I think this covers the Delt approval, clearing the deck for commencing work.

The permits have been signed.
**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

   Terry and Pamela Harris  
P.O. Box 237  
Maunaloa, HI 96770

2. Article Number  
   (Transfer from service label)  
   7006 2150 0003 3953 6219

3. Service Type
   - Certified Mail
   - Insured Mail
   - Registered  
   - C.O.D.
   - Express Mail
   - Return Receipt for Merchandise

4. Restricted Delivery? (Extra Fee)  
   Yes

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
   [Signature]

B. Received by (Printed Name)  
Pam Harris

C. Date of Delivery  
12/7/09

D. Is delivery address different from Item 1?  
   Yes
   If YES, enter delivery address below: [No]

WUP No. 878
Hi Charlie – For your information – signed version of letter. “Joanna

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

From: Pascua, Noralin F
Sent: Friday, December 11, 2009 9:32 AM
To: pjoharris@gmail.com'; Asakura, Roland M.
Cc: Poentis, Kris T; Seto, Joanna L
Subject: Papohaku-Harris Well #0915-02

Hi All!

Please see attached document for your use/file.

Thanks,

Nora Papohaku-Harris.PDF
December 11, 2009

Ms. Pamela J. Harris  
P. O. Box 237  
Maunaloa, Hawaii 96770

Dear Ms. Harris:

Subject: Papohaku-Harris Well #0915-02

The Department of Health, Clean Water Branch (CWB) acknowledges receipt of your letter, dated December 8, 2009, submitted via e-mail and describing the disposal of waste stream brine generated at your well.

The CWB has determined that your facility is NOT required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage, as defined in 40 CFR §122.26(b)(14) and as required under the Clean Water Act; Hawaii Revised Statutes (HRS), Chapter 342D; and Hawaii Administrative Rules, Chapter 11-55. This determination is based on the waste stream brine disposal process described in your letter. We understand that the waste stream brine is collected in plastic trays where the water will be allowed to evaporate and the remaining salt will be used for your salt water swimming pool.

Please note that, in general, anyone causing or contributing to a violation of the State water quality standards must apply for NPDES permit coverage. If there is a discharge of any pollutant to State waters, HRS, Section 342D-11, provides for penalties of up to $25,000 per day for each violation. The CWB reserves its right to seek penalties for all violations.
If you have any questions, please contact Ms. Kris Poentis of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,

ALEC WONG, P.E., CHIEF
Clean Water Branch

kp:np

C: Ms. Pamela J. Harris [via e-mail pjoharris@gmail.com]
    Mr. Roland Asakura, CWB, Maui District Health Office [via e-mail only]
December 11, 2009

Ms. Pamela J. Harris
P. O. Box 237
Maunaloa, Hawaii 96770

Dear Ms. Harris:

Subject: Papohaku-Harris Well #0915-02

The Department of Health, Clean Water Branch (CWB) acknowledges receipt of your letter, dated December 8, 2009, submitted via e-mail and describing the disposal of waste stream brine generated at your well.

The CWB has determined that your facility is NOT required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage, as defined in 40 CFR §122.26(b)(14) and as required under the Clean Water Act; Hawaii Revised Statutes (HRS), Chapter 342D; and Hawaii Administrative Rules, Chapter 11-55. This determination is based on the waste stream brine disposal process described in your letter. We understand that the waste stream brine is collected in plastic trays where the water will be allowed to evaporate and the remaining salt will be used for your salt water swimming pool.

Please note that, in general, anyone causing or contributing to a violation of the State water quality standards must apply for NPDES permit coverage. If there is a discharge of any pollutant to State waters, HRS, Section 342D-11, provides for penalties of up to $25,000 per day for each violation. The CWB reserves its right to seek penalties for all violations.
If you have any questions, please contact Ms. Kris Poentis of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,

ALEC WONG, P.E., CHIEF
Clean Water Branch

KP:np

c: Ms. Pamela J. Harris [via e-mail pjoharris@gmail.com]
   Mr. Roland Asakura, CWB, Maui District Health Office [via e-mail only]
Dear Ms. Harris:

Based on the contents of your brief letter dated 12/8/2009, Hawai‘i Underground Injection Control (UIC) regulations are not applicable to your proposal.

Thank you for asking.

Sincerely,
Chauncey Hew, Geologist
Underground Injection Control Program, Safe Drinking Water Branch, Hawai‘i Department of Health
919 Ala Moana Blvd. #308
Honolulu, HI 96814
808-586-4258
Please find attached the letter requested by the water commission for a water shortage plan.
Thank you,

Pam Harris  
water shortage plan.doc
Terry and Pam Harris
3284 Kalua Koi Rd.
PO Box 237
Maunaloa, Molokai, Hawaii
pjoharris@gmail.com
808-552-0094 Ph
808-662-0306 Fax

December 9, 2009

State of Hawaii
DLNR/Commission on Water Resource Management
PO Box 621, Honolulu, HI 96809

Re: WUP # 878 for Well #0915-02
Kaluakoi Ground Water Management Area, Molokai
Special Conditions: Water shortage plan and records

Dear Commission,

In the event that The Water Commission should declare a water shortage situation in the Kaluakoi Ground Water Management Area, we (Terry and Pam Harris) as stewards of state well #0915-02 located at 3284 Kalua Koi Rd., Maunaloa, HI, would be willing to comply with any reasonable directions the water commission deems necessary.

This may include, but not be limited to conserving our water usage to the extreme of shutting down the well if need be. At this point, we would revert to our original manner of watering on the system in place in Kaluakoi, also being conservative in our usage.

We also will comply with the monitoring of our water usage and the annual reporting as directed on the GWUR.

We also are grateful for any suggestions or knowledge the commission would wish to share with us, so that we may be compliant and conservative in our water usage.

Respectfully yours,

Terry and Pamela Harris
<table>
<thead>
<tr>
<th>FROM: ROY</th>
<th>DATE: DEC 10, 2009</th>
<th>SUSPENSE DATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>TO: CHENG, C.</td>
<td>INIT:</td>
<td>TO: KAWAHARA, K.</td>
</tr>
<tr>
<td>CHONG, R.</td>
<td>INIT:</td>
<td>KIMURA, J.</td>
</tr>
<tr>
<td>DANBARA, S.</td>
<td>INIT:</td>
<td>KUNIMURA, I.</td>
</tr>
<tr>
<td>ENGLAND, D.</td>
<td>INIT:</td>
<td>OHYE, L.</td>
</tr>
<tr>
<td>FUJI, N.</td>
<td>INIT:</td>
<td>OHYE, M.</td>
</tr>
<tr>
<td>HARDY, R.</td>
<td>INIT:</td>
<td>OSHIRO, K.</td>
</tr>
<tr>
<td>HOAGBIN, S.</td>
<td>INIT:</td>
<td>SAKODA, E.</td>
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<td>ICE, C.</td>
<td>INIT:</td>
<td>UYENO, D.</td>
</tr>
<tr>
<td>IMATA, R.</td>
<td>INIT:</td>
<td>YODA, K.</td>
</tr>
<tr>
<td></td>
<td>INIT:</td>
<td>YOSHINAGA, M.</td>
</tr>
</tbody>
</table>

**PLEASE:**
- See Me
- Review & Comment
- Take Action
- Type Draft
- Type Final
- File
- Xerox ___ copies
December 8, 2009

To: DLNR/ Commission on Water Resource Management
1151 Punchbowl St., Room 227
Honolulu, HI 96813

Re: Well # 0915-02
Papohaku – Harris Well

We would like to request the approval for the use of a desalinating well #0915-02 on our property located at TMK (2)-5-007:068, 3284 Kalua Koi Rd., Maunaloa, Molokai, HI.

Currently we are using potable water to irrigate several acres of vegetation. We are in the process of installing a brackish water well which will be desalinated and the brine recycled into our salt water swimming pool. Since the brine will not be in contact with the ground or ground water, we do not anticipate any negative impacts on the near shore environment.

Thank you,

Pamela J. Harris

(this letter was also emailed to your dept on 12/8)
Please see the attached letter regarding the well #0915-02.
Thank you,
Pamela J. Harris
(808) 552-0094
3284 Kalua Koi Rd.
PO Box 237
Maunaloa, HI 96770 DOH letter.doc
December 8, 2009

To: Department of Health  
Safe Drinking Water Branch  
Clean Water Branch

Re: Papohaku- Harris Well  
WUP#878 for well #0915-02  
Well/pump permits and water use permit

We would like to request approval for the disposal of the desalting waste stream brine that will be created from desalinating well #0915-02.

Our plan for safe disposal of the brine product is to collect it in plastic trays for the evaporation of the water. Then the salt will be contained and recycled into our salt water swimming pool.

Since there will be no contact of the brine with the ground or ground water, we feel there should be no need for a UIC permit or NPDES permit.

Thank you for your considerations.

Respectfully yours,

Pamela J. Harris
Delivery Failure Report

Your message: Re: WELL #0915-02 Papohaku - Harris
was not delivered to: cleanwaterbranch@doh.hawaii.org
because: 5.1.2 - Bad destination host 'DNS Hard Error looking up doh.hawaii.org (MX): NXDomain' (delivery attempts: 0)

What should you do?

- You can resend the undeliverable document to the recipients listed above by choosing the Resend button or the Resend command on the Actions menu.
- Once you have resent the document you may delete this Delivery Failure Report.
- If resenting the document is not successful you will receive a new failure report.
- Unless you receive other Delivery Failure Reports, the document was successfully delivered to all other recipients.

Routing path

Exec132/StateHiUS, exec2/StateHiUS

To: Pamela Harris <pjoharris@gmail.com>
cc: cleanwaterbranch@doh.hawaii.org, doh@hawaii.org, vwdhi@lava.net
Date: 01:17:11 PM Today
Subject: Re: WELL #0915-02 Papohaku - Harris
Delivery Failure Report

Your message: Re: WELL #0915-02 Papohaku - Harris was not delivered to: doh@hawaii.org because: 5.1.2 - Bad destination host 'DNS Hard Error looking up hawaii.org (A): domain has no A record' (delivery attempts: 0)

What should you do?

• You can resend the undeliverable document to the recipients listed above by choosing the Resend button or the Resend command on the Actions menu.
• Once you have resent the document you may delete this Delivery Failure Report.
• If resenting the document is not successful you will receive a new failure report.
• Unless you receive other Delivery Failure Reports, the document was successfully delivered to all other recipients.

Routing path
Exec132/StateHiUS, exec2/StateHiUS

To: Pamela Harris <pjoharris@gmail.com>
cc: cleanwaterbranch@doh.hawaii.org, doh@hawaii.org, vwdhi@lava.net
Date: 01:17:11 PM Today
Subject: Re: WELL #0915-02 Papohaku - Harris
December 4, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terry and Pamela Harris
P.O. Box 237
Maunaloa, HI 96770

Dear Mr. and Mrs. Harris:

Approval of Water Use Permit (WUP No. 878) for Well No. 0915-02
Kaluakoi Ground-Water Management Area, Molokai

This letter transmits your water use permit for Papohaku-Harris Well (Well No.0915-02) for use of 0.008 million gallons per day (mgd) of water on a 12-month moving average basis that was approved by the Commission on Water Resource Management (Commission) on November 18, 2009. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 19:

Special Conditions

1. The applicant shall obtain approval for the disposal of desalting waste stream brine from the Department of Health, and meet the Division of Aquatics approval for any described impacts on the nearshore environment, prior to using any water from a desalting process.

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.

Enclosed with this letter of approval are the following:

1. Your water use permit
2. Your official monthly water use report form

Please be sure to read the conditions of your approved permit.
We draw your attention to two key conditions of your permit that require your response. First, you are required 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 yearly basis using the enclosed water use report form. You should make copies of the enclosed report form as needed.

Second, you are required to submit a water shortage plan to the Commission within thirty (30) days of the issuance date of this permit. Your water shortage plan simply identifies what you are willing to do should the Commission declare a water shortage situation in the Kaluakoi Ground-Water Management Area and can be as short as a one page letter. In a water shortage situation, the Commission may require temporary reductions in pumpage from all sources. The Commission is required, by law, to formulate a plan to implement such area-wide reductions, which should accommodate, include, and be consistent with your plans. Therefore, your help, by submitting your water shortage plan, is greatly needed in formulating the Commission's overall Water Shortage Plan.

If you have any questions, please call Charley Ice of the Commission staff at 587-0218.

Sincerely,

LAURA H. THIELEN
Chairperson

Attachments: WUR Form

c: Valley Well Drilling, Inc.
GROUND-WATER USE PERMIT
WUP NO. 878

PERMITTEE

Permittee/Water User: Terry and Pamela Harris
P.O. Box 237, Maunaloa, HI 96770

Landowner of Source: Same

PERMITTED SOURCE INFORMATION

Island: Molokai
Water Management Area: West Molokai
Aquifer Sector: Kaluakoi
Aquifer System: 2
System Sustainable Yield: Papohaku-Harris Well
State Well No.: 0915-02

PERMITTED USE INFORMATION

Reasonable beneficial use: Agricultural
Withdrawal (12 month moving ave.): 0.008 mgd
Location of water use:
   TMK #: (2) 5-1-007:068
   State land use classification: AG
   County zoning classification: R-5

Pursuant to Hawaii’s State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the permittee is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
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 November 18, 2009 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.

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 yearly basis (attached).
11. This permit shall be subject to the Commission's periodic review of the Kaluakoi 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 Kaluakoi 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 the 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 use(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 conservation, 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 of 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 Kaluakoi 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 are incorporated herein by reference.

LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

Attachment
AGENDA
FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: November 18, 2009
TIME: 9:00 a.m.
PLACE: Kalanikolu Building, Board Room 132
1151 Punchbowl Street, Honolulu, Hawaii 96813

A. APPROVAL OF MINUTES
   1. September 24, 2009
   2. October 21-22, 2009

B. ANNOUNCEMENTS

C. GROUND WATER REGULATION
   1. Mr. & Ms. Terry and Pamela Harris, Application for a Water Use Permit, Papohaku-Harris Well
      (Well No. 0915-02), TMK 5-1-007:068, WUP No. 878, Future Agricultural Use for 0.008 mgd,
      Kaluakoi Ground Water Management Area, Maui

D. STREAM PROTECTION AND MANAGEMENT
   1. Application for a Stream Channel Alteration Permit (SCAP.2454.6), New Concrete Low Ford
      Crossing, Makapipi Stream, Nahiku, Maui, TMK: (2) 1-2-001:015

E. SURVEY
   1. Request to Enter into a Right-of-Entry Agreement with Waikoloa Mauka, LLC and Waikoloa
      Village Association In Order to Access Pu‘u Anahulu Monitor Well (5347-01), Waikoloa, Hawaii

F. NON ACTION ITEM
   1. Briefing on "Hawaii Rainfall Atlas Update, and Related Research" by Dr. Thomas Giambelluca,
      Department of Geography, University of Hawaii at Manoa

G. NEXT COMMISSION MEETINGS (TENTATIVE)
   1. December 16, 2009 (Maui)
   2. January 21, 2010

Materials related to items on this agenda are available for review at our office at 1151 Punchbowl Street, Room 227, and also will be available at the meeting.

Any person may testify or present information on any meeting agenda item, unless the item involves a proceeding in an existing contested case. In addition, if you have a legal interest that may be adversely affected by the proposed action, you may have a right to an administrative contested case hearing. You must make the request for such a hearing either orally or in writing at the public hearing or meeting for which this notice is given. Hawaii Administrative Rules (H.A.R.) Section 13-167-52(a).

If you request a contested case hearing, you will have the opportunity to present to the Commission oral or written evidence or testimony or both to establish your standing. You may present your testimony or evidence on standing at the meeting or public hearing described above or, alternatively, at a hearing set by the Commission at a later date.

If you request a contested case hearing, you will have the opportunity to present to the Commission oral or written evidence or testimony or both to establish your standing. You may present your testimony or evidence on standing at the meeting or public hearing described above or, alternatively, at a hearing set by the Commission at a later date.

If you do not make such a request or fail to file a timely written petition with the Commission, the consequence is that you will be precluded from later obtaining a contested case hearing and seeking judicial review of any adverse decision. H.A.R. Chapter 13-167.

Disabled individuals planning to attend the public hearing or meeting are asked to contact the Commission at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lana‘i) 1-800-GOV-INHI ext. 70214 or 587-0214 at least three days in advance of the public hearing or meeting to indicate if they have special needs which require accommodation.
FACSIMILE TRANSMITTAL

To: Terry & Pamela Harris
   Valley Well Drilling

Fax Number: 552-0306
   682-1768

From: Ken C. Kawahara, P.E., Deputy Director

Subject: Papohaku-Harris Well (0915-02) water use permit, well construction and pump installation permits

Pages Including Header:

Notes/Comments:
LINDA LINGLE
GOVERNOR OF HAWAII

ref: wup878.sub

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT

November 18, 2009
Honolulu, Oahu

Mr. & Ms. Terry and Pamela Harris
APPLICATION FOR A WATER USE PERMIT
Papohaku-Harris Well (Well No. 0915-02), TMK 5-1-007:068, WUP No. 878
Future Agricultural Use for 0.008 mgd
Kaluakoi Ground Water Management Area, Maui

APPLICANT:  LANDOWNER:

Mr. & Ms. Terry and Pamela Harris  Same
P.O.Box 237  
Maunaloa, HI  96770

SUMMARY OF REQUEST:

The applicant requests that the Commission approve a water use permit for an allocation of 0.008 million gallons per day (mgd) of non-potable basal ground water from a new well to supply nearly 6 acres of agriculture and landscape irrigation demand.

LOCATION MAP:  See Exhibit 1

BACKGROUND:

On July 27, 2009, a completed water use permit application was received from Mr. & Ms. Terry and Pamela Harris by the Commission on Water Resource Management (Commission). Additional information regarding the source, use, notification, objections, and field investigation(s) is provided in Attachment A.

ANALYSIS/ISSUES:

Section 174C-49(a) of the State Water Code establishes seven (7) criteria that must be met to obtain a water use permit. An analysis of the proposed permit in relation to these criteria follows:
APPLICATION FOR A WATER USE PERMIT

Papohaku-Harris Well (Well No. 0915-02), TMK 5-1-007:068, WUP No. 878
Future Agricultural Use for 0.008 mgd
Kaluakoi Ground Water Management Area, Maui

APPLICANT:
Terry and Pamela Harris
P. O. Box 237
Maunaloa, HI 96770

LANDOWNER:
Same

SUMMARY OF REQUEST:

The applicant requests that the Commission approve a water use permit for an allocation of 0.008 million gallons per day (mgd) of non-potable basal ground water from a new well to supply nearly 6 acres of agriculture and landscape irrigation demand.

LOCATION MAP: See Exhibit 1

BACKGROUND:

On July 27, 2009, a completed water use permit application was received from Terry and Pamela Harris by the Commission on Water Resource Management (Commission). Additional information regarding the source, use, notification, objections, and field investigation(s) is provided in Attachment A.

ANALYSIS/ISSUES:

Section 174C-49(a) of the State Water Code establishes seven (7) criteria that must be met to obtain a water use permit. An analysis of the proposed permit in relation to these criteria follows:

ITEM C1
(1) Water availability

Through the Hawaii Water Plan, the Commission has adopted 2 mgd as the sustainable yield for the Kaluako‘i Aquifer System. The chlorides in the freshwater portion of this aquifer are too elevated to meet the secondary EPA guideline for potability. Individual existing water use permits in this aquifer system are shown in Exhibit 2. A summary of the current ground water conditions in the aquifer is provided in Table 1:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>Kaluako‘i Aquifer System (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sustainable Yield</td>
<td>2</td>
</tr>
<tr>
<td>Less: Other Existing Water Use Permits (shown in Exhibit 2)</td>
<td>0.008</td>
</tr>
<tr>
<td>Reservation to DHHL</td>
<td>0</td>
</tr>
<tr>
<td>Subtotal (Current Available Allocation)</td>
<td>1.992</td>
</tr>
<tr>
<td>Less: Other Completed Applications</td>
<td>0</td>
</tr>
<tr>
<td>Less: This Application</td>
<td>0.008</td>
</tr>
<tr>
<td>Subtotal (Potential Available Allocation/Allocation Deficit)</td>
<td>1.984</td>
</tr>
</tbody>
</table>

All basal water in this aquifer system is brackish. The applicant will be desalting it using a solar-powered mechanism. Therefore, the resource availability can accommodate this application request.

(2) Reasonable-beneficial

Section 174C-3 HRS defines "reasonable-beneficial use" is

"...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 both reasonable and consistent with the state and county land use plans and the public interest".

I. Purpose of Use

The applicant is requesting the use of brackish, non-potable ground water to irrigate citrus trees, vegetables, flowers, windbreak trees, lawn, and landscaping trees. These are considered agricultural and other irrigation uses of water. The Declaration of Policy
section, §174C-2(c) HRS, states that the Water Code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for various purposes including industrial and irrigation uses.

II. Quantity Justification

The applicant is requesting an average daily use total of 0.008 Mgd (or 8,000 gallons per day) for a variety of trees, vegetables, shrubs and flowers, and lawn. The total irrigation plan covers about 6 acres. The applicant justifies the amount based on historical data and past metered usage through their existing water service from Molokai Public Utilities.

Staff uses the Commission’s Irrigation Water Requirement Estimation Decision Support System (IWREDSS) model, designed for the Commission by the College of Tropical Agriculture and Human Resources, University of Hawaii, as a guide in estimating irrigation quantity requirements based on soils, evaporation, rainfall, crop type, and irrigation method based on information provided in the application. This quantity was estimated by this model is summarized under the following efficiency of use section.

III. Efficiency of Use

The applicant has identified a variety of delivery methods to irrigate each separate type of planting, suited to those plants’ irrigation needs and to conserve as much as possible. They also plan moisture sensors and daily monitoring to optimize the use of irrigation water and minimize the cost of desalting. Table 2 summarizes the estimated effect of these efficiency measures through the IWREDDS model assuming the 80% percentile or (1 in 5 year drought) as recommended by the model guideline.

<table>
<thead>
<tr>
<th>Crop</th>
<th>Acres</th>
<th>Irrigation Method</th>
<th>IWREDDS 80 % gpd/acre</th>
<th>Average Daily Use gpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citrus Trees</td>
<td>0.25</td>
<td>trickle spray</td>
<td>6,071</td>
<td>1,518</td>
</tr>
<tr>
<td>Vegetable Garden</td>
<td>0.25</td>
<td>trickle dript</td>
<td>5,639</td>
<td>1,410</td>
</tr>
<tr>
<td>Flower Garden</td>
<td>0.25</td>
<td>trickle drip</td>
<td>7,439</td>
<td>1,860</td>
</tr>
<tr>
<td>Lawn</td>
<td>0.50</td>
<td>multi sprinklers</td>
<td>8,452</td>
<td>4,226</td>
</tr>
<tr>
<td>Wind Breaks</td>
<td>0.25</td>
<td>trickle drip</td>
<td>7,439</td>
<td>1,860</td>
</tr>
<tr>
<td>Landscape Trees</td>
<td>0.50</td>
<td>multi sprinklers</td>
<td>8,452</td>
<td>4,226</td>
</tr>
<tr>
<td>Kiawi Trees and Grassland</td>
<td>3.00</td>
<td>multi sprinklers</td>
<td>8,452</td>
<td>25,356</td>
</tr>
<tr>
<td>Street side Landscape</td>
<td>0.50</td>
<td>trickle drip and multi sprinklers</td>
<td>8,452</td>
<td>4,226</td>
</tr>
<tr>
<td>Flower Gardens around house</td>
<td>0.50</td>
<td>multi sprinklers</td>
<td>7,439</td>
<td>3,720</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6.00</td>
<td></td>
<td></td>
<td>48,401</td>
</tr>
</tbody>
</table>

Table 2. Estimated IWREDDS 12-Month Moving Average Water Demand
The IWREDSS model estimates average daily use to meet for the applicant’s needs for a 1 in 5 year drought would be approximately 48,000 gallons per day, or 8,000 gpd/acre, which would not seem unreasonable for the arid west end of Molokai.

IV. Analysis of Practical Alternatives

The applicant has responded to the Commission’s list of potential alternatives to the proposed use of brackish water. A review of each of the alternatives is as follows:

1. municipal – not available. Staff note: there is very limited use of a privately-owned public water system designed to supply potable household uses. A lack of a long-term commitment by any proprietor to maintain this system and a high-fee rate discourage reliance on this source for general non-household use. (See Well 17 under other issues section of this submittal)
2. Wastewater – septic tank.
3. Ditch system – not available.
4. Desalting – this is the chosen option.
5. Surface water – not available.
6. Conservation measures – drip irrigation system, monitored moisture sensors, daily inspections of pressure gages, use of mulch.
7. Other – rainwater catchment.

The 2000 Legislature amended the Water Code to include a new section, §174C-51.5 HRS that provides the Commission with the authority to require dual line (potable and non-potable) water supply systems in new industrial and commercial developments located in designated water management areas. In this case, the applicant has limited potable water service and is proposing to install only a single non-potable system. Therefore, this provision does not need to be invoked.

Additionally, the applicant’s request to reduce the current water supply from Well 17, which is potable water, is actually a beneficial alternative to using potable water currently supplied from Well 17 from Kualapuu Aquifer System Area. This is a matching the non-potable needs with local non-potable ground water supply and reducing stress on the potable Kualapuu Aquifer System Area.

Therefore, the proposed use is reasonable and beneficial.

(3) Interference with other existing legal uses

There is one other well within 1 mile of this source, which is unused. There is no interference with an existing legal use.
Public interest is defined under §174C-2 - Declaration of policy, as follows:

“(c) The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation. Such objectives are declared to be in the public interest.”

Additionally, there have been Public comments to this application (other than state & county general plans and land use designation comments noted in criterion(5)), which are attached in Exhibits 3 through 6 summarized as follows:

1. There may be cumulative adverse environmental effects if this approach to brackish water withdrawal becomes repeated by all the landowners in this area. There is concern about the discharge of saline effluent to the environment.

While the desalting of brackish water for irrigation is an innovative use of an alternative resource in an area difficult to serve by more conventional means, the disposal of the wastewater brine is of concern. The Department of Health (DOH) has indicated to staff that disposal of brine is normally accomplished by reinjection wells through their Underground Injection Control (UIC) program. However, it is also possible to obtain a National Pollutant Discharge Elimination System (NPDES) permit from DOH though this is not common for brine disposal. Like the previous WUP 869 (to Papohaku-Zappacosta) approved by the Commission on February 18, 2009, staff is recommending adding the special condition for the applicant to consult with the DOH for proper brine disposal.

2. Concerns regarding the socio-economic impacts to Molokai. A water use and development plan is being prepared by Maui County; its purpose is to identify connections between development and water resource protection. In lieu of the adoption of that document for Commission guidance, there is a Water Working Group Report, which makes the following relevant recommendations:

a. Water Use Applications should also include available consumption data. **Staff note:** the application states on Table 1 that data presented are based on historical information and past on-site use of the available public system.

b. Ground water must be reserved first to fulfill domestic, public health, safety, and welfare needs. **Staff note:** proposed use is domestic agriculture and landscaping.

c. All future water sources should first be sought in the Sector for which it shall be used. **Staff note:** well withdrawals are all to be used on-site.
d. Determine existing user needs with adequate backup for emergency situations. **Staff note:** the proposed uses are in lieu of, or as backup to, the existing limited public system.

e. Observe priorities associated with the Community Plan. **Staff note:** (See 6: County Land Use Plans and Policies) below.

(5) **State & county general plans and land use designations**

The proposed uses are in the State Agriculture District, and the county zoning is Agriculture. Therefore, the proposed use is consistent with these land use designations.

Normal agency review includes:

1) The State’s Department of Land and Natural Resources (DLNR) and its State Parks, Aquatic Resources, Historic Preservation, and Land Divisions; the Department of Health (DOH) with its Clean Water, Safe Drinking Water, and Wastewater Branches; the Department of Hawaiian Home Lands (DHHHL), and Land Use Commission (LUC); and the Office of Hawaiian Affairs (OHA).

2) The County’s County Council, Department of Planning and Permitting, and the Department of Water Supply;

Responses were received from most of these reviewers, all stating “No comments or objections”. These proposed uses are consistent with the state and county general plans and land use designations.

Therefore, this application meets the state & county general plans and land use designations.

(6) **County land use plans and policies**

Normal County review includes County Council, Department of Planning and Permitting, and the Department of Water Supply. These departments responded respectively, confirming that the well is not in the Special Management Area, and with standard well construction permit comments.

The Molokai Community Plan offers the following:

“10. Maintain population levels and density at the West End in balance with the remainder of the island.” **Staff note:** “in balance” is not defined. The subdivision in question is composed of large lots amenable to further subdivision, which would, by right, allow additional residents to construct homes and use available water. Some of these lots have been subdivided, we are told, and there is concern that multiplied residences could upset the expected amounts of water thought to have implied reliance on existing water resources pumped from Well 17 in the Kualapuu Aquifer. (See additional notes on Well 17 WUP No. 617, below)
“11. Promote and support the use of land in the State Agricultural District for productive agricultural purposes through implementing beneficial policies and education.” Staff note: proposed uses in this agriculture zone are agricultural and landscaping.

“23. Any new proposed land uses at Kaluakoi should go through the community plan amendment process to allow for community review.” Staff note: this project has been reviewed and approved by the Molokai Planning Commission, but there is an appeal. We have been unable to learn the specifics of the issues discussed. The Community Plan refers to this area as residential and agriculture; it is not clear that this proposed activity would be considered new land use, nor that it would require a plan amendment.

Therefore, despite some questions raised by the community, we believe this application is consistent with county land use plans and policies.

(7) Interference with Hawaiian home lands rights

All permits are subject to the prior rights of Hawaiian home lands. The Department of Hawaiian Home Lands (DHHL) and the Office of Hawaiian Affairs have reviewed this application and made no comments or objections. Further, standard water use permit conditions 3.e., 6., and 9.f. notify all water use permittees that their permits are subject to and cannot interfere with Hawaiian home land rights.

Therefore, this application will not interfere with Hawaiian home lands rights.

Other issues

“Well 17” (Well No. 0901-01) Water Use Permit No. 617: Well 17 provides the current needs of this applicant; however, the status of this source is in limbo. At the close of Contested Case Hearing CCH MO97-1, the Commission approved a Decision and Order for Kukui (Molokai), Inc., then the owner of the Molokai Public Utility serving this area, allocating 1.018 mgd for multiple uses, including residential, hotel, and golf course uses. This WUP has been appealed to the Supreme Court, which opined that the water use application should have been treated as a new use and that the applicant should file a new use application. During the long period prior to Supreme Court review, the permit was transferred to new land owner Molokai Ranch, dba Kaluakoi Water LLC and Molokai Properties, Ltd., which in turn has subsequently closed the hotel, golf course, and ranch operations, requesting the PUC to grant a new rate structure to maintain the Molokai Public Utility service to residents in this area. To date, no final ruling on this PUC request has been issued, and no new water use application has been filed. As of the present time, four years of water disuse have ensued, creating the circumstance in which the amounts of water allocated could be revoked, following a hearing. Without a clearly responsible party, the Commission is unable to proceed with a new permitting process to establish service to residential customers who have a reliance on this water for public trust domestic needs, and to clarify appropriate amounts to permit.

RECOMMENDATION:

Staff recommends that the Commission:
A. Approve the issuance of water use permit no. 878 to Terry and Pamela Harris for reasonable and beneficial use of 0.008 million gallons per day of Brackish basal water Agricultural from the Papohaku-Harris Well (Well No. 0915-02), subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

1. The applicant shall obtain appropriate approval for the disposal of desalting waste stream brine from the Department of Health, and meet the Division of Aquatics approval for any described impacts on the nearshore environment, prior to using any water from a desalting process.

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.

B. Approve the well construction and pump installation permits for the Papohaku-Harris Well, (Well No. 0915-02) subject to the standard conditions of Attachments C and D, and the following special condition:

1. Prior to commencement of well construction, The applicant shall obtain appropriate approval for the disposal of desalting waste stream brine from the Department of Health, and meet the Division of Aquatics approval for any described impacts on the nearshore environment, prior to using any water from a desalting process.

Respectfully submitted,

KEN C. KAWAHARA, P.E.
Deputy Director

Attachment(s):  A (Water Use Permit Detailed Information)
                 B (Water Use Permit Standard Conditions)
                 C (Well Construction Permit Standard Conditions)
                 D (Pump Installation Permit Standard Conditions)

Exhibit(s):  1 (Location Map)
             2 (Existing Water Use Permits and 12-Month Moving Average Withdrawal)
             3 (Glenn Teves email comments)
             4 (Lori Buchanan email comments)
             5 (Robert Granger email comments)
             6 (Maui Mayor Charmaine Tavares letter comments)

APPROVED FOR SUBMITTAL:

LAURA H. THIELEN
Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER:
Sustainable Yield:
Existing Water Use Permits:
Available Allocation:
Total other pending applications:
This application:

WELL:
Location:
Year Drilled:
Casing Diameter:
Elevations (msl = 0 ft.)
  Water Level:
  Ground:
  Bottom of Solid Casing:
  Bottom of Perforated:
  Bottom of Open Hole:
Total Depth:
Grouted Annulus Depth:
Pump Capacity

Kaluako'i System, West Sector, Molokai
2 mgd
0.008 mgd
0.184 mgd
0 mgd
0.008 mgd

Papohaku-Harris Well (Well No. 0915-02)
Kaluakoi Road, Molokai, Molokai, TMK: 5-1-007:068
8 in.
1 ft.
10 ft.
7 ft.
14 ft.
14 ft.
14 ft.
6 ft.
30 gpm

ATTACHMENT A
Staff Submittal

November 18, 2009

Use Information

Quantity Requested:
Future Type of Water Use:
Place of Water Use:

Reported Water Usage:
Nearby Similar Water Usage:

Kaluako'i Aquifer System
Current 12-Month Moving Average Withdrawal (See Exhibit 2):

Nearby Surrounding Wells and Other Registered Ground Water Use

There is one other well within a mile of the well (see Exhibit 1). This well is currently in use. Information from the registration program indicates there are possibly 6 existing wells in the Kaluako'i Aquifer System. These wells have not been initially field checked. They are not in use or are rights claims. From the limited field verification, 1987 estimated existing ground water use from the Kaluako'i Aquifer System is approximately 0 mgd. The 1992 Draft of the Molokai Water Use and Development Plan estimated that the existing withdrawals from the Kaluako'i Aquifer System was 0 mgd as of 1990. The Final Report of the Molokai Working Group Estimated the actual use from the Kaluako'i Aquifer System to be 0 mgd.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Honolulu Advertiser on August 12, 2009 and August 12, 2009 and a copy of the notice was sent to the Mayor's office. Copies of the completed application were sent to the Department/Board of Water Supply, Planning Department, Department of Land Utilization (Oahu only), Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, the various divisions within the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by September 3, 2009.

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 September 3, 2009.

ATTACHMENT A
Staff Submittal

To the best of staff's knowledge there are no objectors who have property interest within the Kaluako'i Aquifer System or who will be directly and immediately affected by the proposed water use.

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.
## Aquifer System Area Water Use Permit Index (total)

**ISLAND OF Molokai**

**Aquifer System Ground Water Management Area:** Kaluakoi

**Sustainable Yield:** 2

<table>
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<tr>
<th>WUP No</th>
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<th>Applicant</th>
<th>Well No.</th>
<th>Well Name</th>
<th>WUP (mgd)</th>
<th>12-MAV (mgd)</th>
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<td>0916-01</td>
<td>Papohaku Zappacosta</td>
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<td></td>
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</table>

Summary for Kaluakoi (1 detail record)

- **Totalling:** 0.008
- **Available:** 1.992

*Friday, October 02, 2009*  
*Page 1 of 1*  
*EXHIBIT 2*
ROPOSED NEW USE OR MODIFIED USE INFORMATION (continued)

2. TABLE 2: IRRIGATION INFORMATION
List all crops that will be grown, including landscape and golf course irrigation uses. Copy Table 2 and attach additional sheets to complete your list, if necessary.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
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<td>CROP</td>
<td>TOTAL ACREAGE</td>
<td>NET IRRIGATED ACREAGE</td>
<td>BEGIN GROWTH PERIOD (month)</td>
<td>END GROWTH PERIOD (month)</td>
<td>IRRIGATION SYSTEM (refer to instructions)</td>
<td>IRRIGATION PRACTICE (refer to instructions)</td>
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<td>6</td>
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<td>Jan</td>
<td>Dec</td>
<td>trickle spray</td>
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<td>5</td>
<td>1</td>
<td>007 : 068</td>
<td>vegetable garden</td>
<td>6</td>
<td>1/4</td>
<td>Jan</td>
<td>Dec</td>
<td>trickle drip</td>
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<td>5</td>
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<td>Jan</td>
<td>Dec</td>
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<td>Jan</td>
<td>Dec</td>
<td>multi sprinklers</td>
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</tbody>
</table>

Comments (continued from Column 1). Please clearly indicate the crop (i.e., the row in table) these comments relate to.

*monitored moisture sensors (for all rows)*
Roy,
Thankyou for the information and please keep in touch and let us know if there is anything further we need to do.
Pam Harris

On Wed, Nov 4, 2009 at 12:03 PM, <Roy.Hardy@hawaii.gov> wrote:

Pam and Terry,

Glad to hear that you were notified. Attached are the public comments that came in on your WUPA. Agency comments did not raise any unusual or significant issues other than the SMA permit concerns, which have been resolved. The submittal for the Nov. 18 action will be ready in a few days for your review as well.

Aloha,
Roy

Pamela Harris <pjoharris@gmail.com>  
To Roy.Hardy@hawaii.gov  
cc  
Subject Re: FW: WUPA 878 for Well 0915-02.

Roy,

We were notified on the delay for the review of our water use permit and the other applications and we did waive the 90 day deadline via email.

We were not made aware of any public comments on our water use permit, but we would be interested to have a copy of any comments that were expressed by the public. Could you please forward these to us via e mail if possible or let us know where we can obtain them.

Thanks for your considerations.

Aloha,
Pam and Terry Harris

On Wed, Nov 4, 2009 at 7:57 AM, Terry Harris <triphaseco@hotmail.com> wrote:

To: pjharris@gmail.com; triphaseco@hotmail.com  
CC: Charley.F.Ice@hawaii.gov; tracie@vwdhi.com
Thanks,

Actually, the model we use to estimated demand based on a 1 in 5 year drought for the crops, acreage, and irrigation methods you've identified in the application show around 48,000 gpd. This would coincidentally translate to around 8,000 gpd/acre, which isn't unreasonable for the arid west end of Molokai. Your meter usage reading of 7,300 gpd over 6 acres translates to about 1,200 gpd/acre, which would seem low for that area. Are you presently irrigating the entire 6 acres for that 7,300 gpd meter reading?

Pamela Harris <pjoharris@gmail.com>

---

Roy, The reason for the high consumption (and high costs to us because of the current water rates) is because we have 6 acres of AG land with a farm in place, in accordance with Maui County regulations, with many trees, plants and a few animals.

Pam

On Wed, Nov 4, 2009 at 6:23 PM, Pamela Harris <pjoharris@gmail.com> wrote:

Yes, it is based on our consumption. Last month's water usage according to Molokai Public Utilities, Inc. was 7,300 gal per day.

Pam

On Wed, Nov 4, 2009 at 5:55 PM, <Roy.Hardy@hawaii.gov> wrote:

Pam,

One note of clarification, your historical data and past usage justification for your 8,000 gallon per day figure came from meter readings through Molokai Public Utilities Service?

Pamela Harris <pjoharris@gmail.com>

---

To Pamela Harris <pjoharris@gmail.com>
cc Charley F Ice/DLNR/StateHiUS@StateHiUS
bcc
Subject Re: FW: WUPA 878 for Well 0915-02

---

To Pamela Harris <pjoharris@gmail.com>
cc
Subject Re: FW: WUPA 878 for Well 0915-02
We understand that we need to waive the 90 day processing schedule for review of our well and water use permit. This email is intended for that purpose. Thankyou for all your help on this permit. We look forward to hearing from you in November.
Sincerely,
Terry and Pamela Harris
TMK(2)5-1-007:068
3284 Kalua Koi Rd., PO Box 237, Maunaloa, HI 96770
Lot 259/387 Papohaku Ranchlands, Molokai
(808) 552-0094 / (970) 524-7135
Aloha Terry and Pam,

Charley is on vacation this week but had drafted an earlier submittal for action on your water use permit and well construction and pump installation permit applications for the Commission's October meeting, which was unfortunately cancelled. Therefore, we are taking this for the Commission's decision on the November 18, 2009 meeting in Honolulu. My question is were you aware of this delay as I can find nothing in our files that show you were made aware of the Oct. cancellation and that we requested your agreement to waive the 90-day action requirement (the deadline was on October 25) under the water code.

At this point your agreement is just for the record, but I want to make sure we gave you courtesy notification of the extended timeline for action on your applications. Also, were you made aware of the public comments on your water use permit?

Roy Hardy, P.E.
State of Hawaii
Commission on Water Resource Management
1151 Punchbowl St. Room 227
Honolulu, HI 96813
Phone: 808-587-0274
Fax: 808-587-0219
Web Page: www.hawaii.gov/dlnr/cwrm
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<td>HARDY, R.</td>
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<td>SWANSON, S.</td>
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<td>YOSHINAGA, M.</td>
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<td>KIMURA, J.</td>
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Dear Chairperson Thielen:

SUBJECT: NOTICE OF AN APPLICATION FOR A WATER USE PERMIT
KALUAKOI GROUND WATER MANAGEMENT AREA, MOLOKAI
(WUPA NO. 878) WELL NO. 0915-02
TERRANCE AND PAMELA HARRIS

Thank you for the opportunity to comment on this application.

The Water Use Permit Application (WUPA) is consistent with the County of Maui (County) land use plans and policies. The requested 8,000 gallons per day will not have a significant adverse impact on County land use plans and policies, and Department of Water Supply (DWS) wells.

Since the applicant plans to desalinate the brackish water from their well, the County recommends that the applicant properly dispose of the brine discharge so as not to have a significant adverse impact on the environment. In addition, care should also be taken to avoid build-up of salts in the soil through appropriate measures.

The Department of Water Supply of the County of Maui (DWS) has the following concerns regarding the growing number of private wells in the County:
• Each well is a potential conduit for contamination to the aquifer.
• Proper maintenance and operation of wells are expensive. Over time, private well owners or their successors in interest may not be able to ensure proper maintenance, repair and eventual abandonment measures.
• A majority of wells in the state either do not report pumpage at all or report infrequently. Though the individual impacts of such wells are minor, their cumulative impact may not be.
• We note that several community members have expressed concerns about the number of well permits on Molokai, and suggest that their concerns be evaluated and addressed.
In order to protect the ground water resources, the Hawaii State Water Code and the Administrative Rules of the Department of Land and Natural Resources has required the Commission on Water Resource Management to develop minimum standards for the construction, as well as modification, repair/maintenance, and sealing/abandonment of wells.

The County’s DWS recommends additional measures which include the following:

- Inspect exposed parts of the well periodically for problems such as cracked or corroded well casing, broken or missing well cap, damaged protective casing, and the settling or cracking of surface seals.
- Avoid mixing or using pesticides, fertilizers, herbicides, degreasers, fuels or other pollutants near the well.
- Keep accurate records of any well maintenance, such as, disinfection or sediment removal that requires the use of chemicals in the well.
- Install an approved back-flow prevention device, as would be required if the applicant were on the DWS system. The device will prevent the reverse flow of water and possible contaminants into the private system and the groundwater.

Should you have any questions, please contact our Department of Water Supply, Water Resource & Planning Division at 808-244-8550.

Sincerely,

CHARMAINE TAVARES
Mayor, County of Maui

CT:je

c: Jeffrey K. Eng, Director of Water Supply
    Jane E. Lovell, Deputy Corporation Counsel
<table>
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<tr>
<th>SRC/ OBJ</th>
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**TOTAL** $287.50

**REMARKS:**

LINE (1) Reimbursement for Public Notice cost for WUPA No. 878

LINE (2)
LINE (3)
LINE (4)
LINE (5)
LINE (6)
LINE (7)
LINE (8)
LINE (9)
LINE (10)
September 2, 2009

Ref: 0915-02.invoice

Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Dear Mr. and Mrs. Harris:

Invoice for Public Notice
Water Use Permit Application for Well No. 0915-02
(WUPA No. 878)

We are attaching a copy of the Affidavit of Publication and Invoice/Receipt for the subject notice.

Please submit a check payable to the Department of Land and Natural Resources at the address shown above for the Amount Due by the Due Date specified below:

Amount Due: $287.50
Due Date: September 17, 2009

Failure to submit the full Amount Due by the Due Date will result in a rejection of your application, which will be considered null and void. If you decide to proceed with this project in the future, a new water use permit application must be made, and you will be required to pay for the costs of both this public notice and the new public notice.

If you have any questions, please contact Charley Ice at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

Cl: ss
Attachment
The Maui News Advertising Insertion Order
100 Malanai St., Wailuku, HI 96793-2529 • (808) 244-3981

ACCOUNT NAME: The Maui News
STATE OF HAWAII DLINE - COMM. ON WATER RESOURCE MGMT
Classified Page 01/01

If new account please fill out and attach customer information sheet. Phone Number: (808) 587-0225 Fax Number: 808 587 0219

PREPRINT: Coupon Book Quarter Fold Other Size

State:

If new account please fill out and attach customer information sheet. Phone Number: (808) 587-0225 Fax Number: 808 587 0219

SIGN: AD:

AD TYPE: 11x1

Sales Rep's Initials:

Caption:

PUBLIC NOTICE

Pick-up From:

COLOR CODE & NAME

PROOF: YES NO

Quantity: To;

terri

Camera-Ready? YES NO

Double Truck? YES NO

Reverse? YES NO

Coupon? YES NO

PRODUCT CODE

CANCELS FROM:

SPECIAL INSTRUCTIONS:

Purchase Order

Ordered By:

Agency:

Group:

Caption:

Phone Order

Order Date: 8/5/09

Agency:

Group:

Caption:

Pick-up From:

SPECIAL INSTRUCTIONS:

CLASSIFIED ADS ONLY Start Date: 8/1/

Publication: TMN Location Code: 920
Position Code:

Publication: TMN Location Code: 920
Position Code:

Publication: TMC WEB Location Code: 920
Position Code:

Publication: TMC WEB Location Code: 920
Position Code:

TOTAL: $287.50

Additional Charges 0299/3/24

PAID AUG 07 2009

January 2009

February 2009

March 2009

April 2009

May 2009

June 2009

July 2009

August 2009

September 2009

October 2009

November 2009

December 2009

March 2010

April 2010

May 2010

June 2010

July 2010

August 2010

September 2010

October 2010

November 2010

December 2010

WHITE: Accounting GREEN: Ad Graphics YELLOW: Salesperson PINK: Customer GOLD: Dispatch w/preprint
September 2, 2009

Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

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Water Use Permit Application for Well No. 0915-02
(WUPA No. 878)

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If you have any questions, please contact Charley Ice at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss
Attachment
August 7, 2009

TO: Morris Atta, Administrator
Land Division

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Cl: ss
Attachment(s)

Response:

( ) A water lease/permit is required of this applicant and an application for such will be requested by our division.
( ) A water lease/permit is not required of this applicant.
( ) A water lease/permit has been obtained by the applicant through lease no.
( ) Other relevant Land Division rules/regulations, information, or recommendations are attached.
(XX) No objections
( ) Other comments:

Contact person: Gary Martin
Phone: 587-0421

Signed: _Gary Martin_
Date: AUG 3 1 2009
TO: Aquatic Resources  
Forestry and Wildlife/Natural Area Reserve System  
Historic Preservation  
State Parks

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

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If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Response:

( ) We have no objections or comments  
( ) Objections attached  
( ) Only comments attached

Contact person: Daniel S. Quinlin  
Phone: 808-0280

Signed:  
Date: 8/11/09
TO: 
Aquatic Resources
Forestry and Wildlife/Natural Area Reserve System
Historic Preservation
State Parks

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

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If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Response:

☐ We have no objections or comments
☐ Objections attached
☐ Only comments attached

Contact person: Nelson L. Ayers
Phone: 7-4175
Signed: Paul J. Conry, Administrator
Date: AUG 11 2009

PAUL J. CONRY, ADMINISTRATOR
DIVISION OF FORESTRY AND WILDLIFE
Robert K
Chong/DLNR/StateHiUS
08/12/2009 02:42 PM

To Charley F Ice/DLNR/StateHiUS@StateHiUS
cc
bcc
Subject Fw: Kaluakoi Ground Water Management - Papohaku-Harris
Well No. 0915-02

Charley,
Are you working on this?
Robert
Robert K. Chong, Planner
Commission on Water Resource Management
1151 Punchbowl Street, Room 227
Honolulu, HI 96813
Phone: (808) 587-0266
Fax: (808) 587-0219

----- Forwarded by Robert K Chong/DLNR/StateHiUS on 08/12/2009 02:40 PM -----

"Venus Bolosan"
<Venus.Bolosan@co.mauicounty.us>
08/12/2009 02:28 PM

To <Robert.K.Chong@hawaii.gov>
cc "Marti Buckner" <MartLBuckner@co.mauicounty.us>
Subject Kaluakoi Ground Water Management - Papohaku-Harris Well
No. 0915-02

Aloha,
Please see the attached.
Mahalo,

Venus P. Bolosan
Office Operations Assistant
County of Maui-Dept. of Planning;
Current Division
phone (808)270-8063 or
(808)270-8205 (general line)
venus.bolosan@mauicounty.gov

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

attachment
next page
high-risk file types in attachments.

Comments.pdf
TO:    
Honorable Micah Kane, Director  
Department of Hawaiian Home Lands  

Honorable Chiyome L. Fukino, M.D., Director  
Department of Health  
Attn: Mr. Tomas See, Chief, Wastewater Branch  
Attn: Mr. Stuart Yamada, Chief, Safe Drinking Water Branch  

Mr. Clyde W. Namu'o, Administrator  
Office of Hawaiian Affairs  

Honorable Danny A. Mateo, Chairperson  
County Council  
County of Maui  

Mr. Jeffery K. Eng, Director  
Department of Water Supply  
County of Maui  

Mr. Jeffrey Hunt, Director  
Planning Department  
County of Maui  

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 6 or Table 1) for any conflicts or inconsistencies with the land use designations, programs, plans, or objectives specific to your organization or department only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Class:  Attachment(s)

Response:  
( ) We have no objections or comments  
( ) Objections attached  
( ) Only comments attached  See WCPA review: SMA  

Contact person:  Phone:  508-210-114A  
Signed:  Date:  8/11/09
PUBLIC NOTICE

Application for Water Use Permit
Kaluakoi Ground Water Management Area, Molokai

The following application for water use permit has been received by the Commission on Water Resource Management and is hereby made public in accordance with Section 13-171, Hawaii Administrative Rules, "Designation and Regulation of Water Management Areas."

WUPA No. 878 Papohaku-Harris Well (Well No. 0915-02)

Applicant:
Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Landowner:
Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Date Application Filed as Complete: July 27, 2009
Hydrologic Unit: Aquifer Areas: Kaluakoi System Caprock Aquifer, West Sector, Molokai
Water Source: Papohaku-Harris Well (Well No. 0915-02) at Kaluakoi Road, Molokai, Tax Map Key (2) 5-1-07:068
Quantity Requested: 0.008 million gallons per day.
Existing/New Use: New Irrigation of 0.5 ac crops, 5.5 ac landscaping
Place of Water Use: Kaluakoi Road, Papohaku, Molokai at Tax Map Key: (2) 5-1-07:068

Written objections or comments on the above application 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 (provide TMK information); (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 permit. Written objections must be received by September 3, 2009. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA, P.E., Deputy Director for
LAURA H. THIELEN, Chairperson

Dated: August 4, 2009

Publish in: Maui News issues of August 12, 2009 and August 19, 2009
August 7, 2009

TO:  
Honorable Micah Kane, Director  
Department of Hawaiian Home Lands  
Honorable Chiyome L. Fukino, M.D., Director  
Department of Health  
Attn: Mr. Tomas See, Chief, Wastewater Branch  
Attn: Mr. Stuart Yamada, Chief, Safe Drinking Water Branch  
Mr. Clyde W. Namu'o, Administrator  
Office of Hawaiian Affairs  
Honorable Danny A. Mateo, Chairperson  
County Council  
County of Maui  
Mr. Jeffery K. Eng, Director  
Department of Water Supply  
County of Maui  
Mr. Jeffrey Hunt, Director  
Planning Department  
County of Maui

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 6 or Table 1) for any conflicts or inconsistencies with the land use designations, programs, plans, or objectives specific to your organization or department only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley ice at 587-0218.

Contact person:  
Michael Miyahira  
Phone: 586-4256

Date: 8/11/09

Response:  
( ) We have no objections or comments  
( ) Objections attached  
( ) Only comments attached

Signed:  

Signed:  

PUBLIC NOTICE

Application for Water Use Permit
Kaluakoi Ground Water Management Area, Molokai

The following application for water use permit has been received by the Commission on Water Resource Management and is hereby made public in accordance with Section 13-171, Hawaii Administrative Rules, "Designation and Regulation of Water Management Areas."

WUPA No. 878 Papohaku-Harris Well (Well No. 0915-02)

Applicant: Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Landowner: Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Date Application Filed as Complete: July 27, 2009
Hydrologic Unit: Aquifer Areas: Kaluakoi System Caprock Aquifer, West Sector, Molokai
Water Source: Papohaku-Harris Well (Well No. 0915-02) at Kaluakoi Road, Molokai, Tax Map Key (2) 5-1-07:068
Quantity Requested: 0.008 million gallons per day.
Existing/New Use: New Irrigation of 0.5 ac crops, 5.5 ac landscaping
Place of Water Use: Kaluakoi Road, Papohaku, Molokai at Tax Map Key: (2) 5-1-07:068

Written objections or comments on the above application 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 (provide TMK information); (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 permit. Written objections must be received by September 3, 2009. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA, P.E., Deputy Director for
LAURA H. THIELEN, Chairperson

Dated: August 4, 2009

Publish in: Maui News issues of August 12, 2009 and August 19, 2009
TO: 
Honorable Micah Kane, Director 
Department of Hawaiian Home Lands 

Honorable Chiyome L. Fukino, M.D., Director 
Department of Health 

Attn: Mr. Tomas See, Chief, Wastewater Branch 
Attn: Mr. Stuart Yamada, Chief, Safe Drinking Water Branch 

Mr. Clyde W. Namü'o, Administrator 
Office of Hawaiian Affairs 

Honorable Danny A. Mateo, Chairperson 
County Council 
County of Maui 

Mr. Jeffery K. Eng, Director 
Department of Water Supply 
County of Maui 

Mr. Jeffrey Hunt, Director 
Planning Department 
County of Maui 

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009. 

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 6 or Table 1) for any conflicts or inconsistencies with the land use designations, programs, plans, or objectives specific to your organization or department only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application. 

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218. 

Response: 
( ) We have no objections or comments 
( ) Objections attached 
( ) Only comments attached 

Contact person: Roland Tejano, Eng. on Maui 984-8232 

Signed: Alohi Montani on Molokai Date: 8-10-09
Dear Charley,

Thanks for giving us the opportunity to comment on these applications. This, I think, is the second application of this type, that is, the desalination of brackish water to supplement and possibly act, as insurance if the present water system fails. I commented on the first that we knew little about the long term consequence of such an operation and especially the disposal of the high salt water after processing through the filters (membranes). This application has very no detail on this and many other parts of the system, to include BFPs, mixing of the two systems or segregation of the systems. Seems that you might consider time limits on such systems, after which, meeting some requirements for reliability and quality, the owner chooses to shut down the system or remove themselves from the MPL system.

Expressing my ignorance here, but where do we draw the line between fresh (drinkable) ground water/well water and ocean water. Is this clearly defined for the group? Why do people need to get their sale water for desalination from a well drilled on land?

Again, thanks for the opportunity to review.

Robert Granger

From: Charley.F.Ice@hawaii.gov [mailto:Charley.F.Ice@hawaii.gov]
Sent: Monday, August 10, 2009 9:01 AM
To: ArakakiA@ctahr.hawaii.edu; stacy@molokaiec.org; feeter@wave.hicv.net; jcfm@hawaiiantel.net; granger@aloha.net; AMHelm@dow.com; karenh@molokai.org; colettem@oha.org; nancy.mcpherson@co.mau.hi.us; purdy@wave.hicv.net; TevesG@ctahr.hawaii.edu; gtribble@usgs.gov; pauhanamolokai@yahoo.com; Darrell.C.Yagodich@hawaii.gov; emisaki@tnco.org; ellen.kraftsow@co.mau.hi.us; abbeymeyer@molokaice.org; ldrd@wave.hicv.net; rkamakana@molokairanch.com; lbuchanan@tnco.org; Debra.Kelly@hi.nacdnet.net
Subject: Papohaku-Harris water use permit application

Good morning, Molokai Water Working Group members.
We have an active new application for a water use permit. Please find it attached, and make appropriate response.
Your review and comment is appreciated.
Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanikoku
P.O. Box 621, Honolulu 96809
(808) 587-0218
Aloha Charley,

Thank you for sending me this correspondence and allowing me to comment. Please review and submit my formal testimony to the commission. This current application and Molokai's on-going water woes clearly demands attention. It seems appropriate that I request of COWRM to resume water working group meetings on Molokai. Even with the states current fiscal crisis I am confident we can all work together to make this happen. Thank you for serious considerations of the attached testimony.

Mahalo,
Lori Buchanan

From: Charley.F.Ice@hawaii.gov [mailto:Charley.F.Ice@hawaii.gov]
Sent: Monday, August 10, 2009 9:01 AM
To: ArakakiA@ctahr.hawaii.edu; stacy@molokaiec.org; feeter@wave.hicv.net; jcfm@hawaiiantel.net; granger@aloha.net; AMHelm@dow.com; karenh@molokai.org; colettem@oha.org; nancy.mcpherson@co.mau.hi.us; purdy@wave.hicv.net; TevesG@ctahr.hawaii.edu; gtribble@usgs.gov; pauhanamolokai@yahoo.com; Darrell.C.Yagodich@hawaii.gov; Ed Misaki; ellen.kraftsow@co.mau.hi.us; abbeymeyer@molokaice.org; ldrd@wave.hicv.net; rkamakana@molokairanch.com; Lori L. Buchanan; Debra.Kelly@hi.nacdnet.net
Subject: Papohaku-Harris water use permit application

(try that again!)

Good morning, Molokai Water Working Group members.
We have an active new application for a water use permit. Please find it attached, and make appropriate response.
Your review and comment is appreciated.
withdrawals across the Water Management Area of Molokai, also the use of desalination as a tool in land management. One's ability to afford the process does not make it ok. We are all aware that in the state's current fiscal crisis that there will be no monies to fund a study to help answer questions of impacts from prolonged deep well extraction and desalination over similar landscapes. I am unaware that there are any. The absence of scientific data for west Molokai shores should not be de facto to grant approval of WUPA No. 878. I am not in support of granting WUPA No. 878. There are no supporting documents to show that this application will not have impacts. For future Molokai island permits and any other Water Management Areas in the state, the commission can and should decline “questionable” permits. That the commission’s due diligence does consider reasonable affect by ANY water draw in a Water Management Area as set forth by WMA criteria. In all cases the commission can attach conditions to permits and should consider multiple conditions. Examples of considerations may be that the permit would be non transferable. If the applicant sold his home the day after he started pumping water he would have to “properly” close the well and the new owners would have to apply for their own permit. That the total water use is less based on plant and soil pathology. That the applicant pays for research for proof of no impact etc. The entire island of Molokai is a Water Management Area and the commission is tasked with the responsibility to protect our #1 endangered resource in perpetuity. Do not permit WUP No. 878 and I stand ready to resume input and time to The Molokai Water Working Group as a means to coherently plan for Molokai’s future water uses. Again, thank you for allowing me to respond to WUP No. 878.

Sincerely,

Lori Buchanan
Member
Molokai Water Working group
August 10, 2009

State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawaii, 96809

Lori Buchanan
Member
Molokai Water Working Group
P.O. Box 133
Hoolehua, Hawaii 96729
(808) 954-6585

Re; Kaluakoi Ground Water Management Area, Molokai (WUPA) No. 878

Aloha Commissioners,

Thank you for the opportunity to comment on WUPA No. 878. I also commented on a previous similar application for Pierluigi Zappocosta. My comments at that time reflected my concern for setting a precedent for deep well extraction of water with desalination in west Molokai. The Zappocosta permit was the first request of its kind in west Molokai. While I was unaware and unable to substantiate any measurable or probable adverse impacts from the Zappocosta application, I did make a point of concern should multiple similar applications be sought. It has not yet been a year and already there is a second similar application. My concern was for multiple adverse impacts that could occur as a result of multiple wells and the processes of desalination on Molokai. Concerns would include the impacts of near shore and off shore marine life, the likelihood of island water table levels being affected, and the amount of brine by product and processes for brine disposal. What levels are acceptable, not acceptable? Secondary socio-economic impact of allowing permits which can only be afforded by more affluent applicants. Demographic and land use changes? I believe there is no “cap” of potable water usage for Kaluakoi residents. With single residential plots of no less than 2-acres, acquiring and keeping a “green” landscape with pool in arid west Molokai gets very expensive. I am aware of single family dwellings with water bills in the thousands of dollars. It makes sense then for west Molokai residents to “develop” their own water source and pay nothing except for initial infrastructure and maintenance costs. Like solar energy, there are high cost up front but the pay off comes when the need to purchase utility expires. That in itself creates its own problems. My main concern for Molokai as a Water Management Area has always been in working to seriously and honestly quantify current total Molokai water uses in order to coherently plan for future uses. This was my purpose of joining the Water Users Working Group and presently it has not been achieved. There are many questions that arise from cumulative impacts of multiple deep well water
Charley,

What is CWRM going to do since the county is increasing water use on the West end by approving new house development and Molokai Ranch has no well permit, no water allocation, no transmission agreement to carry the water to the West End, no nothing!! Is this how we allocate water in the State of Hawaii?

THIS WATER ALLOCATION AND WELL PERMIT STUFF IS A BIG JOKE!!!! WHY EVEN HAVE A CWRM?

In response to below, I don’t think you can consider any new wells until you figure out how much water is going to be used in this sector, even if it’s coming from another sector. We cannot keep taxing the Kualapuu Aquifer; the majority of the water is for homesteaders. Molokai is a sole source aquifer according to EPA and no matter where you’re sticking your straw, you’re taking is from the same place. In light of the recent pump breakdowns, we really have to rethink how we allocate water and whether we have a back-up from each system, and this doesn’t mean the adjacent system and especially Hawaiian Homes System Hawaiian Homes system is for Hawaiian Homes, when DHHL lessees have to cut back on water use because the County is not self-sufficient in covering their water needs then something is really wrong in how we operate our water systems. Also, we need to revisit how much water will be required for DHHL now and in the future.

Glenn
Good morning, Molokai Water Working Group members.
We have an active new application for a water use permit. Please find it attached, and make appropriate response.
Your review and comment is appreciated.

Charley Ico
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P.O. Box 621, Honolulu 96809
(808) 587-0218
(try that again!)

Good morning, Molokai Water Working Group members.
We have an active new application for a water use permit. Please find it attached, and make appropriate response.
Your review and comment is appreciated.

wupa878.revOther.pdf

Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P.O.Box 621, Honolulu 96809
(808) 587-0218
August 7, 2009

Terrence and Pamela Harris
P.O. Box 237
Maunaloa, HI 96770

Dear Mr. and Mrs. Harris:

We acknowledge receipt, on July 27, 2009, of your completed water use permit application (WUPA No. 878) for the Papohaku-Harris Well (Well No. 0915-02). You can expect your application to be processed within ninety (90) days from the date of receipt unless there are objections to your application.

Enclosed is a copy of the public notice for your water use permit application which will be published in the Maui News issues of August 12, 2009 and August 19, 2009. You will be required to pay for the cost of the public notice, which runs about $400. We will send you an invoice shortly after your notice is published.

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 Charley Ice of the Commission staff at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss
Enclosure
August 7, 2009

TO: Aquatic Resources
    Forestry and Wildlife/Natural Area Reserve System
    Historic Preservation
    State Parks

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

CI:ss
Attachment(s)

Response:

( ) We have no objections or comments
( ) Objections attached
( ) Only comments attached

Contact person: _____________________________ Phone: _____________________________

Signed: _____________________________ Date: _____________________________
Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

[Signature]

Response:

( ) A water lease/permit is required of this applicant and an application for such will be requested by our division.
( ) A water lease/permit is not required of this applicant.
( ) A water lease/permit has been obtained by the applicant through lease no.
( ) Other relevant Land Division rules/regulations, information, or recommendations are attached.
( ) No objections
( ) Other comments:

Contact person: ___________________________ Phone: ___________________________

Signed: ___________________________ Date: ___________________________
August 7, 2009

Ms. Sri Ten Cate
Molokai Public Libraries
P.O. Box 395
Kaunakakai, HI 96748

Dear Ms. Ten Cate:

Please find enclosed 1) a copy of an application for water use permit and 2) the public notice for the application that will be published in the Maui News issues of August 12, 2009 and August 19, 2009. We request your assistance in posting the enclosed items at the Molokai Public Library for public review and access.

Thank you for your consideration in this matter. If you have any questions, or are unable to accommodate this request, please contact Charley Ice at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

Attachment(s)
TO: Honorable Micah Kane, Director
Department of Hawaiian Home Lands

Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attn: Mr. Tomas See, Chief, Wastewater Branch
Attn: Mr. Stuart Yamada, Chief, Safe Drinking Water Branch

Mr. Clyde W. Namu’o, Administrator
Office of Hawaiian Affairs

Honorable Danny A. Mateo, Chairperson
County Council
County of Maui

Mr. Jeffery K. Eng, Director
Department of Water Supply
County of Maui

Mr. Jeffrey Hunt, Director
Planning Department
County of Maui

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

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

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 6 or Table 1) for any conflicts or inconsistencies with the land use designations, programs, plans, or objectives specific to your organization or department only. Please respond by returning this cover memo form by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Cl: ss
Attachment(s)

Response:
( ) We have no objections or comments
( ) Objections attached
( ) Only comments attached

Contact person: ____________________________ Phone: __________________________
Signed: ____________________________ Date: __________________________
August 7, 2009

Mr. Brian Kau
Department of Agriculture
Molokai Irrigation Service
P.O. Box 205
Hoolehua, HI 96729

Dear Mr. Kau:

Please find enclosed 1) a copy of an application for water use permit and 2) the public notice for the application that will be published in the Maui News issues of August 12, 2009 and August 19, 2009. We request your assistance in posting the enclosed items on the Department of Agriculture’s bulletin board in Hoolehua.

Thank you for your consideration in this matter. If you have any questions, or are unable to accommodate this request, please contact Charley Ice at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director
TO: Mr. Dan Davidson, Executive Officer  
Land Use Commission  

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

SUBJECT: WATER USE PERMIT APPLICATION  
Kaluakoi Ground Water Management Area, Molokai  

Transmitted for your review and comment is a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 6 or Table 1). Specifically, we request that you inform us of the current state land use designation for the TMK parcel, or portion thereof, for the proposed use area(s) and, secondly, whether the current state land use designation is appropriate for the proposed project.

We have attached a TMK map(s) that covers the proposed use area(s). Where water is proposed for use on only a portion of a TMK parcel, or on parcels with multiple zoning, the proposed use area(s) has been clearly delineated on the attached map. Please respond by returning this cover memo along with your review comments by September 3, 2009, which is the legal deadline for objections. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

C/c
Attachment(s)

Response:

( ) We have no objections or comments  
( ) Objections attached  
( ) Only comments attached

Contact person: __________________________ Phone: __________________________

Signed: __________________________ Date: __________________________
August 7, 2009

Honorable Charmaine Tavares, Mayor
County of Maui
200 South High Street
Wailuku, HI 96793

Dear Mayor Tavares:

Notice of an Application for a Water Use Permit
Kaluakoi 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 (WUPA No. 878) for Well No. 0915-02, which will be published in the Maui News.

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.

Sincerely,

Laura H. Thielen
Chairperson
TO: Other Interested Parties

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

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

In addition to serving you notice as required by 174C-52 (a), HRS, we transmit for your review and comment a copy of a water use permit application (WUPA No. 878) for Well No. 0915-02. Public notice of this application will be published in the Maui News issues of August 12, 2009 and August 19, 2009.

We would appreciate your review of the attached application for any conflicts or interferences with the programs, plans, and objectives of the organization or agency that you represent. Written objections should be made in accordance with Section 13-171-18 of our Administrative Rules and must be filed by the September 3, 2009 deadline. If we do not receive your comments by this date, we will assume you have no objections to this application.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Charley Ice at 587-0218.

Response:

( ) We have no objections or comments
( ) Objections attached
( ) Only comments attached

Contact person: __________________________ Phone: __________________

Signed: __________________________ Date: __________________
PUBLIC NOTICE

Application for Water Use Permit
Kaluakoi Ground Water Management Area, Molokai

The following application for water use permit has been received by the Commission on Water Resource Management and is hereby made public in accordance with Section 13-171, Hawaii Administrative Rules, "Designation and Regulation of Water Management Areas."

WUPA No. 878 Papohaku-Harris Well (Well No. 0915-02)

Applicant: Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Landowner: Terrence and Pamela Harris
P.O. Box 237
Maunaloa, Hawaii 96707

Date Application Filed as Complete: July 27, 2009
Hydrologic Unit: Aquifer Areas: Kaluakoi System Caprock Aquifer, West Sector, Molokai
Water Source: Papohaku-Harris Well (Well No. 0915-02) at Kaluakoi Road, Molokai, Tax Map Key (2) 5-1-07:068
Quantity Requested: 0.008 million gallons per day.
Existing/New Use: New Irrigation of 0.5 ac crops, 5.5 ac landscaping
Place of Water Use: Kaluakoi Road, Papohaku, Molokai at Tax Map Key: (2) 5-1-07:068

Written objections or comments on the above application 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 (provide TMK information); (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 permit. Written objections must be received by September 3, 2009. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

KEN C. KAWAHARA, P.E., Deputy Director for
LAURA H. THIELEN, Chairperson

Dated: August 4, 2009

Publish in: Maui News issues of August 12, 2009 and August 19, 2009
Pāpōhaku-Harris Well
(0915-02)

scale: radius = 1 mile

EXHIBIT 1
Yes it is 6 acres.
Thanks,
Tracie

From: Charley.F.Ice@hawaii.gov [mailto:Charley.F.Ice@hawaii.gov]
Sent: Friday, July 31, 2009 5:55 PM
To: vwdhi@lava.net
Subject: Harris WUPA

Just to confirm: while the cover sheet says the total acreage is 5, the Table within shows 6 and total 1/2 and 1/4 ac totalling 6. It's 6, right?

Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P.O. Box 621, Honolulu 96809
(808) 587-0218
# APPLICATION FOR GROUND WATER USE PERMIT FOR
PROPOSED NEW USE IN A DESIGNATED GROUND WATER MANAGEMENT AREA

## FORM GWUPA-N

For detailed instructions on filling out this application form completely, refer to the attached instructions. Incomplete applications will not be accepted for processing.

The following must be attached before this application is accepted as complete:
- Portion of 7.5-Minute Series USGS topographic map (scale 1:24,000) with source location labeled and include the name of the quad map.
- Property tax map, showing source location referenced to established property boundaries.
- Photograph(s) of the source(s) and location(s) of proposed end use(s), if applicable.

### APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Name/Company</th>
<th>Contact Person</th>
<th>Name/Company</th>
<th>Contact Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terry Harris</td>
<td>Terry Harris</td>
<td>Terry Harris</td>
<td>Terry Harris</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>Fax</th>
<th>E-mail</th>
<th>Phone</th>
<th>Fax</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 237</td>
<td></td>
<td></td>
<td>808-552-0094</td>
<td>808-552-0094</td>
<td><a href="mailto:pjoharris@gmail.com">pjoharris@gmail.com</a></td>
</tr>
<tr>
<td>Maunaloa, HI 96770</td>
<td>808-552-0306</td>
<td><a href="mailto:pjoharris@gmail.com">pjoharris@gmail.com</a></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SOURCE INFORMATION

<table>
<thead>
<tr>
<th>ISLAND</th>
<th>4. GROUND WATER MANAGEMENT AREA</th>
<th>4A. SUSTAINABLE YIELD FOR ITEM 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Molokai</td>
<td>west sector - Kalua Koi</td>
<td>2 MGD</td>
</tr>
</tbody>
</table>

### SOURCE INFORMATION

Attach additional sheets, if necessary.

<table>
<thead>
<tr>
<th>Well Number (if known)</th>
<th>Well Name</th>
<th>Existing or Proposed?</th>
<th>TMK</th>
<th>Flowmeter installed?</th>
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</thead>
<tbody>
<tr>
<td>Harris 2009</td>
<td>PROPOSED</td>
<td></td>
<td>5 1 007 008</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### TOTAL QUANTITY OF WATER REQUESTED

8,000 gallons per day, averaged over 1 year

### PROPOSED USE(S)

- Agriculture
- Domestic
- Institutional

### LOCATION OF PROPOSED WATER USE(S)

Show the location of the proposed use on the same USGS and TMK maps as the proposed source location. Otherwise, attach similar maps. See Item 11 (Table 1, column B) of this application.

### SIGNATURES

For Official Use Only:

RECEIVED COMMISSION ON WATER RESOURCE MANAGEMENT 2009 JUL 27 PM 2:30

Terry Harris / Pam Harris 7/17/09

Terry Harris / Pam Harris 7/17/09
## Table 1: Land Use Consistency / Efficiency of Use

(Attach additional copies, if necessary.)

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
<th>H</th>
<th>I</th>
<th>J</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Purpose / Water Use Category</strong></td>
<td><strong>Time for Proposed Location of Use</strong></td>
<td><strong>State Land Use District</strong></td>
<td><strong>CULP Required?</strong></td>
<td><strong>Check the appropriate box, and write in the date approved, if applicable.</strong></td>
<td><strong>County Zoning Code</strong></td>
<td><strong>SMAP Required?</strong></td>
<td><strong>Check the appropriate box, and write in the date approved, if applicable.</strong></td>
<td><strong>Units or Net Acreage</strong></td>
<td><strong>GPD/Unit or GPD/Acre</strong></td>
</tr>
<tr>
<td><strong>Total Potable Use (GPD)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Uses That Require Potable (Drinking) Water</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td>8,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Uses That Do Not Require Potable Water</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>5.952</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Total Non-Potable Use</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000</td>
</tr>
</tbody>
</table>

Total Quantity of Water Requested (sum of total potable use and total non-potable use) = 8,000 GPD

Please explain if there are any limitations (e.g., legal, contractual) on the proposed water use(s) described in Table 1. Ref. HRS § 174C-51(5).
2. TABLE 2: IRRIGATION INFORMATION

List all crops that will be grown, including landscape and golf course irrigation uses. Copy Table 2 and attach additional sheets to complete your list, if necessary.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
<th>H</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CROP</td>
<td>TOTAL ACREAGE</td>
<td>NET IRRIGATED ACREAGE</td>
<td>BEGIN GROWTH PERIOD (month)</td>
<td>END GROWTH PERIOD (month)</td>
<td>IRRIGATION SYSTEM (refer to instructions)</td>
<td>IRRIGATION PRACTICE (refer to instructions)</td>
<td>COMMENTS (Continue comments below, if more space is needed.)</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>007</td>
<td>068</td>
<td>citrus trees</td>
<td>6</td>
<td>1/4</td>
<td>Jan</td>
<td>Dec</td>
</tr>
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<td>5</td>
<td>1</td>
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<td>vegetable garden</td>
<td>6</td>
<td>1/4</td>
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<td>6</td>
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<td>007</td>
<td>068</td>
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<td>Dec</td>
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<td>068</td>
<td>wind breaks</td>
<td>6</td>
<td>1/4</td>
<td>Jan</td>
<td>Dec</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>007</td>
<td>068</td>
<td>landscape trees</td>
<td>6</td>
<td>1/2</td>
<td>Jan</td>
<td>Dec</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>007</td>
<td>068</td>
<td>kiwi trees and grassland</td>
<td>6</td>
<td>3</td>
<td>Jan</td>
<td>Dec</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>007</td>
<td>068</td>
<td>street side landscape</td>
<td>6</td>
<td>1/2</td>
<td>Jan</td>
<td>Dec</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>007</td>
<td>068</td>
<td>flower gardens around house</td>
<td>6</td>
<td>1/2</td>
<td>Jan</td>
<td>Dec</td>
</tr>
</tbody>
</table>

Comments (continued from Column I). Please clearly indicate the crop (i.e., the row in table) these comments relate to.

Monitored moisture sensors (for all rows)
### 13. TABLE 3: ALTERNATIVES ANALYSIS

<table>
<thead>
<tr>
<th></th>
<th>A. Analysis of potable alternatives</th>
<th>B. Analysis of non-potable alternatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal sources</td>
<td></td>
<td>not available</td>
</tr>
<tr>
<td>Wastewater reuse</td>
<td></td>
<td>septic tank</td>
</tr>
<tr>
<td>Ditch system</td>
<td></td>
<td>not available</td>
</tr>
<tr>
<td>Desalinization</td>
<td></td>
<td>we have brackish water and plan to desalinate</td>
</tr>
<tr>
<td>Surface water</td>
<td></td>
<td>not available</td>
</tr>
<tr>
<td>Conservation Measures</td>
<td></td>
<td>drip irrigation system; monitored moisture sensors; daily inspections of pressure gauges; use of mulch</td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td>rainwater catchment</td>
</tr>
</tbody>
</table>

### 14. PUBLIC INTEREST

§174C-2(C), HRS states: The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and propagation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation. Such objectives are declared to be in the public interest.

Explain how the proposed new use(s) in your application are consistent with the public interest.

Not using treated potable water for irrigation.

### 15. INTERFERENCE WITH THE RIGHTS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS

Explain how the proposed new use(s) of water will not interfere with the rights of the Department of Hawaiian Home Lands, as provided in section 221 of the Hawaiian Homes Commission Act.

We will be using solar power to desalinate brackish water.

### 16. INTERFERENCE WITH ANY EXISTING LEGAL USES

Explain how the proposed new use(s) of water will not interfere with any other existing legal use(s) of water.

This system will not be tied into any existing legal uses of water.

### 17. PUBLIC WATER SYSTEM INFORMATION

Check the appropriate box or boxes.

- [ ] PUC-Regulated Private System
- [ ] Non-PUC-Regulated Private System
- [ ] Not a Public Water System
- [ ] Intended dedication to Honolulu Board of Water Supply or to County of Maui, Department of Water Supply.

FORM GWUPA-N (April 28, 2009)
HARRIS 2009
NON-POTABLE WELL

TOP OF CASING

slope overburden from well

concrete pad

overburden original ground

basalt rock

PERF
Wind Breaks

Landscape Trees

Kiawi Trees and Grasslands

Street Side Landscape
April 22, 2010

Mr. Terry Harris
P.O. Box 237
Maunaloa, HI 96770

Dear Mr. Harris:

Combined Certificate of Well Construction and Pump Installation Completion for
Well No. 0915-02 (TMK (2) 5-1-007:068)

We are pleased to inform you that the Well Construction and Pump Installation work permitted for the Papohaku-Harris Well (Well No. 0915-02) is complete and acceptable and welcome you as a new member to the community of well owners and ground water users in Hawaii. This combined certificate allows you to commence pumping your well for reasonable & beneficial individual domestic water use.

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

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

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

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

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

5. Your approved pump has a capacity of 22 gpm at a head of 15 ft. In the future, pump replacements of equal or lesser capacity will not require an additional permit from the Commission, but will require the submission of a Well Completion Report Part II by the licensed pump installer. If the pump replacement is greater than the existing pump, you will need to apply for a new pump installation permit.
6. The landowner shall cause the well operator to maintain the installed meter or other appropriate means for measuring and reporting withdrawals and water levels, and appropriate devices or means for measuring chlorides and temperature. These data shall be measured monthly and reported to the Commission on an annual basis, on forms provided by the Chairperson (attached), in accordance with §13-168-7, HAR. Blank water use report forms are also available at www.hawaii.gov/dlnr/cwrm/resources_permits.htm

7. The proposed use shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. The authorization to drill a well and/or install a pump shall not constitute a determination of correlative water rights. The landowner and well operator are notified that the quantity of water taken from the well and/or the pump capacity could be reduced by the Commission in the future.

8. In the event that your installed pump is less than 70 gallons per minute, and no elevation survey has been completed, you may be required to do one in the future.

9. Your well is located in a ground water management area. In accordance with §174C-48, HRS, a Water Use Permit is not required for domestic consumption of water by individual users, however, if you plan to change your use to something other than individual domestic consumption, you will need to apply for and obtain a water use permit prior to commencing the different use. Examples would be commercial agriculture, multiple residence service, other commercial endeavors using the water, etc.

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

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 1-800-468-4644 (Lanai & Molokai), extension 70255.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

CI:ss

c: Maui Department of Water Supply
Valley Well Drilling, Inc.
Ms. Tracie Sober  
Valley Well Drilling, Inc.  
91-458 Komohana Street  
Kapolei, HI 96813

Dear Ms. Sober:

Well Completion Report Part II for Well No. 0915-02

We received your Well Completion Report Part II for the Papohaku-Harris Well (Well No. 0915-02) on April 6, 2010 and acknowledge that it is complete.

This completes your obligations under the pump installation permit. A certificate of pump installation completion will be issued to the well operator/landowner and you will receive a copy. The certificate transfers responsibility of all aspects of well usage and maintenance from you to the well operator/landowner.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.  
Deputy Director

CI:ss

c: Terry Harris
Ms. Tracie Sober  
Valley Well Drilling, Inc.  
91-458 Komohana Street  
Kapolei, HI 96707  

Dear Ms. Sober:  

Well Completion Report Part I for Well No. 0915-02  

We received the last item for your Well Completion Report Part I for the Papohaku-Harris Well (Well No. 0915-02) on April 6, 2010 and acknowledge that it is complete.  

This completes your obligation under the well construction permit. A certificate of well construction completion will be issued to the well operator/landowner and you will receive a copy. This certificate transfers responsibility of specific aspects of well usage and maintenance from you to the well operator/landowner.  

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218.  

Sincerely,  

KEN C. KAWAHARA, P.E.  
Deputy Director  

Cc: Terry Harris
**MEMO and ROUTE SLIP (ver. 02/17/10)**

**WCR 1 Check for Well No. 0915-02**

**GW regulation route**

**Papahānaumoku - Ham's**

1. **From** Charley Ryan (initial)

   - Target pump: 30 gpm
   - Special cond. on brine effluent exempted by DOT (see folder)

2. **Well Log Check**
   - Geology Code for Well Index: RS
   - Fm Name: Beach Deposit

3. **Pump Tests Check**
   - Diane (initial)

<table>
<thead>
<tr>
<th>Step-Drawdown Test: followed WCPI Stds analysis attached</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>No</strong>&lt;br&gt;yes, stream name(s): Pump is set 3' above base of well. Well is set in sand. Pump may suck up sand.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Constant Rate Test: followed WCPI Stds analysis attached</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>No</strong>&lt;br&gt;yes, stream name(s): Pump is set 3' above base of well. Well is set in sand. Pump may suck up sand.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. **Construction Check**
   - Diane (initial)

<table>
<thead>
<tr>
<th>Construction Check:</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>data complete</td>
<td></td>
<td></td>
</tr>
<tr>
<td>followed Special Cond &amp; elevations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>well database updated</td>
<td></td>
<td></td>
</tr>
<tr>
<td>location unchanged from WCPIPA? (SMA, CD, TMK)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   **WCR 1 Accept**

   **WELL CONST. COMPLETION CERTIFICATE**

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

   ATTACHMENTS FOR PUMP INSTALLATION PERMIT (2x):
   - COVER LETTER
   - COUNTY COMMENTS (DWS/SMA)
   - DOH COMMENTS
   - DLNR COMMENTS (LD/OCCUDHP)
   - WCR 1 Accept
   - WELL CONST. COMPLETION CERTIFICATE
   - USGS MAP UPDATED
   - PARCEL CHECK
   - WELL DATABASE INPUT CHECK
   - PUMP TEST WORKSHEET
   - WELL As-Built CHECK PRINT

   **not necessary – only WCP or BOTH.**

   To be sent to driller/pump installer

   <----- To Landowner

   Staff internal checks

6. Roy (initial) check (Entered WCR 1/WCCC accept date into database)

7. Susan H. (initial) finalize

8. Ken (initial) signature

9. Charley Ryan File & Enter PIP issue date if attached/required
### Well Completion Report - Part I

**State of Hawaii**

**Commission on Water Resource Management**

**Department of Land and Natural Resources**

**WELL COMPLETION REPORT - PART I**

**Well Construction**

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

---

1. **State Well No.:** 091-02  
   **Well Name:** Papahaku-Harris  
   **Island:** Niihau

2. **Address:** 3824 Kauai Kai Rd  
   **Tax Map Key:** 61-007-068

3. **Drilling Company:** Val-Hall Drilling, LLC

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

5. **Date Well Construction (drilled, cased, grouted) completed:** 2/24/10

---

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

7. **Step-Drawdown Test completed?**  
   - [x] Yes

8. **Constant Rate Aquifer Test completed?**  
   - [ ] No  
   - [x] Yes

---

### Water Level Data:

<table>
<thead>
<tr>
<th>Reference point elevation</th>
<th>Depth to water (feet)</th>
<th>Water Level ft. above mean sea level (see note below)</th>
<th>Date/time of measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ground = 10 ft. msl</td>
<td>9</td>
<td>1</td>
<td>2/23/10 ?</td>
</tr>
<tr>
<td>Ground = 10 ft. msl</td>
<td>9</td>
<td>1</td>
<td>2/23/10 ?</td>
</tr>
<tr>
<td>If this reference point is not the benchmark, the difference between the benchmark and this point is: 0.5 ft.</td>
<td>9</td>
<td>1</td>
<td>2-24-10</td>
</tr>
</tbody>
</table>

**Chloride:** 1000 ppm  
**Temperature:** 72 °F

*Note: For all elevations referenced to mean sea level, take the ground elevation (surveyed or estimated if survey not required at this time) and subtract the depth to the water level.*

---

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

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

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

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

16. **Remarks:**

---

**Licensed Driller (print)**  

<table>
<thead>
<tr>
<th>Name</th>
<th>C-57 Lic. No.</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tracie Sober</td>
<td>29497</td>
<td>3-9-10</td>
</tr>
</tbody>
</table>

---

**Licensed Driller (signature)**  

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tim Sober</td>
<td>3-9-10</td>
</tr>
</tbody>
</table>

---

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

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

Elevation at top of casing: 12 ft., msl
(to nearest 0.01 ft.)

Hole Diameter: 24 in.

Minimum of 2' Radius & 4" Thick Concrete Pad

Ground Elevation: 10 ft., msl  □ Surveyed  □ Estimated

Bench mark elevation:

0.35 ft., msl*  □ (Surveyed to nearest 0.01 ft.)  X (Estimated)

Grouting method:

□ Positive displacement (if annular space is less than two inches, attach photo of tremie)
X Other

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

0 in.

X Rock or Gravel Packing:

4 ft.

Material:

□ Crushed Basalt
X Rounded Gravel

X Water Level Elevation:

1 ft., msl*

(item 11 from page 1)

Solid Casing Material:

Carbon Steel: compliant with (check one or more):
□ ANSI/AWWA C200  □ API Spec. 5L  □ ASTM A53  □ ASTM A139
And compliant with (check one or more):
□ ASTM A242 or A606  □ Type E  □ Type S  □ Grade B  □ Other

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

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

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

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

Open Casing Material:

Carbon Steel: compliant with (check one or more):
□ ANSI/AWWA C200  □ API Spec. 5L  □ ASTM A53  □ ASTM A139
And compliant with (check one or more):
□ ASTM A242 or A606  □ Type E  □ Type S  □ Grade B  □ Other

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

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

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

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

*msl = mean sea level

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

Solid Casing:

Length: 8 ft.
Nominal Diameter: 12 in.
Wall Thickness: 0.41 in.
Bottom Elevation: 2 ft., msl

Open Casing:

□ Perforated  □ Screen
Length: 3 ft.
Nominal Diameter: 12 in.
Wall Thickness: 0.41 in.
Bottom Elevation: -1 ft., msl

Open Hole:

Length: _____________ ft.
Diameter: _________ ft.
Bottom Elevation: _____________ ft., msl

WCR1 Form 6/12/07 Page 2 of 5
DRILLER'S LOG

WELL NUMBER: 0915-02  In addition to the driller's log, if a geologic log was prepared, please submit with this form.

<table>
<thead>
<tr>
<th>Depths (ft.)</th>
<th>Rock Description</th>
<th>Water Level</th>
<th>Cl-</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 11</td>
<td>Coral, sand</td>
<td>9' oct</td>
<td></td>
<td>2-24-10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

Remarks:
Charley,

Terry had given me the coordinates from his GPS but they were in the wrong format. Here are the correct coordinates:

21 degrees 10' 0.02"
157 degrees 15' 34.73"

Thanks,
Tracie

Charley.F.Ice@hawaii.gov [mailto:Charley.F.Ice@hawaii.gov]  
Sent: Thursday, April 01, 2010 10:25 AM  
To: vwdhi@lava.net  
Subject: Papohaku-Harris coordinates

Double-checking: when we plot the coordinates, we get about a half mile off the location, but if you change the longitude seconds from 5.79 to 35.79, it comes out really well. Was that a "write-o" (not a typo)?
WCR 2 Check for Well No. 0915-02 (GW regulation route)

1. From Charley Ryan ________ (initial)

2. Pump Tests Check (special condition of PIP? Yes/No) Diane __________ (initial)

   - Step-Drawdown Test:
     - followed WCPI Stds analysis attached
     - If no, describe deficiency
     - Yes No If no, describe deficiency
     - <70 gpm no test required

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

   - Potential Well Interference:
     - No

   - Potential Stream Impacts:
     - No

   - Additional Testing or Data Required:
     - No

   - Pump Test Comments Attached:
     - No

   - Proposed Pump Capacity is OK:

3. Pump Installation Check Diane __________ (initial)

   - data complete
   - followed Special Cond & Elevations
   - well database updated

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

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

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

5. Roy __________ (initial) check (Entered WCR 2/PICC accept date into database)
1. State Well No.: 0915-02  
Well Name: Papahaku - Harris  
Island: Molokai

2. Address: 3824 Kalua Kai Road  
Tax Map Key: 5-1-007-068

3. Pump Installation Company: Valley Well Drilling, LLC

4. Date Pump Installed: 2-29-10

5. PERMANENT PUMP INFORMATION

<table>
<thead>
<tr>
<th>Pump Type, Make, Serial No.</th>
<th>Dayton Dewatering Pump Pump 37U56</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rated Capacity: gpm</td>
<td>22 gpm at head of: 15 ft.</td>
</tr>
<tr>
<td>Motor Type, H.P., Voltage, rpm:</td>
<td>13 HP 115 Volt</td>
</tr>
</tbody>
</table>

Pump type (check one):

- [ ] Deep Well Turbine
- [x] Submersible Dewatering
- [ ] Centrifugal

6. Method of flow measurement:

- [x] Flowmeter w/ totalizer
- [ ] Other, explain and attach schematic

<table>
<thead>
<tr>
<th>Manufacturer</th>
<th>Model no.</th>
<th>Size</th>
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<tbody>
<tr>
<td>DLJ</td>
<td>DLJ35</td>
<td>3/4&quot;</td>
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</tbody>
</table>

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

8. Attach the rating curve for the installed pump. NO - NONE AVAILABLE

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

10. Well Owner Company: Tev  
    Contact: Terry Harris  
    Address: P.O. Box 237  
    Phone: 852-0094  
    Fax: 852-0306

11. Land Owner Company: Same as well owner  
    Address:  
    Phone:  
    Fax:  

12. Remarks

Pump Installation Contractor (print) Tracie Seber  
Lic. No. 24947

Signature: Tracie Seber  
Date: 3-9-10
7. AS-BUILT PUMP SECTION

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

Bench mark elevation surveyed to nearest 0.01 ft. = \( \frac{10.33}{10} \) ft. mean sea level

Elevation of top of chase tube = 12 ft. mean sea level

Pump intake depth = \( 0.15 \) ft. (referenced to bench mark)

Chase tube depth = \( \frac{1}{10} \) ft. (referenced to bench mark)

If airline installed, bottom of airline elevation = \( \frac{1}{10} \) ft. mean sea level
Papahaku-Harris Well
0915-02
RE: Flow Chart for 3YU56

Be advised – no graphical flow curve exists in our documents from this manufacturer. Listed below is the flow rates at various feet of head. NOTICE that this unit has a maximum head of 25 ft.

| GPM of Water @ 1 Ft. of Head | 41 |
| GPM of Water @ 5 Ft. of Head | 31 |
| GPM of Water @ 10 Ft. of Head | 22 |
| GPM of Water @ 15 Ft. of Head | 12 |
| GPM of Water @ 20 Ft. of Head | - |
| GPM of Water @ 25 Ft. of Head | - |
| GPM of Water @ 30 Ft. of Head | - |
| GPM of Water @ 35 Ft. of Head | - |
| GPM of Water @ 40 Ft. of Head | - |
| GPM of Water @ 45 Ft. of Head | - |

Max. Head (Ft.) 25

Height (In.) 10 1/2

Dis. (In.) 6 1/2

Stacey J Nickell
Customer Service Associate
Redding, Ca.

(530) 242 - 4653 phone
(530) 243 - 5276 fax

"For The Ones Who Get It Done"
Submersible Dewatering and Utility Pump

Drain standing water in shallow areas such as basements, window wells, sumps, rooftops, and construction and dump sites.

UL Listed (except No. 6WY63) and CSA Certified (except Nos. 6WY64, 3P992, and 3P993).

- Single-phase thermally protected motors
- Nonclog impeller

Plastic Housing

Pump water down to at least 1/2".

Includes 3/4" garden hose adapter. Nos. 3P992 and 3P993 have double-insulated power cord and permanent-magnet intermittent-duty motor.

Tech Specs

Item: Submersible Dewatering and Utility Pump

HP: 1/3
Voltage: 115
Amps AC: 3
Cord Length (Ft.): 10
Discharge NPT (In.): 1 1/4

GPM of Water @ 5 Ft. of Head: 41
GPM of Water @ 10 Ft. of Head: 31
GPM of Water @ 15 Ft. of Head: 22
GPM of Water @ 20 Ft. of Head: 12
Max. Head (Ft.): 25
Height (In.): 10 1/2
DIA. (In.): 6 1/2

Housing: Polypropylene
Top Material: Polypropylene
Base Material: Polypropylene
Impeller Material: Polyphenylene Oxide
Max. Dia. Sleeve (In.): 1/8
Max. Liquid Temp. (F): 104
Shaft Material: Buna N
Shaft Seal: Buna N

Section: Screened Bottom
Handle: Top Carrying
Function: Pumps Drain Standing Water Down to 3/8" Inches Depth to Dewater Shallow Flooded Areas such as Basements, Window Wells, Rooftops, Ponds and Stock Tanks
For Use With: Nonflammable Liquids Compatible with Pump Materials of Construction
Includes: 3/4" Garden Hose Adapter

Optional Accessories

Contractor Water Hose, 450 PSI, 918 GPH

Item #: 2P562
Brand: SWAN
Usually Ships: Today
Price (ea): $37.65

Float Switch Economy

Item #: 3BYS8
Brand: DAYTON
Usually Ships: Today
Price (ea): $31.65

Alternate Products

Pump, Sump, 1/3 HP

Item #: 3P640
Brand: LITTLE GIANT
Usually Ships: Today
Price (ea): $119.35

Pump, Utility, 1/4 HP

Item #: 3YU55
Brand: DAYTON
Usually Ships: Today
Price (ea): $109.10

Pump, Sump, 1/3 HP

Item #: 3YU65
Brand: DAYTON
Usually Ships: Today
Price (ea): $131.45

Repair Parts

A Repair Part may be available for this item. Visit our Repair Parts Center or contact your local branch for more information.

Grainger Item #: 3YU56
Price (ea): $127.50
Brand: DAYTON
Model #: 3YU56
Ship Qty: 1
Sell Qty (Will Call): 1
Ship Weight (lbs.): 8.35

Additional Info

Drain standing water in shallow areas such as basements, window wells, sumps, rooftops, and construction and dump sites.

UL Listed (except No. 6WY63) and CSA Certified (except Nos. 6WY64, 3P992, and 3P993).

- Single-phase thermally protected motors
- Nonclog impeller

Plastic Housing

Pump water down to at least 1/2".

Includes 3/4" garden hose adapter. Nos. 3P992 and 3P993 have double-insulated power cord and permanent-magnet intermittent-duty motor.

Tech Specs

Item: Submersible Dewatering and Utility Pump

HP: 1/3
Voltage: 115
Amps AC: 3
Cord Length (Ft.): 10
Discharge NPT (In.): 1 1/4

GPM of Water @ 5 Ft. of Head: 41
GPM of Water @ 10 Ft. of Head: 31
GPM of Water @ 15 Ft. of Head: 22
GPM of Water @ 20 Ft. of Head: 12
Max. Head (Ft.): 25
Height (In.): 10 1/2
DIA. (In.): 6 1/2

Housing: Polypropylene
Top Material: Polypropylene
Base Material: Polypropylene
Impeller Material: Polyphenylene Oxide
Max. Dia. Solids (In.): 1/8
Max. Liquid Temp. (F): 104
Shaft Material: Buna N
Shaft Seal: Buna N

Section: Screened Bottom
Handle: Top Carrying
Function: Pumps Drain Standing Water Down to 3/8" Inches Depth to Dewater Shallow Flooded Areas such as Basements, Window Wells, Rooftops, Ponds and Stock Tanks
For Use With: Nonflammable Liquids Compatible with Pump Materials of Construction
Includes: 3/4" Garden Hose Adapter

Notes & Restrictions

There are currently no notes or restrictions for this item.

MSDS

This item does not require a Material Safety Data Sheet (MSDS).

Required Accessories

There are currently no required accessories for this item.
<p>| FROM: ROY | DATE: DEC 11 2009 | SUSPENSE DATE: |</p>
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<td>KIMURA, J.</td>
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<td>YOSHINAGA, M.</td>
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<td></td>
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orig.
Terry and Pam Harris
3284 Kalua Koi Rd.
PO Box 237
Maunaloa, Molokai, Hawaii
pjoharris@gmail.com
808-552-0094 Ph
808-662-0306 Fax

December 10, 2009

State of Hawaii
DLNR/Commission on Water Resource Management
PO Box 621, Honolulu, HI 96809

Re: WUP # 878 for Well #0915-02
Kaluakoi Ground Water Management Area, Molokai
Special Conditions: Water shortage plan and records

Dear Commission,

In the event that The Water Commission should declare a water shortage situation in the Kaluakoi Ground Water Management Area, we (Terry and Pam Harris) as stewards of state well #0915-02 located at 3284 Kalua Koi Rd., Maunaloa, HI, would be willing to comply with any reasonable directions the water commission deems necessary.

This may include, but not be limited to conserving our water usage to the extreme of shutting down the well if need be. At this point, we would revert to our original manner of watering on the system in place in Kaluakoi, also being conservative in our usage.

We also will comply with the monitoring of our water usage and the annual reporting as directed on the GWUR.

We also are grateful for any suggestions or knowledge the commission would wish to share with us, so that we may be compliant and conservative in our water usage.

Respectfully yours,

Terry and Pamela Harris
(this letter was also emailed on Dec 10)
You are cleared to proceed with this project. We have letters from DoH noting that the project is not subject to their regulations for either UIC or NPDES, which meets our approved Commission action.

Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P.O.Box 621, Honolulu 96809
(808) 587-0218
Note: This permit shall be prominently displayed at the site until the work is completed

PUMP INSTALLATION PERMIT
Papohaku-Harris Well, Well No. 0915-02

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Papohaku-Harris Well (Well No. 0915-02) at TMK (2) 5-1-007:068, Molokai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson to the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work covered by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).
2. No withdrawal of water shall be made other than for testing until a Certificate of Pump Installation Completion has been issued by the Commission.
3. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.
4. The pump installation permit shall be for installation of a 30 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.
5. A water-level measurement access shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels.
6. The permittee shall install an approved meter or other appropriate means for measuring and reporting withdrawals and appropriate devices or means for measuring chlorides and temperature at the well head.
7. Well Completion Report Part II shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrm/resources_permits.htm for current form).
8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances, and non-compliance may be grounds for revocation of this permit.
9. The pump installation permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.
10. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.
11. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.
12. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.
13. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the permittee, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.
14. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: November 18, 2009
Expiration Date: November 18, 2011

LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

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

Installer's Signature: C-57, C-57a, or A License #: C-24947 Date: 12-7-09

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

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

Attachments
WELL CONSTRUCTION PERMIT

Papohaku-Harris Well, Well No. 0915-02

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Papohaku-Harris Well (Well No. 0915-02) at TMK (2) 5-1-007:068, Molokai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Date of Approval: November 18, 2009
Expiration Date: November 18, 2011

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

Driller's Signature: [Signature]
C-57 License #: C-24947 Date: 12-7-09 LLC
Printed Name: Tracie Sober Firm or Title: Valley Well Drilling, Inc.

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

Attachment
Ms. Tracie Sober  
Valley Well Drilling, Inc.  
91-458 Komohana Street  
Kapolei, HI 96707

Dear Ms. Sober:

Pump Installation Permit  
Papohaku-Harris Well (Well No. 0915-02)

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

Special Conditions

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

2. The permittee shall conduct aquifer pump tests in accordance with the Hawaii Well Construction and Pump Installation Standards (revised February 2004) on the latest aquifer pump test data forms, which are available by contacting staff or on the web at www.hawaii.gov/dlnr/cwrm/forms.htm.

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

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

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

If you have any questions, please call Charley Ice of the Commission staff at 587-0218.

Sincerely,

Laura H. ThieLEN  
Chairperson

Enclosure

c: Terry and Pamela Harris  
USGS  
Maui DWS
PUMP INSTALLATION PERMIT
Papohaku-Harris Well, Well No. 0915-02

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Papohaku-Harris Well (Well No. 0915-02) at TMK (2) 5-1-007:068, Molokai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

4. The pump installation permit shall be for installation of a 30 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

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

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

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

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

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

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

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

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

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

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

Date of Approval: November 18, 2009
Expiration Date: November 18, 2011
LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

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

Installer's Signature: __________________________ C-57, C-57a, or A License #: C-24947 Date: __________________________
Printed Name: Tracie Sober Firm or Title: Valley Well Drilling, Inc.

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

Attachments
Ms. Tracie Sober
Valley Well Drilling, Inc.
91-458 Komohana Street
Kapolei, HI 96707

Dear Ms. Sober:

Well Construction Permit
Papohaku-Harris Well (Well No. 0915-02)

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

Special Conditions

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

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

3. Prior to commencement of well construction, the well owner shall obtain appropriate approval for the disposal of desalting waste stream brine from the Department of Health, and meet the Division of Aquatics approval for any described impacts on the nearshore environment.

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

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

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

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

If you have any questions, please call Charley Ice of the Commission staff at 587-0218.

Sincerely,

[Signature]

Chairperson

Enclosures

c: Terry and Pamela Harris (with applicable comments - DOH SDWB, WWB, CWB, HEER; MDWS)
USGS
Maui DWS
WELL CONSTRUCTION PERMIT

Papohaku-Harris Well, Well No. 0915-02

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

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Papohaku-Harris Well (Well No. 0915-02) at TMK (2) 5-1-007:068, Molokai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Date of Approval: November 18, 2009
Expiration Date: November 18, 2011

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

Driller's Signature: ___________________________ C-57 License #: C-24947 Date: ___________________________

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

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

Attachment
COMMISSION ON WATER RESOURCE MANAGEMENT

ROUTE SLIP FOR PERMIT ISSUANCE 5/19/05

FROM: CHARLEY
DATE: 05/19/05
SUSPENSE DATE: __________

TO: ANAKALEA, P.
INIT: __________
TO: KUNIMURA, I.
INIT: __________
FOR: Approval
PLEASE: See Me

TO: BAUER, G.
INIT: __________
TO: NAKANO, D.
INIT: __________
FOR: Signature
PLEASE: 1. Review & Comment

TO: CHING, F.
INIT: __________
TO: OHYE, M.
INIT: __________
FOR: Information
PLEASE: 2. Type Draft

TO: DANBARA, S.
INIT: __________
TO: SAKODA, E.
INIT: __________
FOR: Type Final
PLEASE: 3. File

TO: FUJII, N.
INIT: __________
TO: SUBIA, S.
INIT: __________
FOR: Xerox __________ copies

TO: GOODING, K.
INIT: __________
TO: SWANSON, S.
INIT: __________
FOR: __________
PLEASE: __________

TO: HARDY, R.
INIT: __________
TO: UYENO, D.
INIT: __________
FOR: __________
PLEASE: __________

TO: HIGA, D.
INIT: __________
TO: YODA, K.
INIT: __________
FOR: __________
PLEASE: __________

TO: ICE, C.
INIT: __________
TO: YOSHINAGA, M.
INIT: __________
FOR: __________
PLEASE: __________

WELL NUMBER: 0915-02

WELL CONSTRUCTION

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

TO BE SENT TO APPLICANT

WELL: Papohaku-Harris

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

TO BE SENT TO APPLICANT

FOR OFFICE USE ONLY
I don't recall this coming before the MoPC in recent months.

>>> <Charley.F.Ice@hawaii.gov> 11/12/2009 6:05 PM >>>
Can you provide us with a status report on the Molokai Planning Commission action on the proposed well 0915-02 for Pamela and Terry Harris. We understood that it was approved but appealed for some reason. What's the story?

- - - - - - - - - - - - - - - - - - - - -

County of Maui.

IT Security measures will reject attachments larger than 12 MB, and will block or quarantine high-risk file types in attachments.
September 1, 2009

Mr. Ken C. Kawahara, P.E., Deputy Director
Department of Land and Natural Resources, State of Hawaii
Commission on Water Resource Management
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Kawahara:

RE: Well Construction/Pump Installation Permit Review and Application for Papohaku-Harris Well (Well No. 0915-02)

Thank you for the opportunity to comment on this review and application.

The proposed use of 8,000 gallons per day of brackish water for irrigation will not have significant adverse impacts on Department of Water Supply (DWS) wells.

Since the applicant plans to desalinate the brackish water from their well, the DWS recommends that the applicant properly dispose of the brine discharge so as not to have a significant adverse impact on the environment. In addition, care should be taken to avoid buildup of salts in the soil through appropriate measures.

The DWS has the following concerns about the growing number of private wells in the county:

• Each well is a potential conduit for contamination to the aquifer. Over years, wear, damage, improper maintenance, or inadequate wellhead protection can lead to the potential for non-desirable substances to enter the aquifer through well bores, flawed or damaged casings, or abandoned wells that have not been properly sealed.

• To avoid contamination and degradation of water quality and ensure reliable supply over the long term, wells must be properly operated and maintained. The operation and maintenance of wells can be expensive. Over time, private well owners or their successors in interest may not be able to ensure proper maintenance, repair and eventual abandonment measures.

• A majority of wells in the state either do not report pumpage at all or report

"By Water All Things Find Life"

The Department of Water Supply is an Equal Opportunity provider and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, Room 328-W, Whitten Building, 14th and Independence Avenue, SW, Washington DC 20250-9410. Or call (202) 720-5964 (voice and TDD)
Mr. Ken C. Kawahara
Page 2
September 1, 2009

infrequently. Though the individual impacts of such wells are minor, their cumulative impact may not be.

We note that several community members have expressed concerns about the number of well permits on Molokai, and suggest that their concerns be evaluated and addressed.

In order to protect the ground water resources, the Hawaii State Water Code and the Administrative Rules of the Department of Land and Natural Resources has required the Commission on Water Resource Management to develop minimum standards for the construction, as well as modification, repair/maintenance, and sealing/abandonment of wells.

The DWS recommends additional measures which include the following:

• Inspect exposed parts of the well periodically for problems such as cracked or corroded well casing, broken or missing well cap, damaged protective casing, and the settling or cracking of surface seals.
• Provide for sediment removal and well cleaning as necessary.
• Have the well tested once a year for fecal coliform and other pathogens of concern.
• Avoid mixing or using pesticides, fertilizers, herbicides, degreasers, fuels or other pollutants near the well.
• Keep accurate records of any well maintenance, such as disinfection or sediment removal, that requires the use of chemicals in the well.
• Install an approved back-flow prevention device as would be required if the applicant were on the DWS system. The device will prevent the reverse flow of water and possible contaminants into the private system and the groundwater.

Should you have any questions, please contact our Water Resources & Planning Division at 244-8550.

Sincerely,

JEFFREY K. ENG, DIRECTOR

ayi

c: Engineering Division
Applicant
September 1, 2009

Mr. Ken C. Kawahara, P.E., Deputy Director  
Department of Land and Natural Resources, State of Hawaii  
Commission on Water Resource Management  
P.O. Box 621  
Honolulu, Hawaii 96809

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- To avoid contamination and degradation of water quality and ensure reliable supply over the long term, wells must be properly operated and maintained. The operation and maintenance of wells can be expensive. Over time, private well owners or their successors in interest may not be able to ensure proper maintenance, repair and eventual abandonment measures.
- A majority of wells in the state either do not report pumpage at all or report...

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- Have the well tested once a year for fecal coliform and other pathogens of concern.
- Avoid mixing or using pesticides, fertilizers, herbicides, degreasers, fuels or other pollutants near the well.
- Keep accurate records of any well maintenance, such as disinfection or sediment removal, that requires the use of chemicals in the well.
- Install an approved back-flow prevention device as would be required if the applicant were on the DWS system. The device will prevent the reverse flow of water and possible contaminants into the private system and the groundwater.

Should you have any questions, please contact our Water Resources & Planning Division at 244-8550.

Sincerely,

JEFFREY K. ENG, DIRECTOR

JEFFREY K. ENG, DIRECTOR

Engineering Division

Applicant
Charley,
Will this map work for the Harris 2009 well permit?
Thanks,
Tracie

From: Pamela Harris [mailto:pjoharris@gmail.com]
Sent: Tuesday, September 01, 2009 8:01 AM
To: tracie@vwdhi.com
Subject: well permit

Aloha Tracie,
We had a surveyor come out and he did the well site for us. Please see the attached stamped and signed well site plan, that shows we outside the SMA.
Let us know if you need anything else or hear anything about our permit.
Thanks,
PJ and Terry Harris

083109_Well_Plan_signed[1].tif
NOTES
I performed this survey on August 27, 2009.
North was determined by recovery of existing roadway monuments. Parenthesis ( ) indicate record plat or deed data. Distances are measured in tenths of a foot (0.1' = 1.2').
SMA line determined from Maui County GIS data.

Raymond B. Turner
Licensed Professional Land Surveyor
State of Hawaii No. 10914 (expires 4-30-10)
ACTION SURVEY, PO Box 2419, Wailuku, HI 96793
(808) 891-2400 surveyrey@hawaii.rr.com

Lot 386

Lot 387, Map 19,
Ld. Ct. App. 1683
5.952 acres

Lot 388

SCALE: 1" = 100'

Raymond B. Turner
Licensed Professional Land Surveyor
State of Hawaii No. 10914 (expires 4-30-10)
ACTION SURVEY, PO Box 2419, Wailuku, HI 96793
(808) 891-2400 surveyrey@hawaii.rr.com

Traverse PC
Charley,

Terry and Pam have moved the well so it will be adjacent to their swimming pool. They did not need an SMA permit for their pool. They measured where the well will be from their property line. 140' from the ocean and 60' from the property line on the right side of the property. GPS coordinated NAD83 21 degrees 10' 0.89"N 157 degrees 15' 34.37"W.

Thanks,
Tracie

Charey.F.Lce@hawaii.gov [mailto:Charey.F.Lce@hawaii.gov]
Sent: Thursday, August 13, 2009 4:05 PM
To: tracie@vwdhi.com
Subject: RE: Papohaku well

Excellent!

Charley,

Terry had some plans drawn for the property. I'll check with him to make sure the well is placed in an area not in the SAM boundary. We will get back to you in a day or two.

Thanks,
Tracie

Charey.F.Lce@hawaii.gov [mailto:Charey.F.Lce@hawaii.gov]
Sent: Thursday, August 13, 2009 11:28 AM
To: tracie@vwdhi.com
Subject: RE: Papohaku well

Brilliant!
They did not answer my other question, so can we be prepared? -- how would you know, on the ground, how far the SMA boundary is from your back property line? If you can indicate that the well is going to be xx feet from the makai property boundary, compared with the SMA boundary extending in yy feet, we're...
probably safe. Ugh.

"Tracie Sober" <tracie@vwdhi.com>  
To <Charley.F.Ice@hawaii.gov>  
cc  
Subject RE: Papohaku well

Charley,
I just spoke to Terry Harris and he is in Oakland on his way to Molokai today. He is aware of the requirements of an SMA permit and for that reason will move the dug well outside the boundaries of the SMA. Attached is a copy of the map with new well location.

Thanks,
Tracie

From: Charley.F.Ice@hawaii.gov [mailto:Charley.F.Ice@hawaii.gov]
Sent: Thursday, August 13, 2009 10:57 AM
To: vwdhi@lava.net
Subject: Fw: Papohaku well

Geez -- take a look here. I hoped to keep this simple. Can we get a GPS or some facsimile of a surveyor acknowledgement?, or else move the proposed well location to make it more obviously outside the SMA?

----- Forwarded by Charley F Ice/DLNR/StateHIUS on 08/13/2009 10:52 AM -----  
"Paul Fasi" <Paul.Fasi@co.mau.hi.us>  
To Charley.F.Ice@hawaii.gov  
cc  
Subject Re: Papohaku well

Tell him to submit a certified map, stamped and produced by a Hawaii licensed surveyor/engineering firm clearly depicting the EXACT well location. I suggest issuing no permits until we verify the exact well location.
Tell him to submit a certified map, stamped and produced by a Hawaii licensed surveyor/engineering firm clearly depicting the EXACT well location. I suggest issuing no permits until we verify the exact well location.

---

Charley - here's our SMA map from our system. Compare it to yours. Depending on the actual well location on the parcel, he may/may not need an SMA permit.
Date: 8/13/2009 8:41 AM
Subject: Papohaku well

Thanks Paul. Here's our map of the well location -- looks to be just outside the SMA:
[attachment "Scan001.pdf" deleted by Charley F Ice/DLNR/StateHiUS]

Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P.O. Box 621, Honolulu 96809
(808) 587-0218
Charley - here's our SMA map from our system. Compare it to yours. Depending on the actual well location on the parcel, he may/may not need an SMA permit.

Thanks Paul. Here's our map of the well location -- looks to be just outside the SMA:

Charley Ice
Hydrologist
Hawaii Water Commission
1151 Punchbowl 227 Kalanimoku
P O Box 621, Honolulu 96809
(808) 587-0218

Scan001.pdf
Aloha!

Please see the attached.

Mahalo,

Venus P. Bolosan
Clerk Typist
County of Maui-Dept. of Planning; Current Division
phone (808)270-8063 or
(808)270-8205 [general line]
venus.bolosan@mauicounty.gov

---

County of Maui.

IT Security measures will reject attachments
larger than 12 MB, and will block or quarantine
high-risk file types in attachments.
August 7, 2009

Mr. Jeffrey Hunt, Director
Planning Department
County of Maui
250 South High Street
Wailuku, HI 96793

Dear Mr. Hunt:

Special Management Area Use Permit Requirements for
Well Construction/Pump Installation Permit Application
Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application with regard to the SMA permitting requirements specific to your division. **Please respond by returning this cover memo form by September 3, 2009.** If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

Sincerely,

LAURA H. THEILEN
Chairperson

**RESPONSE:**

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

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

- [ ] No objections

- [✓] Other comments: **MAI require SMA - need better maps.**

Contact Person: [Signature]  
Phone: 808-270-7814

Signed: [Signature]  
Date: 8/11/09
### WELL LOCATION INFORMATION

<table>
<thead>
<tr>
<th>1. STATE</th>
<th>HAWAII</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. WELL NO.</td>
<td>992-004</td>
</tr>
<tr>
<td>3. WELL NAME</td>
<td>HARRIS 2009</td>
</tr>
<tr>
<td>4. ISLAND</td>
<td>MOLOKAI</td>
</tr>
<tr>
<td>5. TON</td>
<td>2.007</td>
</tr>
</tbody>
</table>

The following must be attached before the application is accepted complete:
- Property tax map, showing well location referenced to established property boundaries.
- Photographs of the proposed well site.
- A schematic diagram showing the well site, access road and proposed well infrastructure.
- For dug wells, a grading plan with cross section profiles showing existing and new grades.

### PROPOSED WELL CONSTRUCTION

<table>
<thead>
<tr>
<th>7. Proposed Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1. Construct New Well</td>
</tr>
<tr>
<td>7.2. Modify Existing Well</td>
</tr>
<tr>
<td>7.3. Abandon/Seal Well</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8. Construction Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>JS Drilled</td>
</tr>
<tr>
<td>JS Dug</td>
</tr>
<tr>
<td>JS Shaft</td>
</tr>
<tr>
<td>JS Tunnel</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10. Proposed Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.1. Install New Pump</td>
</tr>
<tr>
<td>10.2. Replace Pump</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>11. Proposed Pumping Rate, gpm (gallons per minute)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>13. Method of flow measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (explain)</td>
</tr>
</tbody>
</table>

### PROPOSED PUMP INSTALLATION

<table>
<thead>
<tr>
<th>12. Proposed Amount of Withdrawal, gpd (gallons per day)</th>
</tr>
</thead>
<tbody>
<tr>
<td>8,000</td>
</tr>
</tbody>
</table>

### OTHER LEGAL REQUIREMENTS

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

<table>
<thead>
<tr>
<th>21. Conservation District Use Permit (CDUP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.1. Required, CDUP # data approved</td>
</tr>
<tr>
<td>21.2. Not Required (attach documentation from CDCL)</td>
</tr>
<tr>
<td>21.3. I have not checked with the county about whether or not a CDUP Permit is required. I understand that checking with the County prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.</td>
</tr>
</tbody>
</table>

### FURTHER INFORMATION

- Municipal (water systems serving greater than 25 individuals or 15 service connections) |
- Irrigation (describe crop and number of acres) |
- Military (describe) |
- Other (describe) |

### NOTE

- Signing below indicates that the signatures understand and agree that the information provided is accurate and true to the best of their knowledge.
- Further information and updates to this application form are available at http://www.hawaii.gov/wrm.
August 7, 2009

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
         Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond with your comments and return this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

Cl: ss
Attachment(s)

RESPONSE:

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

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

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

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

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

An NPDES permit is required.

Other relevant DOH rules/regulations, information, or recommendations are attached. One-Stop database screen info

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

No comments/objections

Contact Person: Roland Tejano, Eng. on Maui 984-8232

Signed: Dates: 8-10-09
### IWS System Information

#### Septic Tank Information
- **Septic Tank Liquid Volume:** 1000 gallons
- **Manufacturer:** Others - Septic Tank
- **Disposal Type:** Infiltrators / Chambers
- **Remarks:**
  - New 1 bd ADU/new 3 bd SFD Installed infiltrator w/o gravel

#### Soil Profile Information
- **Percolation Rate:**
- **Minimum Soil Absorption:** 70 sf/bd
- **3' Groundwater Setback:**

#### Soil Absorption Information

<table>
<thead>
<tr>
<th>Soil Absorption Bed</th>
<th>Soil Absorption Trenches</th>
<th>Seepage Pit</th>
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<td>6'' Inspection Port:</td>
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**Added By:** phsieh 2/26/2007 10:52 AM  
**Last Modified:** rtsjano 7/22/2009 7:12 AM
TO: Morris Atta, Administrator  
Land Division  

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

SUBJECT: Well Construction/Pump Installation Permit Application  
Papohaku-Harris Well (Well No. 0915-02) TMK (2) 5-1-007:068  

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

RESPONSE:

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

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

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

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

[ ] No objections

XX Other comments: Original source of private title is Grant 3146 issued prior to statehood.

Contact Person: Gary Martin  
Phone: 576-0421

Signed: Gary Martin  
Date: AUG 3 1 2009
TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Tomas See, Chief, Wastewater Branch
             Stuart Yamada, Chief, Safe Drinking Water Branch
             Alec Wong, Chief, Clean Water Branch
             Dr. Keith Kawakami, Office of Hazard Evaluation and Emergency Response

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

SUBJECT: Well Construction/Pump Installation Permit Application
   Papohaku-Harris Well (Well No. 0915-02)

August 7, 2009

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

Class: Attachment(s)

RESPONSE:

This well qualifies as a source which will serve as a source of public water to a public water system (defined as serving 25 or more people at least 60 days per year or at least 15 or more service connections) and must receive Director of Health approval prior to use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Related to Public Water Systems, H-11-20.20.

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

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

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

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

An NPDES permit is required.

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

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

No comments/objections

Contact Person: Richard Palmer
   Phone: 586-0257

Signed: Richard Palmer
   Date: 14 Aug 2009
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

August 7, 2009

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

Class
Attachment(s)

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 2C, Rules Relating to Potable Water Systems, §11-20-29

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

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

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

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

[ ] An NPDES permit is required.

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

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

[ ] No comments/objections

Contact Person: Michael M. Kam<br>Phone: 808-925-8<br>Signature: Date: 8/11/09
August 7, 2009

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

CLASS: Attachment(s)

RESPONSE:

This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 1, Chapter 25, Rules Relating to Potable Water Systems, §§ 1-1-20.9.

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

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

If the well is not subject to Safe Drinking Water Regulations.

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

An NFDES permit is required.

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

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

No comments/objections

Contact Person: Danielle L. Seigo
Phone: 586-4309
Signed:

Phone: Date:

09-09
Subject: Well Construction/Pump Installation Permit Application(s)  
Well No(s). 5425-03, 0915-02

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

1. For Well-Drilling Activities

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

   Department of Health  
   Clean Water Branch  
   919 Ala Moana Boulevard, Room 301  
   Honolulu, Hawaii 96814-4920

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

2. For Well Pump Testing

   The discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, best management practices shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.
3. For Construction Activities Disturbing One (1) or More Acres of Total Land Area

By HAR, Title 11, Chapter 55, Appendix C, effective October 22, 2007, and compiled June 15, 2009, an NPDES permit or Notice of General Permit Coverage is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NOI (see Comment No. 1, above) shall be submitted 30 calendar days before the start of construction activities.
August 7, 2009

Ms. Tracie Sober
Valley Well Drilling, LLC
91-458 Komohana Street
Kapolei, HI 96707

Dear Ms. Sober:

Well Construction/Pump Installation Permit Application for Well No. 0915-02

We acknowledge receipt, on July 27, 2009, of your completed Well Construction/Pump Installation permit application and filing fee for the Papohaku-Harris Well (Well No. 0915-02). You can expect your application to be processed within ninety (90) days from this date.

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

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

If you have any questions about your permit application, please contact Charley Ice of the Commission staff at 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

attachment

Attachment

c: Terrence and Pamela Harris
August 7, 2009

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

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

SUBJECT: Well Construction/Pump Installation Permit Application
         Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

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

RESPONSE:

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

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

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

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

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

An NPDES permit is required.

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

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

[ ] No comments/objections

Contact Person: ____________________________ Phone: __________________________

Signed: ____________________________ Date: __________________________
August 7, 2009

TO: Morris Atta, Administrator
    Land Division

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

SUBJECT: Well Construction/Pump Installation Permit Application
         Papohaku-Harris Well (Well No. 0915-02) TMK (2) 5-1-007:068

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

RESPONSE:

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

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

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

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

[ ] No objections

[ ] Other comments:

Contact Person: _______________________________ Phone: ______________

Signed: _______________________________ Date: ______________
August 7, 2009

TO: Dr. Puualaokalani Aiu, Administrator
     Historic Preservation

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

SUBJECT: Well Construction/Pump Installation Permit Application
         Papohaku-Harris Well (Well No. 0915-02) TMK: (2) 5-1-007:068

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

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by September 3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

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

CI:ss
Attachment(s)

RESPONSE:

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

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

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

Contact Person: __________________________ Phone: ________________

Signed:________________________________ Date: ________________
August 7, 2009

Mr. Jeffrey Hunt, Director
Planning Department
County of Maui
250 South High Street
Wailuku, HI 96793

Dear Mr. Hunt:

Special Management Area Use Permit Requirements for
Well Construction/Pump Installation Permit Application
Papohaku-Harris Well (Well No. 0915-02)

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

We would appreciate your comments on the captioned application with regard to the SMA permitting
requirements specific to your division. Please respond by returning this cover memo form by September
3, 2009. If we do not receive comments or a request for additional review time by this date, we will assume
you have no comments.

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

Sincerely,

Laura H. ThieLEN
Chairperson

RESPONSE:

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

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

[ ] No objections

[ ] Other comments:

Contact Person: ___________________ Phone: ____________

Signed: _________________________ Date: ____________
August 7, 2009

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

Dear Mr. Eng:

Well Construction/Pump Installation Permit Review
Well Construction/Pump Installation Permit Application
Papohaku-Harris Well (Well No. 0915-02)

Transmitted for your review and comment is a copy of the captioned Well Construction/Pump Installation permit application. If you have any comments on this application, please submit them by September 3, 2009. If we do not receive comments we will assume you have no comments.

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

Sincerely,

[Signature]

Laura H. ThieLEN
Chairperson

CL: ss
Attachment
Assessed values and Building Details reflect tax year 2009 for all islands. Taxes reflect tax year 2009.

Search criteria: TMK Taxkey 2-5-1-7-68

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

Copyright ©7/31/2009 by Hawaii Information Service
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**TOTAL** $100.00

**REMARKS:**

- LINE (1) Myddel Well 2
- LINE (2) Benko Well
- LINE (3) Harris 2009 Well (WUPA)
- LINE (4) Harris 2009 Well (WCPA/PIPA)
- LINE (5)
- LINE (6)
- LINE (7)
- LINE (8)
- LINE (9)
- LINE (10)
WELL LOCATION INFORMATION

1. STATE_WELL NO. (If newly assigned) 
2. WELL NAME 
3. ISLAND 
4. TMK 
5. ZONE 
6. LOCATION INFORMATION
7. TOWN 
8. RANGE 
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PROPOSED WELL SECTION (Please attach schematic if different from diagram provided below)

For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or, Bottom Elevation of Well Limit = (Water Elevation - 0.25 x Aquifer Thickness)

Example: Estimated + 2 ft. Water Level Elev. Bottom Elevation of Well Limit = (2 - 0.25 x (41)) = -18.5 ft.

Solid Casing Material:
Carbon Steel: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139
And compliant with (check one or more): □ ASTM A242 (or A606) □ Type E □ Type S □ Grade B □ Other
Stainless Steel: (check one): □ ASTM A409 (production welds) □ ASTM A312 (monitor welds)
ABS Plastic conforming to ASTM F480 and ASTM D1785 or ASTM D2241: (check one): □ Schedule 40 □ Schedule 80 □ Schedule 120
Thermoset Plastic: (check one) □ Filament Wound Resin Pipe conforming to ASTM D2996 □ Centrifugally Cast Resin Pipe conforming to ASTM D2997
□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
□ Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C960
□ PTFE Fluorocarbon Tubing conforming to ASTM D3296
□ FEP Fluorocarbon Tubing conforming to ASTM D3296

Open Casing Material:
Carbon Steel: compliant with (check one or more): □ ANSI/AWWA C200 □ API Spec. 5L □ ASTM A53 □ ASTM A139
And compliant with (check one or more): □ ASTM A242 (or A606) □ Type E □ Type S □ Grade B □ Other
Stainless Steel: (check one): □ ASTM A409 (production welds) □ ASTM A312 (monitor welds)
ABS Plastic conforming to ASTM F480 and ASTM D1785 or ASTM D2241: (check one): □ Schedule 40 □ Schedule 80 □ Schedule 120
PVC Plastic conforming to ASTM F480 and (ASTM D1785 or ASTM D2241): (check one): □ Schedule 40 □ Schedule 80 □ Schedule 120
Thermoset Plastic: (check one) □ Filament Wound Resin Pipe conforming to ASTM D2996 □ Centrifugally Cast Resin Pipe conforming to ASTM D2997
□ Reinforced Plastic Mortar Pressure Pipe conforming to ASTM D3517
□ Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C960
□ PTFE Fluorocarbon Tubing conforming to ASTM D3296
□ FEP Fluorocarbon Tubing conforming to ASTM D3296

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