's. There are no other wells within a mile of this source. Staff finds no reason to believe that unacceptable adverse impacts to other local wells, streams, and the Ualapue Aquifer System will result from continuation of this long-standing use of water.

RECOMMENDATION

Staff recommends:

1. That the Commission approve the issuance of an interim water use permit to John N. Urauchi for the reasonable and beneficial use of 1,000 gallons per day of brackish water from the Urauchi #1 Well (Well No. 0352-12) for agricultural irrigation and aquacultural use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

   a. The interim water use permit shall be subject to the five-year verification period afforded to existing uses.

2. That the Commission approve the issuance of a well construction/pump installation permit for the Urauchi #1 Well (Well No. 0352-12), subject to the standard well construction/pump installation permit conditions listed in Attachment C.

3. That the Commission approve the issuance of an interim water use permit to Ellen M. Osborne for the reasonable and beneficial use of 2,600 gallons per day of fresh, potable water from the Mapulehu Shaft #1 (Well No. 0448-01) for floriculture and nursery irrigation use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

   a. The interim water use permit shall be subject to the five-year verification period afforded to existing uses.
3. That the Commission approve the issuance of an interim water use permit to Pearl Friel Petro for the reasonable and beneficial use of 10,000 gallons per day of fresh water from the Mapulehu Tunnel (Well No. 0549-01) for agricultural irrigation use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

a. 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.

Respectfully submitted,

[Signature]

RAE M. LOUI
Deputy Director

Attach.

APPROVED FOR SUBMITTAL:

[Signature]

KEITH W. AHUE, Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER: Ualapue System, Southeast Sector, Molokai
Sustainable Yield: 8 mgd
Existing Water Use Permits: 0.195 mgd
Available Allocation: 7.805 mgd
Total of other pending allocations: 0.050 mgd

1. WELL: Urauchi #1 Well (Well No. 0352-12)
Location: Kapuaei, Molokai, TMK:5-6-11:16
Year Drilled: Dug in the 1940's
Casing Diameter: About 6 ft.

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.

2. WELL: Mapulehu Shaft #1 (Well No. 0448-01)
Location: Star Route 224-A, Molokai, TMK:5-7-8:76
Year Drilled: NA
Casing Diameter: NA 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: 50 ft.
Grouted Annulus Depth: NA ft.

3. WELL: Mapulehu Tunnel (Well No. 0549-01)
Location: Mapulehu, Molokai, TMK:5-7-5:02
Year Drilled: 1947
Casing Diameter: 5 ft. diameter

Elevations (msl = 0 ft.)
Water Level: NA ft.
Ground: 650 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.

ATTACHMENT A
Chairperson and Members  
Commission on Water Resource Management  
November 17, 1993

Use Information

1. Quantity Requested: 1,000 gallons per day.  
   Proposed Type of Water Use: Agricultural irrigation and aquaculture  
   Place of Water Use: Kapualei at TMK: 5-6-11:16
   Reported Water Usage:  
   Nearby Similar Water Usage:  

2. Quantity Requested: 2,600 gallons per day.  
   Proposed Type of Water Use: Irrigation of 4.5 acres of ginger and heliconia  
   Place of Water Use: Star Route 224-A at TMK: 5-7-8:76
   Reported Water Usage:  
   Nearby Similar Water Usage:  

3. Quantity Requested: 10,000 gallons per day.  
   Proposed Type of Water Use: Irrigation of 2 acres of fruit trees Ualapue system  
   Place of Water Use: Mapulehu, Molokai at TMK: 5-7-5:32
   Reported Water Usage:  
   Nearby Similar Water Usage:  

Total Requested:  

Ualapue Aquifer System
   Current 12-Month Moving Average Withdrawal: 0.172 mgd (2% of SY)

Nearby Surrounding Wells and Other Registered Ground Water Use

There are sixteen (16) other wells within a mile of Well No. 0352-12 (see Exhibit 2A).  
Fourteen (14) of these wells are currently in use.  There are ten (10) other wells within a  
mile of Well No. 0448-01 (see Exhibit 2B).  Only two (2) of these wells are currently in  
use.  There are no other wells within a mile of Well No. 0549-01 (see Exhibit 2C).

Information from the registration program indicates there are possibly nineteen (19)
existing wells in the Ualapue Aquifer System. The Maui Water Use and Development Plan, Island of Molokai estimates that existing ground water withdrawals from the aquifer are 0.18 as of 1990. The Final Report from the Molokai Working Group estimates a total existing use of 0.62 mgd as of July 1993.

Public Notice

In accordance with HAR §13-171-17, public notices were published in the Star-Bulletin as indicated in Exhibit 1 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 applications 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 permits were to be submitted to the Commission by the dates indicated in Exhibit 1.

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 the dates indicated in Exhibit 1. To the best of staff’s knowledge there are no objectors who have property interest within the Ualapue Aquifer System or who will be directly and immediately affected by the proposed water use. No specific objections were filed with the Commission.

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

1. The water source and proposed use was investigated on November 6, 1992. The investigation verified the existence of the dug source and the applicant’s request for a water use permit.

2. The water source and proposed use was investigated on November 9 & 20, 1992 and March 31, 1993. The investigations verified the existence of the source and the applicant’s request for a water use permit.

3. The water source and existing use was investigated on February 20, 1993. The investigation verified the existence of the source and use described in the permit application.

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 use 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 or policies as determined by the Commission. 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 November 17, 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

ATTACHMENT B
Commissions'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 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 Ualapue 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 comply with all applicable laws, rules, ordinances, and other agencies’ permits and conditions pertaining to water use or the water resource.

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 Ualapue 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.

19. The water use permit shall be subject to the CWRM’s establishment of instream standards and policies related to stream protection and management, as well as legislative mandates to protect stream resources.

ATTACHMENT B
STANDARD WELL CONSTRUCTION/PUMP INSTALLATION PERMIT CONDITIONS

1. The Commission shall be notified before work commences.

2. The well construction/pump installation permit shall be for construction, testing, and installation of a gpm capacity, or less, pump in the well, as determined by the pumping test results. The applicant shall coordinate with the Commission and conduct a pumping test in accordance with the protocol established by the Commission. A means to accurately measure water levels, acceptable to the Commission, shall also be provided. The applicant shall submit to the Commission the test results and proposed permanent pump information, based on the test, for approval by the Chairperson. No permanent pump may be installed and no water used from the well without the Chairperson's approval.

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

4. The applicant shall comply with all applicable laws, rules, and ordinances.

5. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission.

6. The well construction/pump installation permit may be revoked if work is not started within six (6) months after the methodology and analysis of the test results are agreed upon. The work proposed in the well construction/pump installation permit application shall be completed within two years from the date of permit issuance.

7. That the pumping test shall follow the aquifer pump testing protocol established by the Commission. Prior to conducting the aquifer pump test, the applicant shall mutually agree with the Commission staff to a methodology and analysis of the test results.

8. The following shall be submitted to the Commission within thirty (30) days after completion of work:
   a. Well completion report.
   b. Elevations of well (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other water quality data.

9. The well shall not be used for drinking water unless it is properly tested and approved by the State Department of Health.

10. The well construction/pump installation water use permit application and staff submittal approved by the Commission at its November 17, 1993 meeting are incorporated into the permit by reference.

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

ATTACHMENT C
Commission of Water Resource Management
Department of Land & Natural Resources
P. O. Box 621
Honolulu, HI 96809

Attn.: Mr. Keith W. Ahue, Chairman

Subject: Urauchi Well No. 1 ((Well No. 0352-12)
Kapualei, Molokai

At the September 15, 1993 Commission of Water Resource Management meeting held on Molokai, the Commission deferred action for one month on our request for use of 1000 gallons per day for the existing well on our property at Kapualei, TMK No. 5-6-11-16. This would give us this one month period to document a timetable (four years) of our plans for use of this water on the property. The well has not been used for several years.

Due to a cataract surgery on my left eye last month (September 29th), I could not finish this document within the one month period. We regret this delay and hope that this reaches you before the next Commission meeting.

During the first year (Ending in summer 1994): We have already hired Severino Del Cruz, Jr., on an as available basis, to clear the lot using his small bull dozer, of large hole koa, kiawe trees and general rubbish left by the last tenant and our neighbor.

Second year (to summer, 1995): We plan to clean and repair the well (stone casing) and install either wind, photo voltaic, electric or gasoline engine powered pump. This will be a very small pump. Test pump. Build above ground wooden tanks for the aqua culture project (fish or prawns). Test and adjust as necessary.

Third year (to summer 1996): Start vegetable crops, utilizing waste water from the aqua culture project. Type of crop will depend on experiments we will conduct. Eggplant use to do well here.

Fourth year (to summer 1997): project should be in full operation.

A hand drawn map is attached as Exhibit A of the project. Please refer to it.

This project is small family oriented enterprise. Products will probably be just enough for family and friends’ use. However, depending on market conditions and demand, small amounts may be sold to make up for expenses of running the pump.

Due to small size (0.25 acres), it is estimated that no more than an average of 1000 gallons a day, year around, will be required.

Please call me at 553-5673 if you have any questions. Thank you.

John N. Urauchi

ATTACHMENT D
State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809
Attention: Mr. Roy Hardy

Dear Mr. Hardy:

Re: Well No. 0448-01

At the September 15, 1993 meeting at Kaunakakai, my application for a water use permit for the above referenced well was deferred until the November 10, 1993 meeting.

I have submitted to you a written plan showing where I currently use county water. That plan will not change when I am successful in obtaining a water use permit. The only change will be my switching to well water and discontinuing the use of county water.

As I explained to the commission, there exist two very large boulders at the bottom of the well. I cannot justify the costly removal of them unless I am granted a water use permit. When the permit is granted, I will immediately pursue removal of the boulders. The water has been tested to be both non-brackish and potable; I intend to use the water only for agricultural irrigation.

Further, I find no relationship whatsoever between granting me the water use permit and the alleged disturbance of a burial site. It is very likely that this issue will not be resolved in the very near future. Owing to the time and effort I have already put into excavating the well, I feel it is proper that the water use permit be granted.

Please contact me at the above address if you require further information. Thanks very much for your time in addressing the above issues.

Sincerely,

Ellen M. Osborne

ATTACHMENT E
<table>
<thead>
<tr>
<th>WPAA</th>
<th>APPLICANT</th>
<th>WELL NO</th>
<th>WELL NAME</th>
<th>EXIST</th>
<th>PROPOSED</th>
<th>RECEIVED</th>
<th>ACKNOWGD</th>
<th>ACCEPTED</th>
<th>PUBLIC 1 NOTICE</th>
<th>PUBLIC 2 NOTICE</th>
<th>OBJECTION NOTICE</th>
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<td>0448-01</td>
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<td>07/16/93</td>
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<td>08/30/93</td>
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6 Applications Totaling 0.064

**Exhibit 1**
Molokai Working Group

BREAKDOWN OF 2010 POTABLE WATER USE PROJECTIONS IN MGD

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<thead>
<tr>
<th>Sector</th>
<th>System</th>
<th>Sources</th>
<th>Water Use (MGD)</th>
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<tbody>
<tr>
<td>CENTRAL SECTOR</td>
<td>Manawainui</td>
<td>1. Hawaiian Research</td>
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<td>Kualapuu</td>
<td>1. County DWS</td>
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<td></td>
<td></td>
<td>2. DHHL</td>
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<td></td>
<td>3. Kaluakoi Resort</td>
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<td>4. Other State Projects</td>
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<td>5. Palaau Industrial Park</td>
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<td>6. Others (Kualapuu, Kalae, Kipu)</td>
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<td></td>
<td>Waikolu</td>
<td>1. DOA MIS</td>
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<td>SOUTHEAST SECTOR</td>
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<td>1. Hawaiian Research</td>
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<td>Kawela</td>
<td>1. County DWS</td>
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<td>2. Kawela Plantation</td>
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<td>3. Kamalo Ranch</td>
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<td>2. Kamalo Ranch</td>
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<td>3. Place, M. J.</td>
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1 Water development source unidentified.

EXHIBIT 3
Molokai Working Group

BREAKDOWN OF EXISTING GROUNDWATER USAGE IN MGD

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<th>CENTRAL SECTOR</th>
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<td>Hawaiian Research</td>
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<td>2. DHHL 0.38</td>
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<table>
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<th>Waikolu System</th>
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<tr>
<td>National Park Service 0.22</td>
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<td>DOA MIS 1.13</td>
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<th>SOUTHEAST SECTOR</th>
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<td>Hawaiian Research 0.26</td>
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<td>County DWS 0.32</td>
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<td>2. Kawela Plantation 0.16</td>
<td>3. Kamalo Ranch 0.04</td>
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<table>
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<tbody>
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<td>County DWS 0.18</td>
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<tr>
<td>Kamalo Ranch 0.22</td>
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<td>Place, M. J. 0.22</td>
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<table>
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| TOTAL | 5.10 |

EXHIBIT 4
DEPARTMENT OF WATER SUPPLY  
COUNTY OF MAUI  
P.O. BOX 1108  
WAILUKU, MAUI, HAWAII 96793

200 South High Street  
Wailuku, Maui, Hawaii 96793

Fax Telephone No. (808) 243-7833

TRANSMITTAL SHEET

<table>
<thead>
<tr>
<th>DATE</th>
<th>NOVEMBER 17, 1993</th>
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<tbody>
<tr>
<td>TO</td>
<td>Ms. Roy Haddy op</td>
</tr>
<tr>
<td>FROM</td>
<td>Ms. Ellen Hadd TER</td>
</tr>
<tr>
<td>PHONE NO.</td>
<td>587-0217</td>
</tr>
<tr>
<td>PHONE NO.</td>
<td>243-7835</td>
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<tr>
<td>SUBJECT</td>
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<td>PAGES</td>
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</table>

(Includes this transmittal page.)

If you have not received all pages, please call  
Dana De Sors at (808) 243-7835.

Remarks:

| COMMENTS ON WELL APPS NO. | 0501-00, 0478-08, 0549-01 |

By Water All Things Find Life
MEMORANDUM

TO: Mrs. Hoaliku L. Drake, Director
   Department of Hawaiian Home Lands
   Dr. John C. Lewin, M.D., Director
   Department of Health
   Mr. Clayton H. W. Hee, Chairperson
   Office of Hawaiian Affairs
   Mr. Goro Hokama, Chair
   County Council
   County of Maui
   Mr. Byron S. Walters, Chair
   Board of Water Supply
   County of Maui

FROM: Keith W. Ahue, Chairperson
       Commission on Water Resource Management

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

Transmitted for your review and comment is a copy of a water use permit application for Pearl Priel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response: Contact person: ELLEN KRAFTSOW Phone: 243-7835

☐ We have no comments
☐ We have no objections
☐ Comments attached
☐ Additional information requested
☐ Extended review period requested

Signed: David R. Craddick, Director
       DEPT. OF WATER SUPPLY, COUNTY OF MAUI

Date: 10/27/93
November 12, 1993

MEMORANDUM

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

FROM: Don Hibbard, Administrator
State Historic Preservation Division

SUBJECT: Historic Preservation Review of a Water Use Permit
Application for Pearl Friel Petro for Well No. 0549-01
Mapulehu, Molokai
TMK: 5-7-05;002

This is an application for an existing well facility. There are no known historic sites in the area of this well. The farm which is irrigated by this well source already exists. It is unlikely that historic sites still exist in this area. Therefore, we believe that this application will have "no effect" on historic sites.

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

AG:jen
Dear Mr. Ahue:

SUBJECT: WATER PERMIT APPLICATION

This letter responds to your request for comments on the water permit applications transmitted to me by your letter dated October 26, 1993.

I received your request on October 27, 1993. The Council's procedures did not allow enough time to refer the matter to the Council's Human Services, Housing, Water and Agricultural Committee. Therefore, I transmitted a copy of the application to the Committee Chair and to the Council member from Molokai. I have received no comments.

If you have any questions, please contact me.

Yours truly,

GORO HOKAMA
Council Chair
MEMORANDUM

TO: Mrs. Hoaliku L. Drake, Director
    Department of Hawaiian Home Lands

Dr. John C. Lewin, M.D., Director
    Department of Health

Mr. Clayton H. W. Hee, Chairperson
    Office of Hawaiian Affairs

Mr. Goro Hokama, Chair
    County Council
    County of Maui

Mr. Byron S. Walters, Chair
    Board of Water Supply
    County of Maui

FROM: Keith W. Ahue, Chairperson
    Commission on Water Resource Management

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

Transmitted for your review and comment is a copy of a water use permit application for
Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the

We would appreciate your review of the attached application and please return this form by
November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274
or Lenore Nakama at 587-0218.

LN:ky
Attachments

Response: Contact person: ________________ Phone: ________

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed: ___________________________ Date: ____________
MEMORANDUM

TO: Aquatic Resources
    Forestry and Wildlife
    Historic Preservation
    Land Management
    Natural Area Reserve System
    Office of Conservation and Environmental Affairs
    State Parks
    Water and Land Development
    Other Interested Parties

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

LN:ky
Attachments

Response: Contact person: __________________________ Phone: __________________________

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed: __________________________ Date: 11/8/93
Ms. Pearl Friel Petro  
P.O. Box 125  
Kaunakakai, HI 96748  

Dear Ms. Petro:

Commission Submittal for your Water Use Permit  
Ualapue Ground Water Management Area, Molokai

The Commission on Water Resource Management will be acting on your water use permit application for your Mapulehu Tunnel (Well No. 0549-01) at its November 17, 1993 meeting at 1:30 p.m. at the Mitchell Pauole Center in Kaunakakai.

A copy of the submittal for action on your water use application is enclosed for your information and review. You may wish to attend the meeting in case the Commissioners have questions regarding your application. Otherwise, we will notify you of the Commission’s decision soon thereafter.

If you have any questions, please contact Roy Hardy at 587-0274.

Sincerely,

RAE M. LOUI  
Deputy Director

LN:fc  
Attach.
MEMORANDUM

TO: Mrs. Hoaliku L. Drake, Director
    Department of Hawaiian Home Lands

        Dr. John C. Lewin, M.D., Director
        Department of Health

        Mr. Clayton H. W. Hee, Chairperson
        Office of Hawaiian Affairs

        Mr. Goro Hokama, Chair
        County Council
        County of Maui

        Mr. Byron S. Walters, Chair
        Board of Water Supply
        County of Maui

FROM: Keith W. Ahue, Chairperson
      Commission on Water Resource Management

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

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

LN:ky
Attachments

Response: Contact person: Luis A. Manzuc Phone: 586-3860

X We have no comments
() We have no objections
() Comments attached
() Additional information requested
() Extended review period requested

Signed: Luis J. Ohue Date: 11/02/93
MEMORANDUM

TO:    Rae M. Loui, Deputy Director

FROM:  Rae M. Loui, Deputy Director

SUBJECT:  Request for Comments

Water Use Permit Application
Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response:  Contact person:  Phone:  587-0218

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed:  Date:  10/29/93
MEMORANDUM

TO: Aquatic Resources
    Forestry and Wildlife
    Historic Preservation
    Land Management
    Natural Area Reserve System
    Office of Conservation and Environmental Affairs
    State Parks
    Water and Land Development
    Other Interested Parties

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
    Water Use Permit Application
    Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

LN:ky
Attachments

Response: Contact person: Gordon Akiya

☐ We have no comments
☐ We have no objections
☐ Comments attached
☐ Additional information requested
☐ Extended review period requested

Signed: MANABU TAGOMORI
Date: 11/08/93

Phone: [Redacted]
MEMORANDUM

TO: Aquatic Resources
    Forestry and Wildlife
    Historic Preservation
    Land Management
    Natural Area Reserve System
    Office of Conservation and Environmental Affairs
    State Parks
    Water and Land Development
    Other Interested Parties

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response: Contact person: **Brian Miller** Phone: **213-7735**

- [x] We have no comments
- [ ] We have no objections
- [ ] Comments attached
- [ ] Additional information requested
- [ ] Extended review period requested

Signed: **[Signature]** Date: **10/28/93**
MEMORANDUM

TO: Aquatic Resources
    Forestry and Wildlife
    Historic Preservation
    Land Management
    Natural Area Reserve System
    Office of Conservation and Environmental Affairs
    State Parks
    Water and Land Development
    Other Interested Parties

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Ulalupu Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response:

Contact person: ________________ Phone: ________

☐ We have no comments
☐ We have no objections
☐ Comments attached
☐ Additional information requested
☐ Extended review period requested

Signed: __________________________ Date: ____________

DOFAW HAS NO COMMENTS OR OBJECTIONS TO THE PROPOSED REQUEST.
MEMORANDUM

TO:   Aquatic Resources
      Forestry and Wildlife
      Historic Preservation
      Land Management
      Natural Area Reserve System
      Office of Conservation and Environmental Affairs
      State Parks
      Water and Land Development
      Other Interested Parties

FROM:  Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
         Water Use Permit Application
         Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response: Contact person: ___________________________ Phone: __________

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed: ___________________________ Date: __________
Ms. Pearl Friel Petro
P.O. Box 125
Kaunakakai, HI 96748

Dear Ms. Petro:

Enclosed is a copy of the public notice for your water use permit application for Well No. 0549-01 which will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

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 587-0274 or Lenore Nakama at 587-0218.

Sincerely,

[Signature]

RAE M. LOUI
Deputy Director

LN:ky
Encl.
PUBLIC NOTICE

Applications for Water Use Permit
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."

Mapulehu Tunnel (Well No. 0549-01)
Applicant: Pearl Friel Petro
P.O. Box 125
Kaunakakai, HI 96748
Date Completed Application Received: September 15, 1993
Aquifer: Ualapue System, Southeast Sector, Molokai
Well Source: Mapulehu Tunnel, Well No. 0549-01, at Mapulehu, Molokai, at Tax Map Key: 5-7-5:2
Quantity Requested: 1,000 gallons per day.
Existing Water Use: Irrigation of 2 acres of citrus trees and bananas; domestic service to 1 residence
Place of Water Use: Mapulehu, Molokai at Tax Map Key: 5-7-5:32

Duvauchelle-McCary (Well No. 0448-08)
Applicant: Zelie K. Duvauchelle
P.O. Box 98
Kaunakakai, HI 96748
Date Completed Application Received: August 18, 1993
Aquifer: Ualapue System, Southeast Sector, Molokai
Well Source: Duvauchelle-McCary Well, Well No. 0448-08, at Puko'o, East Molokai, at Tax Map Key: 5-7-7:28
Quantity Requested: 35,500 gallons per day.
Existing Water Use: Irrigation of 2.17 acres of water cress, taro, and aquaculture
Place of Water Use: Puko'o East Molokai at Tax Map Key: 5-7-7:28

Written objections or comments on the applications for water use permits 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 November 16, 1993 to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) a copy of the objection letter(s) to the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

Dated: OCT 20 1993

Publish in: Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993
MEMORANDUM

TO: Aquatic Resources
    Forestry and Wildlife
    Historic Preservation
    Land Management
    Natural Area Reserve System
    Office of Conservation and Environmental Affairs
    State Parks
    Water and Land Development
    Other Interested Parties

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Ualapue Ground Water Management Area, Molokai

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Response: Contact person: ________________ Phone: __________

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed: ___________________________ Date: __________
MEMORANDUM

TO: Mrs. Hoaliku L. Drake, Director
   Department of Hawaiian Home Lands
   Dr. John C. Lewin, M.D., Director
   Department of Health
   Mr. Clayton H. W. Hee, Chairperson
   Office of Hawaiian Affairs
   Mr. Goro Hokama, Chair
   County Council
   County of Maui
   Mr. Byron S. Walters, Chair
   Board of Water Supply
   County of Maui

FROM: Keith W. Ahue, Chairperson
      Commission on Water Resource Management

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

Transmitted for your review and comment is a copy of a water use permit application for Pearl Friel Petro for Well No. 0549-01. Public notice of this application will be published in the Honolulu Star Bulletin issues of October 25, 1993 and November 1, 1993.

We would appreciate your review of the attached application and please return this form by November 16, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

LN:ky
Attachments

Response: Contact person: ______________________ Phone: __________

( ) We have no comments
( ) We have no objections
( ) Comments attached
( ) Additional information requested
( ) Extended review period requested

Signed: ______________________ Date: __________
Honorable Linda Crockett Lingle, Mayor  
County of Maui  
200 South High Street  
Wailuku, HI 96793  

Dear Mayor Lingle:

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

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for Pearl Friel Petro for Well No. 0549-01, which will be published in the Honolulu 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,

KEITH W. AHUE

Enc.
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
Sincerely:

This is in answer to Rae in Louis's letter of August 30, 1993.

I am enclosing my check No. $545.1 for my filing fee.

You may verify my water source and know my situation; I am not a commercial farmer but have about 2, acre y bananas & citrus planted in my home site and I only sell some of the fruit when I have an over supply. I do have 2 acres which I could use later on.

If you need any further information please contact me at phone 558-8113. Thank you.

Enc. 1

Sincerely,

Paul Peter.
Ms. Pearl Friel Petro
P.O. Box 125
Kaunakakai, HI 96748

Dear Ms. Petro:

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

We acknowledge receipt of your water use permit application for the Mapulehu Tunnel (Well No. 0549-01), on July 15, 1993.

However, your application was not accompanied by the filing fee of $25.00. Please submit a check for $25.00 payable to the Department of Land and Natural Resources. Upon receipt of the filing fee, we will continue to process your application and will send you a copy of the public notice and any further information regarding your application status. 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.

Based on the guidelines developed for the island of Oahu for water requirements for selected crops, your request for an allocation of 1,000 gallons per day for irrigation of two (2) acres of citrus and bananas seems rather low. The guidelines indicate that bananas may require up to 3,019 gallons per acre per day; no estimate is available for citrus fruit. Using the estimate for bananas, your average daily demand for two acres would be about 6,038 gallons per day. No permit is required for individual domestic consumption by individual users.

If you have any questions, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.

Sincerely,

[Signature]
RAE M. LOUI
Deputy Director

LN:fc
to: Commission on Water Resource Management
P.O. Box 621, Honolulu, Hi 96809

From: Pearl F. Petru
P.O. Box 125, Kaunakakai, Hi 96748

Subject: Application for Water Use Permit

Enclosed is my application for my water use permit. If you need further information, please write or call me.

Pearl F. Petru
**APPLICATION FOR WATER USE PERMIT**

**PERMITTEE INFORMATION**

1. (a) APPLICANT
   
   **Firm/Name:** Pearl Ferial Peleo  
   **Contact Person:** Pearl Ferial Peleo  
   **Address:**  

2. (b) LANDOWNER OF SOURCE
   
   **Firm/Name:** Pearl Ferial Peleo  
   **Contact Person:** Pearl Ferial Peleo  
   **Address:**  

**SOURCE INFORMATION**

3. WATER MANAGEMENT AREA: Waipahu  

4. ISLAND: Molokai

5. (a) EXISTING WELL/DIVERSION NAME AND STATE NUMBER:  

6. (b) PROPOSED (NEW) WELL/DIVERSION NAME:  

7. (c) LOCATION: Mapulehu Tunnel-0549-01  

**USE INFORMATION**

8. METHOD OF TAKING WATER (check one): 
   - Stream  
   - Canal  
   - Dike-confined  
   - Perched  
   - Caprock  

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

10. QUALITY OF WATER REQUESTED: 
    - Fresh  
    - Brackish  
    - Salt  
    - Potable  
    - Non-Potable  
    - Other (explain)  

11. PROPOSED USE: 
    - Municipal (including hotels, stores, etc.)  
    - Individual Domestic  
    - Agriculture  
    - Conservation  
    - Rural  

12. LOCATION OF PROPOSED WATER USE: 
    - If possible, show on same maps as source location. Otherwise, attach similar maps. 

**Table 1**

- Proposed use of water is: [ ] Existing  
- New  
- Both existing & new use  

- Tax Map Key: 5-25-002  
- Attachment USGS map, scale 1" = 2000'.  

- Address:  

- Current Land Use District:  

- Current County Zoning Code:  

13. QUANTITY OF WATER REQUESTED: 1.0, 500 gallons per day  

14. METHODOLOGY OF MEASUREMENT:  

15. QUALITY OF WATER REQUESTED:  
   - Fresh  
   - Brackish  
   - Salt  
   - Potable  
   - Non-Potable  
   - Other (explain)  

16. PROPOSED USE: 
   - Municipal (including hotels, stores, etc.)  
   - Individual Domestic  
   - Agriculture  
   - Conservation  
   - Rural  

17. TOTAL NUMBER OF RESIDENCES TO BE SERVED:  

18. TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP:  

19. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:  
   - Daytime hours of operation, 7 a.m. to 2 p.m.  

20. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE: 
    - Impact on Sustainable Yield:  
    - Instream Flow Standards Affected:  
    - Hawaiian Home Lands Affected:  
    - Other Existing Legal Uses Affected:  

21. REMARKS, EXPLANATIONS:  
    - The only person using this water source  

**For Official Use Only:**

- Applicant: Pearl Ferial Peteo  
- Landowner: Pearl Ferial Peteo  
- Date: 7-13-93  

**State of Hawaii**

**COMMISSION ON WATER RESOURCES MANAGEMENT**

**Department of Land and Natural Resources**

**CITY OF HONOLULU**

**City of Honolulu Water Services**

**Hydrologic Unit No.**

**DIVERSION WORKS NO.**

**State Well No.**
16. REMARKS, EXPLANATIONS (cont'd): Water is drawn from the

drained by a 2" galvanized pipeline
and flows by gravity to my house lot and
farm. I will use this water only when
there are no other supplies and will not designate
farms at the present time.

Map of the location of the tunnel is on
file in your office with my original application.

TABLE 1. MULTIPLE TMKs TO USE REQUESTED WATER

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>TMK</th>
<th>CURRENT COUNTY ZONING CODE</th>
<th>NET ACRES</th>
<th>GPD/ACRE</th>
<th>TOTAL GPD</th>
<th>% OF TOTAL TO BE USED OVER NEXT 4 YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fril Ranch</td>
<td>5-2005-225</td>
<td>4.19 Acre Same Same</td>
<td>4.19 Acre</td>
<td>Same</td>
<td>4.19 Acre</td>
<td>4.11</td>
</tr>
</tbody>
</table>

Note: Tunnel is on parcel 5-2005-022 water is used on parcel 5-2005-022
Exhibit 1
STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCE MANAGEMENT

REGISTRATION OF WELL
AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and file form with the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96809. Phone 548-3948 or 548-7543 for assistance.

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

STATE WELL NO.: 0549-01
ISLAND: Molokai

WELL NAME OR DESIGNATION: Mapulehu Tunnel
SOURCE OR STATION NAME (For a battery of wells): N/A

A. WELL OPERATOR
Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125
Kaunakakai, Hi.
Zip: 96748 Phone: ___________________

B. OWNER OF WELL SITE
Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. WELL LOCATION
Tax Map Key: 2-5-7-5-2 Town, Place, District: Mapulehu, Molokai
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the well location.

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

Ground elevation (Mean sea level): 750'± ft.
Reference point (used to measure depth to water):
Elevation: N/A ft.
Description: ____________________________________________

Depth to water (below reference point): N/A ft.
* Maximum recorded chloride: _______ ppm
* Minimum recorded chloride: _______ ppm
* Maximum chloride in 1987: _______ ppm

Year drilled or constructed: 1930
Well contractor: George P. Cooke
(Later improved by H.S.P.A.)
Casing diameter: Hand dug horizontal 4th tunnel.
Solid casing depth (below ground): N/A ft.
Perforated casing depth (below ground): N/A ft.
Total depth of well: 100' and 150' ft.

E. INSTALLED PUMP DATA
No Pump. Gravity system 750' to sea level.
Pump type: __ Vertical shaft __ Submersible __ Centrifugal __ Other (specify):
Pump capacity: _____ gallons per minute
Pump installation contractor: N/A

* Test results not available.

For Official Use Only:
Date received: ___________________ Date accepted: ___________________
Field checked by: __________ Date: _______ Latitude: _______ Hydrologic Unit: _______
Comments: ___________________ Longitude: _______ State Well No.: _______

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.
F. DECLARATION OF WATER USE

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

Water use data are recorded: □ Daily □ Weekly □ Monthly 
□ Other (describe): yearly

Method of measurement: □ Flow Meter □ Orifice 
□ Other (describe): Estimated use only. 
No flow meters on system.

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

WATER USE, IN GALLONS x 1000

<table>
<thead>
<tr>
<th>Category</th>
<th>Additional Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Municipal (including resorts, hotels, businesses)</td>
<td>Number of service connections: 1 (private use)</td>
</tr>
<tr>
<td>□ Domestic (systems serving 25 people or less)</td>
<td>Acres Irrigated: 4 present (10 future)</td>
</tr>
<tr>
<td>□ Irrigation</td>
<td>Crop(s): □ Sugar □ Pineapple</td>
</tr>
<tr>
<td></td>
<td>□ Other (specify): Citrus, Papaya, Mac nuts</td>
</tr>
<tr>
<td></td>
<td>Non-Crop: □ Landscape □ Golf Course</td>
</tr>
<tr>
<td></td>
<td>Method: □ Drip □ Furrow □ Sprinkler</td>
</tr>
<tr>
<td>□ Industrial</td>
<td>□ Cooling □ Manufacturing □ Mill</td>
</tr>
<tr>
<td>□ Military</td>
<td>□ Other (specify):</td>
</tr>
<tr>
<td>□ Other</td>
<td>Specify (livestock, aquaculture, etc.): Livestock water troughs</td>
</tr>
</tbody>
</table>

Minimum day's use: 2 thousand gallons 
Maximum day's use: 10 thousand gallons 
Typical times of usage: 24 hrs. intermittent

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

Water User's Signature: [Signature] 
Printed Name: [Printed Name] 
Firm or Title (Well Operator, etc.): [Firm or Title] 
Date: 5.23.89
Hi Charlie,

Ka Hale Molokai is a non-profit serving recovering alcoholics and/or drug users. The previous owner Nene O Molokai is a scientific non-profit. Ilima Molokai LP list partners as Pauline L. Castanera TR, Pauline Castanera, Pearl Alice Hodgins, Geraldine Margaret Shaw and Cornwell Stanley Friel.

Our DWS Molokai field staff has not gotten back to me on the use of the property. As I recall, the area has a lot of vacant pasture land.

What is Ka Hale Pomaikai? It supposedly was the owner of 5-7-008:076 between Nene O Molokai and County of Maui. The MLS shows that 5-7-005:002 is owned by Ilima Molokai LP. How does that comport with ownership by the Castaneras? If they have DWS service, what is it used for if there are no dwellings?

Hi Charlie,

Just a bit more info...tmk - 5-7-008:076 was sold to the County of Maui by previous owner Nene O Molokai on 09/23/2004 (sale date) and 1004/2004 (recording date). The previous sale date was 06/18/1998 and recording date 06/1998. There is a one bedroom/one bath dwelling on property and they do have DWS water service.

Tmk - 5-7-005:002 are currently owned by Samuel and Pauline Castanera. It was sold to them by Pearl F. Petro on 01/06/2006 (sale date) and 01/13/2006 (recording date). There are no dwellings on the property. They do have DWS water service and the service holder name is Stephen Petro.

Our Molokai field staff confirms what our Engineering Division told me that to their knowledge there are no county wells in that area. They also
have not been able to confirm the location of Mapulehu Shaft 1 (Well No. 0448-01).

Mahalo,
Arnold

>>> <Charley.F.Ice@hawaii.gov> 6/22/2010 1:30 PM >>>
Thanks, Arnold.
Can you document the ownership of Mapulehu Shaft (0448-01)? We show that it was owned by HSPA/HARC, but transferred somehow to MDWS. Yet our records show that a water use permit #214 for it is issued to Pearl Hodgins, the "landowner of record". In part, this could be the product of faulty locating of the well. Clearly the County owns (2) 5-7-008:076, and clearly Pearl Hodgins owns (2) 5-7-005:002, and we have field verifications of both these parcels for the well. Do you have a lat-long we could compare with ours?

"Arnold Imaye" <Arnold.Imaye@co.maui.hi.us>
06/22/2010 12:56 PM
To
<Charley.F.Ice@hawaii.gov>
cc
Subject
Mapalehu Shaft

Hi Charlie,

Ellen is busy working on the Lanai WUDP for presentation to the Board of Water Supply on Thursday, June 24, 2010. She'll be free to on Friday, June 25, 2010. She said that a message was left on (Engineering District Supervisor for Upcountry, West Maui and Molokai) Alan Murata's phone regarding Mapalehu shaft. She asked me to inquire about your questions or concerns regarding this.

Mahalo,
Arnold Y. Imaye, Staff Planner
Water Resources & Planning Division
Department of Water Supply, County of Maui

-------

County of Maui.
IT Security measures will reject attachments larger than 12 MB, and will block or quarantine
Hi Charlie,

Our Molokai field supervisor just got back to me. He said that there's an old dairy dwelling on the property but he does not know what the property is used for.

Have a great weekend.

>>> <Charley.F.Ice@hawaii.gov> 6/29/2010 5:57 PM >>>
What is Ka Hale Pomaikai? It supposedly was the owner of 5-7-008:076 between Nene O Molokai and County of Maui. The MLS shows that 5-7-005:002 is owned by Ilima Molokai LP. How does that comport with ownership by the Castaneras? If they have DWS service, what is it used for if there are no dwellings?

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Tmk - 5-7-005:002 are currently owned by Samuel and Pauline Castanera. It was sold to them by Pearl F. Petro on 01/06/2006 (sale date) and 01/13/2006 (recording date). There are no dwellings on the property. They do have DWS water service and the service holder name is Stephen Petro.

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To
<Charley.F.Ice@hawaii.gov>
cc
Subject
Mapalehu Shaft

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Mahalo,
Arnold Y. Imaye, Staff Planner
Water Resources & Planning Division
Department of Water Supply, County of Maui

County of Maui.
IT Security measures will reject attachments larger than 12 MB, and will block or quarantine high-risk file types in attachments.
WATER USE PERMIT NO. 310

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

<table>
<thead>
<tr>
<th>Permit Information</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water User:</td>
<td>Pearl Hodgins</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 125</td>
</tr>
<tr>
<td></td>
<td>Kaunakakai, HI 96748</td>
</tr>
<tr>
<td>Landowner of Source:</td>
<td>Pearl Hodgins</td>
</tr>
<tr>
<td></td>
<td>P.O. Box 125</td>
</tr>
<tr>
<td></td>
<td>Kaunakakai, HI 96748</td>
</tr>
<tr>
<td>Permitted Withdrawal Rate:</td>
<td>0.010 mgd (Based upon a 12-month moving average)</td>
</tr>
<tr>
<td>Water Management Area:</td>
<td>Ualapue</td>
</tr>
<tr>
<td>Island:</td>
<td>Moloka'i</td>
</tr>
<tr>
<td>Aquifer Sector/System:</td>
<td>Southeast/Ualapue</td>
</tr>
<tr>
<td>System Sustainable Yield:</td>
<td>8.0 mgd</td>
</tr>
<tr>
<td>Water Type:</td>
<td>Fresh</td>
</tr>
<tr>
<td>Original CWRM Date:</td>
<td>November 16, 1993</td>
</tr>
<tr>
<td>Standard Conditions:</td>
<td>1-11, 13-14, 16-17, 20-23</td>
</tr>
<tr>
<td>Special Conditions:</td>
<td>None</td>
</tr>
</tbody>
</table>

Water Source

<table>
<thead>
<tr>
<th>Water Source</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Well Number(s):</td>
<td>0549-01</td>
</tr>
<tr>
<td>Well Name:</td>
<td>Mapulehu Tunnel</td>
</tr>
<tr>
<td>Water Source TMK Number(s):</td>
<td>2nd Division, 5-7-005:002</td>
</tr>
<tr>
<td>State Land Use Classification(s):</td>
<td>Agriculture</td>
</tr>
<tr>
<td>County Zoning Classification(s):</td>
<td>AG</td>
</tr>
<tr>
<td>Geographical Coordinates:</td>
<td>Latitude 21° 05' 23.8&quot; North</td>
</tr>
<tr>
<td></td>
<td>Longitude 156° 49' 0.95&quot; West</td>
</tr>
</tbody>
</table>

End Use

<table>
<thead>
<tr>
<th>End Use</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>End Use TMK Number(s):</td>
<td>2nd Division, 5-7-005:032</td>
</tr>
<tr>
<td>State Land Use Classification(s):</td>
<td>Agriculture</td>
</tr>
<tr>
<td>County Zoning Classification(s):</td>
<td>AG</td>
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</tbody>
</table>
Beneficial Use Explanation: Supply 1 home & irrigate 2 acres of citrus & banana

Background Information

State Well No. 0549-01 is located on TMK parcel 5-7-005:002 and is used for 2 acres of citrus and banana trees. Mapulehu Tunnel was drilled/constructed in 1930's into the Mapulehu-Molokai mountain range. The tunnel channels surface water from the mountains to outlet of the tunnel through a 2” diameter galvanized pipe that is gravity fed throughout the property.

There are no water use or salinity records being submitted by this permittee. Reference the permit file for additional information on reporting history.

Water Use Permit 310 was approved during the November 17, 1993 Commission on Water Resource Management meeting. Standard conditions 1-11, 13-14, 16-17, & 20-23 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the final summary report to the Legislature for this 20-year Water Use Permit Review.

Field Investigation Information

Contact: Pearl Hodgins
Site Address: P.O. Box 125
Kaunakakai, HI 96748

Brown and Caldwell conducted a field investigation on August 14th, 2008 from 8:00 a.m. until 10:30 a.m. with Mrs. Pearl Hodgins. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. Reference the TMK and GIS maps in the permit file for a visual representation of the site.

Summary of Findings for Water Use Permit No. 310

State Well No 0549-01 is located on TMK parcel (2) 5-7-005:002 at 21° 05’ 23.8” N, 156° 49’ 0.95” W, with a real time accuracy of ±78 feet. Heavy tree cover in the area prevented a more accurate reading. During the field investigation, the permittee advised that the intake pipe for the tunnel is capped because of multiple breakages downstream of the 2” waterline. The permittee stated that they have plans to use the water for agriculture in the future but did not give an
estimated date, other options could include looking for buyers for the property. Reference the Appendix for photographs of the area where the well is current tunnel/well is located.

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.

Although the well has been capped, the permittee is still required to report zero usage to maintain permit compliance. Since the permittee has not been doing so, they are in violation of Standard Condition (10).

Recommendations

- Address the following discrepancies between the Commission’s electronic database and actual field investigation findings:
  - Change permittee contact to Pearl Hodgins at (808) 567-6180
  - Landowner name and address
  - Create memo field entry noting field investigation on 8/14/08
- Address violation of Standard Condition (10) regarding non-reporting of water use.
20-Year Water Use Permit Review
Water Use Permit No. 310

APPENDIX

Field Investigation Photographs
Figure 3 – End use location for irrigation of fruit trees
Water Use Permit Survey
(Please complete one survey form for each WUP)

WUP Number: 310   Well Number(s): 1 4 2 (054A-01)

Contact Information (of the person who will be present at site visit):
Name: Teal L. Hodges
Phone (for phone interview): 808-567-6940   Fax: 808-567-6583
Email: people@wtrc.gov  (e11.: (808) 536-0379)
Best time to reach for phone interview: 9:00 am (mornings)

Property Information (of the water use/well location):
Address: Maupulehu, Molokai
City: Kaunakakai
Zip: 96748
Well Location TMK (list all if multiple wells present): 2-5-7-5-2
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: The water source is not being used at this time.

What are you currently using the water for? (example: "Use for 43 acres of diversified agriculture and 3 residences"): ______

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

Do you submit monthly water use reports to the State? Yes ☐ No ☒
If no, please explain: The water is not being used at this time.

Field Investigations:
A representative from Brown and Caldwell will be visiting wells in your area over the next several 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): any day 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 March 5th, 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

Received: 3/2/08   Information Updated: 3/2/08   Phone Interview Complete: 
Notes/Comments: 

For Official Use Only
Phone Interview

WUP Number: 310 Well Number(s): 0549-01

Contact Name: Pearl Hodgins Phone Number: (###)###-####

Attempt #1: Date/Time: 7/13/03 10:10 Result: no answer, left message
Attempt #2: Date/Time: Result:

Well Location TMK(s):
Water Use TMK(s):

Water Source Address: Mapulehu
City: Zip Code:

Currently using water source? Yes ☐ No ☐

How often is the water source being used? Daily ☐ Weekly ☐ Monthly ☐

How long have you been using this water source?:

Has there been any rezoning of the water source/water use properties? Yes ☐ No ☐
Have you reported the rezoning to the State? Yes ☐ No ☐ N/A ☐
If no, explain:

Scheduled field investigation day/time: 8/14/03 8:00 am

Notes (Special directions, site conditions, potential hazards, general notes, etc.):

• 15 Mile Marker Sign in Mapulehu
• Mapulehu tunnel

Comments To Make:

• Although we prefer that you do not change your scheduled field investigation time, if you require a reschedule, you must provide Brown and Caldwell with at least five (5) working days notice of the need to reschedule.
• A representative from Brown & Caldwell will be making a reminder phone call to you sometime during the week prior to your scheduled field investigation.
• It is very important that you provide access to the site at the day and time agreed upon. Due to a very tight schedule, if you fail to provide access at the agreed upon time and/or do not reschedule with at least a five (5) working day notice, a makeup date will not be allowed.
• If for some reason you don’t know where your well head is located, it would be a good idea to locate it prior to your field investigation to help make the visit go quickly and smoothly.

Interviewed By: Date: 7/23/03 Time: 2:00 pm
# Field Investigation Checklist

**WUP Number**: 310  
**Well Number(s)**: 0649-01

## Water Source

**Well Location TMK(s)**: 25752  
**Well Head GPS Coordinates**: Lat: N2° 05' 23.8"  
**Longitude**: W156° 49' 45.11"  
**Well Type**: 

Currently using water source?  
**Notes/Comments**: Water not in use

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<tr>
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<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Is there a flow meter installed?</td>
<td></td>
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<tr>
<td>Is the flow meter operational</td>
<td></td>
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## Water Use

**Water Use TMK(s)**: 25752

What is the water being used for?  
**Notes/Comments**: Water use

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<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Is the water being used within the permitted boundaries?</td>
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<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Is there any observed wasting of water or water loss?</td>
<td></td>
<td></td>
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<tr>
<th></th>
<th>Yes</th>
<th>No</th>
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<tbody>
<tr>
<td>Are the permit conditions being complied with?</td>
<td></td>
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</table>

## Other

**Photographs of**:  
- Water Source  
- Water Meter  
- Usage Area  
- Pump/Motor  

**General Notes/Comments**:

- Tunnel goes back 100'-150'  
- Water pipe capped w/ drain El of 1.5" pipe  
- No lateral uses  
- Gravity flow no pump

**Investigated By**:  
**Date**: 01/14/08  
**Time**: 1:3000
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
Land and Natural Resources, Division of Water and Land Development, P.O. Box 373, Honolulu, HI 96809, on a monthly basis.

viii. 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.

ix. 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.

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

xi. 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.

xii. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission.

xiii. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission along with water level and salinity measurements.

11. 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.

12. A permit may be transferred, in whole or in part, from the permittee to another, if:
   a. The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of use, remain the same; and
   b. 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.

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

14. 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.

15. 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 Waikele 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.
Assessed values and Building Details reflect tax year 2010 for all islands. Taxes reflect tax year 2009.

Search criteria: TMK Taxkey 2-5-7-5-27

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<th>Taxkey</th>
<th>Subdiv/Condo Tnr</th>
<th>Address</th>
<th>Owner/Lessee</th>
<th>Bds</th>
<th>Bths</th>
<th>Land area</th>
<th>Liv area</th>
<th>Last Sale</th>
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<td>2-5-7-5-27</td>
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<td>WAILAU HODGINS</td>
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<td>0 1/13/2006</td>
<td>QD $2,254</td>
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</table>

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

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Dear Milo:

Here are the registrations my Mom sent in to the State. She was only given a permit for one well! Well No. B-448-01.

We'd like to show you the other well when you come back and talk about it because my Mom keeps telling me she has two registered wells.

Thank you for your time and cooperation.

Sincerely,

Pearl A. Hopfius
WUP 310 - UP (un permitted)

± 25  N 21° 04' 18.7"
W 156° 48' 31.0"

310 - 0549 - 01

± 28  N 21° 04' 12"
W 156° 48' 25.9"
REGISTRATION OF WELL
AND
DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and file with the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96809. Phone 548-3946 or 548-7543 for assistance.

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

STATE WELL NO.: 0549-01

WELL NAME OR DESIGNATION: Mapulehu Tunnel

SOURCE OR STATION NAME (For a battery of wells): N/A

A. WELL OPERATOR

Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125
Kaunakakai, Hi. 
Zip: 96748 Phone: N/A

B. OWNER OF WELL SITE

Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. WELL LOCATION

Tax Map Key: 2-5-7-5-2
Town, Place, District: Mapulehu, Molokai

Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the well location.

D. WELL DATA

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

Ground elevation (Mean sea level): 750'± ft.
Reference point (used to measure depth to water): Elevation: N/A ft.
Description: ____________________________

Depth to water (Below reference point): N/A ft.
* Maximum recorded chloride: ______ ppm
* Minimum recorded chloride: ______ ppm
* Maximum chloride in 1987: ______ ppm

Well contractor: George P. Cooke
(Later improved by H.S.P.A.)
Casing diameter: Hand dug horizontal ft.
Solid casing depth (Below ground): N/A ft.
Perforated casing depth (Below ground): N/A ft.
Total depth of well: 100' and 150' ft.

E. INSTALLED PUMP DATA

No Pump. Gravity system 750' to sea level.
Pump type: □ Vertical shaft □ Submersible □ Centrifugal □ Other (specify):
Power: □ Diesel, ______ HP □ Gas, ______ HP □ Electric, ______ HP □ Other (specify):
Pump capacity: ______ gallons per minute
Pump installation contractor: N/A

* Test results not available. (continued over)

For Official Use Only:
Date received: ______ Date accepted: ______
Field checked by: ______ Date: ______ Latitude: ______ Hydrologic Unit: ______
Comments: ______ Longitude: ______ State Well No. ______

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

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and file form with the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96809. Phone 548-3948 or 548-7543 for assistance.

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

STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCE MANAGEMENT

REGISTRATION OF WELL
AND DECLARATION OF WATER USE

STATE WELL NO.: 0448-01
WELL NAME OR DESIGNATION: Mapulehu Well No. 01
ISLAND: Molokai

SOURCE OR STATION NAME (For a battery of wells): N/A

A. WELL OPERATOR
Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125
Kaunakakai, Hi
Zip: 96748 Phone: __________

B. OWNER OF WELL SITE
Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. WELL LOCATION
Tax Map Key: 2-5-7-5-2 Town, Place, District: Mapulehu, Molokai

Attach USGS “Quad” map (scale 1:24,000), tax map, or other map showing the well location.

D. WELL DATA
For Drilled Wells, submit “as-built” drawing, driller’s log, and pump test results, and complete item below.

Ground elevation (Mean sea level): 21.23 ft.
Reference point (Used to measure depth to water): Elevation: 23.23 ft.
Description: Marked top edge of concrete wall. (well liner)
Depth to water (Below reference point): 6.45 ft.
* Maximum recorded chloride: _______ ppm
* Minimum recorded chloride: _______ ppm
* Maximum chloride in 1987: _______ ppm

Year drilled or constructed: 1920
Well contractor: George P. Cooke
( Later improved by H.S.P.A.)

** Casing diameter: Hand dug well in.
Solid casing depth (Below ground): N/A ft.
Perforated casing depth (Below ground): N/A ft.
Total depth of well: not known ft.
Concrete lined.
* Minimum chloride in 1987: _______ ppm

E. INSTALLED PUMP DATA
Well not presently used.
Pump type: Vertical shaft Submersible Centrifugal Other (specify):
Power: Diesel, ___ HP Gas, ___ HP Electric, ___ HP Other (specify):
Pump capacity: _______ gallons per minute
Pump installation contractor: N/A (Portable pumps were used during the years listed in “Note” below.)

NOTE: Well No. 0448-01 was used to supply water to the Mapulehu Ice House from 1920 to 1926. This well was also used for irrigation from 1950 to 1960.

Test results not available.

For Official Use Only:
Date received: _______ Date accepted: _______
Field checked by: _______ Date: _______ Latitude: _______ Hydrologic Unit: _______
Comments: _______ Longitude: _______ State Well No.: _______

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.
Form 8810-1

STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCE MANAGEMENT

REGISTRATION OF WELL AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and file form with the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96806. Phone 548-2946 or 548-7545 for assistance.

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

STATE WELL NO.: None
WELL NAME OR DESIGNATION: Mapulehu Well No. 02
ISLAND: Molokai
SOURCE OR STATION NAME (For a battery of wells): N/A

A. WELL OPERATOR
Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125
Kaunakakai, Hi.
Zip: 96748 Phone: ________________

B. OWNER OF WELL SITE
Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. WELL LOCATION
Tax Map Kcy: 2-5-7-5-2 Town, Place, District: Mapulehu, Molokai
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the well location.

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

<table>
<thead>
<tr>
<th>Ground elevation (Mean sea level): 60 ft.</th>
<th>Year drilled or constructed: 1920</th>
</tr>
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<tbody>
<tr>
<td>Reference point (used to measure depth to water): 61.5 ft.</td>
<td>Well contractor: George P. Cooke</td>
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<tr>
<td>Description: Top edge of concrete wall (well liner)</td>
<td>Casing diameter: Hand dug well, 4&quot;</td>
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<tr>
<td>Depth to water (below reference point): 20 ft.</td>
<td>Solid casing depth (below ground): N/A ft.</td>
</tr>
<tr>
<td>* Maximum recorded chloride: 20 ppm</td>
<td>Perforated casing depth (below ground): N/A ft.</td>
</tr>
<tr>
<td>* Minimum recorded chloride: 30 ppm</td>
<td>Total depth of well: 50 ft.</td>
</tr>
<tr>
<td>* Maximum chloride in 1987: 30 ppm</td>
<td>Casing diameter: Concrete lined. Circular, 7’ dia.</td>
</tr>
</tbody>
</table>

E. INSTALLED PUMP DATA
Pump type: [ ] Vertical shaft [ ] Submersible [ ] Centrifugal [ ] Other (specify): Portable 4 in.
Power: [ ] Diesel, _ HP [ ] Gas, ____ HP [ ] Electric, ____ HP [ ] Other (specify): 
Pump capacity: 280 gallons per minute
Pump installation contractor: N/A

NOTE: Well No. 02 was used to irrigate alfalfa fields from 1920 to 1926 for Mapulehu Dairy.

Test results not available.

(continued over)

For Official Use Only:
Date received: _______ Date accepted: _______
Field checked by: _______ Date: _______ Latitude: _______ Hydrologic Unit: _______
Comments: _______ Longitude: _______ State Well No.: _______

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.
REGISTRATION OF STREAM DIVERSION WORKS
AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and mail form to the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96809. Phone 548-3948 or 548-7543 for assistance.

MULTI-SOURCE SYSTEMS: For a system of two or more diversion structures, submit a single package to describe the complete system. Include a single location map (or a set of maps if required) showing all diversion structures and measurement points. On forms describing diversion structures, complete parts A, B, D, and E. On forms describing measurement points, complete parts A, B, and F.

STREAM NAME: Stream at Punaula Gulch
ISLAND: Molokai
DIVERSION STRUCTURE NAME: N/A
DIVERSION SYSTEM NAME: N/A

A. DIVERSION WORKS OPERATOR
Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125, Kaunakakai, Hi.
Zip: 96748 Phone:

B. OWNER OF DIVERSION WORKS SITE
Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. STREAM DIVERSION LOCATION
Tax Map Key: 2-5-7-5-2 Town, Place, District: Mapulehu, Molokai
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the diversion location.

D. STREAM DATA
Streamflow at diversion site is: [X] Perennial (Water is always flowing) [X] Intermittent (Channel is sometimes dry)

* Is streamflow gaged? [X] Yes [ ] No
If yes, provide gage name, and show location on map. Name: Punaula at Mapulehu
Average flow before diversion: [ ] no diversion [ ] mgd [ ] gpm [ ] cfs

E. DIVERSION STRUCTURE DATA
Year constructed: None
Elevation (above mean sea level):
Diversion structure is: [ ] Concrete [ ] Wood [ ] Pipe [ ] Other (Describe):
Diverted flow is: [ ] Controlled [ ] Uncontrolled
Divertable capacity is: [ ] mgd [ ] gpm [ ] cfs
Submit an "as-built" drawing and dated photograph of the diversion works, if available.

... (continued over)

For Official Use Only:
Date received: Date accepted:
Field checked by: Date: Latitude: Hydrologic Unit:
Comments: Longitude: State Diversion No.: 

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.

* Abandoned USGS gaging station at approx. 1400' elev.
MAPULEHU TUNNEL

STREAM AT PUNAULA GL. REG. NO 5

MAPULEHU STREAM REG. NO 6
REGISTRATION OF STREAM DIVERSION WORKS
AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible, sign, and mail form to the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96809. Phone 548-3956 or 548-7543 for assistance.

MULTI-SOURCE SYSTEMS: For a system of two or more diversion structures, submit a single package to describe the complete system. Include a single location map (or a set of maps if required) showing all diversion structures and measurement points, and a separate copy of this form for each structure and measurement point. On forms describing diversion structures, complete parts A, B, D, and E. On forms describing measurement points, complete parts A, B, and F.

<table>
<thead>
<tr>
<th>STREAM NAME: Mapulehu Stream</th>
<th>ISLAND: Molokai</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIVERSION STRUCTURE NAME: N/A</td>
<td>DIVERSION SYSTEM NAME: N/A</td>
</tr>
</tbody>
</table>

A. DIVERSION WORKS OPERATOR
Firm name: Mrs. Pearl Petro
Contact person: Pearl Petro
Address: P.O. Box 125
Kuakakai, Molokai
Zip: 96748 Phone: 

B. OWNER OF DIVERSION WORKS SITE
Firm name: Same
Contact person: Same
Address: Same
Zip: Same Phone: Same

C. STREAM DIVERSION LOCATION
Tax Map Key: 2-5-7-5-2 Town, Place, District: Mapulehu, Molokai
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the diversion location.

D. STREAM DATA
Streamflow at diversion site is: [X] Perennial (Water is always flowing) [ ] Intermittent (Channel is sometimes dry)
Is streamflow gaged? [ ] Yes [ ] No
If yes, provide gage name, and show location on map. Name: 
Average flow before diversion: No diversion [ ] mgd [ ] gpm [ ] cfs

E. DIVERSION STRUCTURE DATA
Year constructed: None Elevation (above mean sea level): 
Diversion structure is: [ ] Concrete [ ] Wood [ ] Pipe [ ] Other (Describe): 
Diverted flow is: [ ] Controlled [ ] Uncontrolled
Divertable capacity is: N/A [ ] mgd [ ] gpm [ ] cfs
Submit an “as-built” drawing and dated photograph of the diversion works, if available.
*LOCATION OF WELL O448-04 BELIEVED TO BE INCORRECT. SEE REPORT.*
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

Applications for Water Use and
Well Construction/Pump Installation Permits
Ualapue Ground Water Management Area, Molokai

Applicant: Landowner:

1. (Well No. 0352-12) John N. Urauchi
   P.O. Box 7
   Kaunakakai, HI 96748

2. (Well No. 0448-01) Ellen M. Osborne
   Star Route 224-A
   Kaunakakai, HI 96748

3. (Well No. 0549-01) Pearl Friel Petro
   P.O. Box 125
   Kaunakakai, HI 96748

Landowner:

Same

HSPA

P.O. Box 1057
Aiea, HI 96701

Same

The applicants submitted completed water use permit applications to the Commission as indicated in Exhibit 1. Specific information regarding the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibits. An application for a well construction/pump installation permit was filed for Well No. 0352-12 on July 16, 1993. This existing well was dug in the 1920’s and used until the 1940’s.

Background

The applicants submitted completed water use permit applications to the Commission as indicated in Exhibit 1. Specific information regarding the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibits. An application for a well construction/pump installation permit was filed for Well No. 0352-12 on July 16, 1993. This existing well was dug in the 1920’s and used until the 1940’s.

Analysis & Issues

Overall Ualapue Ground Water Management Area Conditions

Currently, authorized uses account for only about 2% (0.195 mgd) of the aquifer system’s estimated sustainable yield of 8 million gallons per day (mgd). Actual withdrawals from the system are still in the process of being established; however, estimates of existing ground water withdrawals range from 0.172 mgd based on reported monthly water use (12-month moving average withdrawal as of July 1993) to 0.62 mgd reported by The Molokai Working Group. Pending permit applications show a total request of 0.064 mgd (see Exhibit 1), which is well within the limit of available water. No significant increases in potable water needs are projected to the year 2010 by the Molokai Working Group (Exhibits 3 and 4).
Chairperson and Members
Commission on Water Resource Management

With the exception of one incomplete application (for Timothy Meyer, Well No. not assigned) and two applications requiring further field investigation (Well Nos. 0352-17 & 0448-08), all pending water use permit applications are presented in this submittal for Commission action and total 0.064 mgd, or <1% of the sustainable yield.

The Molokai Working Group has made three recommendations regarding the Southeast Aquifer Sector, which encompasses the Ualapue 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.

Considering the estimated 24 mgd sustainable yield of the Southeast Sector in relation to current and foreseeable future withdrawals which total about 1.9 mgd (includes permitted uses, pending permit applications for both existing and future uses, and projected increases to the year 2010 in potable water demand) water availability does not appear to be an issue at present. Staff finds that there is no reason to believe that the following Molokai application requests will violate any of these recommendations made by the Working Group.

1. **John N. Urauchi** - This existing dug well is currently unused and has not been in use since 1946. The well is currently filled with silt, and an application for a well construction/pump installation permit to redevelop the source is also pending. The applicant requests an allocation of 1,000 gpd of brackish water for future agricultural irrigation and aquacultural use on a 0.25-acre parcel. On September 15, 1993, the Commission deferred action on this water use permit application and requested that the applicant provide written documentation showing definite plans to use the requested amount within the next four (4) years. In compliance with this request, on October 18, 1993, the applicant submitted a four-year timetable outlining his plans for water use (see Attachment D). Staff finds this document to be adequate justification for the applicant’s request for a water use permit at this time.

   The well is located near sea level just inland from the Kamalo Harbor. There are no wells located downgradient; however, there are several other active wells in the immediate vicinity of this source (see Exhibit 2A). Because this request is for a very small quantity of water, it is unlikely that the proposed withdrawal will have any measurable impact on other local pumped wells, surface waters, and the Ualapue Aquifer System. No specific objections to this water use permit have been submitted to the Commission.

2. **Ellen M. Osborne** - This existing dug source has not been used for a number of years because of large boulders and sediment at the well’s bottom. Although the pump is run intermittently to keep the pump and motor in working condition, county water is currently supplying the applicant’s domestic and nursery irrigation needs. The applicant plans to use fresh, potable water from this source to augment the supply of county water for irrigation of 4.5 acres of ginger and heliconia. Domestic needs will continue to be met by the county water system. On September 15, 1993, the Commission deferred action on this water use permit application and requested that the applicant provide written documentation showing definite plans to use the requested amount within the next four (4) years. In compliance with this request, on September 30, 1993, the applicant submitted a written statement of her intent to use this water within the specified time period (see Attachment E).
The State Historic Preservation Division (HPD) had requested on September 30, 1993 that any action on this permit application be deferred pending the completion of an investigation for alleged multiple violations of HRS Chapter 6E-11 involving the subject well. On October 13, 1993, staff was informed that the investigation was completed to the satisfaction of HPD and the Dept. of the Attorney General. No other specific objections to this application have been submitted to the Commission.

This request is for a small quantity of water to replace an existing use of county water for nursery irrigation. Unacceptable adverse impacts to other local wells, streams, and the Ualapue Aquifer System are not anticipated.

3. Pearl Friel Petro - This request is for an existing use of fresh water from the Mapulehu Tunnel for irrigation of 2 acres of banana, papaya, and citrus fruit trees. Water contained in the tunnel flows by gravity through a 2"-diameter galvanized pipe to the use site. The applicant estimates the irrigation requirement is about 10,000 gpd. From the Oahu Water Requirements Forecast, developed by the State Dept. of Agriculture, the applicant's estimate of the daily irrigation demands appears reasonable; the forecast indicates bananas require slightly more than 3,000 gallons per acre per day (gal/ac/day), while papayas may require up to 5,000 gal/ac/day. The forecast does not include an estimate for citrus fruit trees. Using the most water-intensive plant, papayas, a use of 10,000 gpd over 2 acres would be justified. The quantity of water used is not metered. However, a standard condition of a water use permit for this existing amount is that a meter be installed and that the applicant report monthly water use on a yearly basis.

This tunnel has been used as a source of irrigation water supply since the 1940's. There are no other wells within a mile of this source. Staff finds no reason to believe that unacceptable adverse impacts to other local wells, streams, and the Ualapue Aquifer System will result from continuation of this long-standing use of water.

RECOMMENDATION

Staff recommends:

1. That the Commission approve the issuance of an interim water use permit to John N. Urauchi for the reasonable and beneficial use of 1,000 gallons per day of brackish water from the Urauchi #1 Well (Well No. 0352-12) for agricultural irrigation and aquacultural use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

   a. The interim water use permit shall be subject to the five-year verification period afforded to existing uses.

2. That the Commission approve the issuance of a well construction/pump installation permit for the Urauchi #1 Well (Well No. 0352-12), subject to the standard well construction/pump installation permit conditions listed in Attachment C.

3. That the Commission approve the issuance of an interim water use permit to Ellen M. Osborne for the reasonable and beneficial use of 2,600 gallons per day of fresh, potable water from the Mapulehu Shaft #1 (Well No. 0448-01) for floriculture and nursery irrigation use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

   a. The interim water use permit shall be subject to the five-year verification period afforded to existing uses.
3. That the Commission approve the issuance of an interim water use permit to Pearl Friel Petro for the reasonable and beneficial use of 10,000 gallons per day of fresh water from the Mapulehu Tunnel (Well No. 0549-01) for agricultural irrigation use, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

a. 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.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL:

KEITH W. AHUE, Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER: Ualapue System, Southeast Sector, Molokai

- Sustainable Yield: 8 mgd
- Existing Water Use Permits: 0.195 mgd
- Available Allocation: 7.805 mgd
- Total of other pending allocations: 0.050 mgd

1. WELL:
   - Location: Urauchi #1 Well (Well No. 0352-12)
   - Year Drilled: Kapualei, Molokai, TMK:5-6-11:16
   - Casing Diameter: Dug in the 1940's
   - Elevations (msl = 0 ft.)
     - Water Level: About 6 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.

2. WELL:
   - Location: Mapulehu Shaft #1 (Well No. 0448-01)
   - Year Drilled: Star Route 224-A, Molokai, TMK:5-7-8:76
   - Casing Diameter: NA
   - 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: 50 ft.
   - Grouted Annulus Depth: NA ft.

3. WELL:
   - Location: Mapulehu Tunnel (Well No. 0549-01)
   - Year Drilled: Mapulehu, Molokai, TMK:5-7-5:02
   - Casing Diameter: 1947
   - Elevations (msl = 0 ft.)
     - Water Level: 5 ft. diameter
     - Ground: NA ft.
     - Bottom of Solid Casing: 650 ft.
     - Bottom of Perforated: NA ft.
     - Bottom of Open Hole: NA ft.
   - Total Depth: NA ft.
   - Grouted Annulus Depth: NA ft.

ATTACHMENT A
Use Information

1. Quantity Requested: 1,000 gallons per day.
   Proposed Type of Water Use: Agricultural irrigation and aquaculture
   Place of Water Use: Kapualei at TMK: 5-6-11:16
   Reported Water Usage: NA gpd
   Nearby Similar Water Usage: NA gpd

2. Quantity Requested: 2,600 gallons per day.
   Proposed Type of Water Use: Irrigation of 4.5 acres of ginger and heliconia
   Place of Water Use: Star Route 224-A at TMK: 5-7-8:76
   Reported Water Usage: NA gpd
   Nearby Similar Water Usage: NA gpd

3. Quantity Requested: 10,000 gallons per day.
   Proposed Type of Water Use: Irrigation of 2 acres of fruit trees Ualapue system
   Place of Water Use: Mapulehu, Molokai at TMK: 5-7-5:32
   Reported Water Usage: NA gpd
   Nearby Similar Water Usage: NA gpd

Total Requested: 13,600 gpd

Ualapue Aquifer System
Current 12-Month Moving Average Withdrawal: 0.172 mgd
(2% of SY)

Nearby Surrounding Wells and Other Registered Ground Water Use

There are sixteen (16) other wells within a mile of Well No. 0352-12 (see Exhibit 2A). Fourteen (14) of these wells are currently in use. There are ten (10) other wells within a mile of Well No. 0448-01 (see Exhibit 2B). Only two (2) of these wells are currently in use. There are no other wells within a mile of Well No. 0549-01 (see Exhibit 2C).

Information from the registration program indicates there are possibly nineteen (19)
existing wells in the Ualapue Aquifer System. The Maui Water Use and Development Plan, Island of Molokai estimates that existing ground water withdrawals from the aquifer are 0.18 as of 1990. The Final Report from the Molokai Working Group estimates a total existing use of 0.62 mgd as of July 1993.

Public Notice

In accordance with HAR §13-171-17, public notices were published in the Star-Bulletin as indicated in Exhibit 1 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 applications 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 permits were to be submitted to the Commission by the dates indicated in Exhibit 1.

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 the dates indicated in Exhibit 1. To the best of staff’s knowledge there are no objectors who have property interest within the Ualapue Aquifer System or who will be directly and immediately affected by the proposed water use. No specific objections were filed with the Commission.

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

1. The water source and proposed use was investigated on November 6, 1992. The investigation verified the existence of the dug source and the applicant’s request for a water use permit.

2. The water source and proposed use was investigated on November 9 & 20, 1992 and March 31, 1993. The investigations verified the existence of the source and the applicant’s request for a water use permit.

3. The water source and existing use was investigated on February 20, 1993. The investigation verified the existence of the source and use described in the permit application.

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 use 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 or policies as determined by the Commission. 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 November 17, 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.

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 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 Ualapue 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 comply with all applicable laws, rules, ordinances, and other agencies' permits and conditions pertaining to water use or the water resource.

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 Ualapue 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.

19. The water use permit shall be subject to the CWRM's establishment of instream standards and policies related to stream protection and management, as well as legislative mandates to protect stream resources.
STANDARD WELL CONSTRUCTION/PUMP INSTALLATION PERMIT CONDITIONS

1. The Commission shall be notified before work commences.

2. The well construction/pump installation permit shall be for construction, testing, and installation of a gpm capacity, or less, pump in the well, as determined by the pumping test results. The applicant shall coordinate with the Commission and conduct a pumping test in accordance with the protocol established by the Commission. A means to accurately measure water levels, acceptable to the Commission, shall also be provided. The applicant shall submit to the Commission the test results and proposed permanent pump information, based on the test, for approval by the Chairperson. No permanent pump may be installed and no water used from the well without the Chairperson's approval.

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

4. The applicant shall comply with all applicable laws, rules, and ordinances.

5. The applicant shall provide and maintain an approved meter or other appropriate device or means for measuring and reporting total water usage. Water usage shall be measured on a monthly basis and reported to the Commission.

6. The well construction/pump installation permit may be revoked if work is not started within six (6) months after the methodology and analysis of the test results are agreed upon. The work proposed in the well construction/pump installation permit application shall be completed within two years from the date of permit issuance.

7. That the pumping test shall follow the aquifer pump testing protocol established by the Commission. Prior to conducting the aquifer pump test, the applicant shall mutually agree with the Commission staff to a methodology and analysis of the test results.

8. The following shall be submitted to the Commission within thirty (30) days after completion of work:
   a. Well completion report.
   b. Elevations of well (referenced to mean sea level, msl) survey by a Hawaii-licensed surveyor.
   c. As-built sectional drawing of the well.
   d. Plot plan and map showing the exact location of the well.
   e. Complete pumping test records, including time, pumping rate, drawdown, chloride content, and other water quality data.

9. The well shall not be used for drinking water unless it is properly tested and approved by the State Department of Health.

10. The well construction/pump installation water use permit application and staff submittal approved by the Commission at its November 17, 1993 meeting are incorporated into the permit by reference.

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

ATTACHMENT C