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*Return check as well - not needed.*
*Use route slip in future for WVP No. assignment.*
Complete this section on delivery

A. Signature [X] Stanie Prall

B. Received by (Printed Name) [X] Glacie Poon Ha

C. Date of Delivery 10-30-04

D. Is delivery address different from Item 1? [☐] Yes [☐] No

1. Article Addressed to:

Mr. Jean Paul Renoir
c/o Damon Key Leong Kupchak Hastert
1600 Pauahi Tower
1003 Bishop St.
Honolulu, HI 96813

(WUP No. 866)

2. Article Number

(Transfer from service label)

P.S Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

Service Type

- [X] Certified Mail
- [☐] Express Mail
- [☐] Registered
- [X] Return Receipt for Merchandise
- [☐] Insured Mail
- [☐] C.O.D.
UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

*Sender: Please print your name, address, and ZIP+4 in this box*

COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. Box 621
Hilo, Hawaii 96809

Attention: Ryan
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be for two years

First-Class Mail® or Priorit

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3D with Certified Mail

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en making an inquiry.
Transfer of Water Use Permit (WUP No. 580 to WUP No. 866) for Well No. 2751-08  
Koolaupoko Ground-Water Management Area, Oahu

We have received your Request to Transfer Water Use Permit for the subject well. Please note 
that as part of the transfer process, we have assigned a new Water Use Permit Number for this 
well. This is for record keeping purposes only and voids and supercedes the previous Water Use 
Permit Number listed above. As provided by law, your notice of transfer simply notifies us of 
the transfer of the permit does not create any new rights and liabilities in favor of or against the 
transferee.

This letter transmits your water use permit for Laakea Hawaiian Resort Well (Well No. 2751-08) 
for use of 0.036 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 October 
13, 1993. 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. 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 monthly 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 Koolaupoko 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 Ryan Imata of the Commission staff at 587-0255.

Sincerely,

LAURA H. THIELLEN
Chairperson

Attachments: WUR Form
GROUND-WATER USE PERMIT
WUP NO. 866

PERMITTEE

<table>
<thead>
<tr>
<th>Permittee/Water User</th>
<th>Landowner of Source</th>
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</thead>
<tbody>
<tr>
<td>Jean Paul Renoir c/o Damon Key</td>
<td>Jean Paul Renoir c/o Damon Key</td>
</tr>
<tr>
<td>Address 1600 Pauahi Tower 1003 Bishop St.</td>
<td>Address 1600 Pauahi Tower 1003 Bishop St.</td>
</tr>
<tr>
<td>Honolulu, HI 96813</td>
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PERMITTED SOURCE INFORMATION

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<tr>
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<td>Aquifer System</td>
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<td>State Well No.</td>
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PERMITTED USE INFORMATION

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<td>0.036 mgd</td>
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<td>4-7-006:001</td>
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<td>AG</td>
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<td>County zoning classification</td>
<td>AG-2</td>
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</table>

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 October 13, 1993 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 monthly basis (attached).
11. This permit shall be subject to the Commission's periodic review of the Koolaupoko 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 Koolaupoko 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 Koolaupoko Ground-Water Management Area.

17. The water use permit shall be subject to the Commission's establishment of in stream 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.

[Signature]
LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

Attachment
c: Jean Paul Renoir
REQUEST TO TRANSFER WATER USE PERMIT

CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

Signature: ___________________________  Date: ___________________________
 Kiiko Nakahara

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

Signing below indicates that the signatories swear that: 1) the conditions of use of the transferred permit including place, quantity, and purpose of the use remain the same. I also understand that a new water use permit will be issued to document this transfer and the old water use permit and number will be void and superseded.

Signature: ___________________________  Date: ___________________________
 Jean Paul Renoir

WATER USE PERMIT TRANSFER INFORMATION

4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
PAY Twenty-Five & No/100 Dollars

TO THE ORDER OF Department of Land and Natural Resources

Twenty-Five & No/100 Dollars

DAMON KEY LEONG KUPCHAK HASTERT
ATTORNEYS AT LAW
A LAW CORPORATION
PAUAHI TOWER, SUITE 1600
1001 BISHOP STREET HONOLULU, HAWAII 96813

PAY TO THE ORDER OF Department of Land and Natural Resources

Original Document Printed on Chemical Reactive Paper with Microprinted Border

This Document Contains Heat Sensitive Ink. Touch or Press Here - Red Image Disappears with Heat.
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10/16/00 WUP 271 sponsored, new WUP No. 580 assigned to Astori Int’l Ltd., in mdb. Still coded as interim, did you want to re-issure as permanent? (If so, need to update mdb) lease

Yes, at least what we agreed to for all new WUPs from now on.
Mr. Jim Aonuma  
Astori International Limited  
355 Royal Hawaiian Avenue  
Honolulu, HI 96815  

Dear Mr. Aonuma:

Approval of Water Use Permit for Well No. 2751-08  
Koolauapoko Ground-Water Management Area, Oahu

This is in response to a letter sent to us on October 3, 2000 by Koshiba Agena & Kubota requesting transferal of WUP No. 271 to Astori International Limited. This letter transmits your water use permit for Laakea Hawaiian Resort Well (Well No. 2751-08) for use of 0.036 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 October 13, 1993. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

**Special Conditions**

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

2. In the event 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 Koolaupoko 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 Ryan Imata of the Commission staff at 587-0255.

Aloha,

TIMOTHY E. JOHNS
Chairperson

Attachments

c: Koshiba Agena & Kubota
PERMITTEE

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<th>Address</th>
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<td></td>
<td>Astori International Limited</td>
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</tr>
<tr>
<td></td>
<td>355 Royal Hawaiian Avenue</td>
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<td>355 Royal Hawaiian Avenue</td>
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<tr>
<td></td>
<td>Honolulu, HI 96815</td>
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PERMITTED SOURCE INFORMATION

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PERMITTED USE INFORMATION

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<td>County zoning classification</td>
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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 October 13, 1993 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 Koolaupoko 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 Koolaupoko 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 which 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 Koolaupoko 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. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

19. 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.

TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

Attachment
Department of Land and Natural Resources
Commission on Water Resource Management
1151 Punchbowl Street
Honolulu, Hawaii 96813

Re: Ground Water Use Permit (WUP No. 271)
Issued to La’akea Hawaiian Resort Company, Ltd.
47-477 Waihee Place, Kaneohe, Hawaii
Transfer of Permit

To Whom It May Concern:

La’akea Hawaiian Resort Company, Ltd. ("La’akea") is the Permitee under the above-referenced Ground Water Use Permit. A copy of the Permit issued to La’akea is enclosed for your reference.

Pursuant to Hawaii Revised Statutes 174C-59, La’akea hereby notifies the Department of Land and Natural Resources of the transfer of its Permit to Astori International Limited effective October 2, 2000. As of the effective date, Astori International Limited is the new landowner of 47-477 Waihee Place, Kaneohe, Hawaii, the water use source for the Permit. Astori International Limited has been provided with a copy of the Permit and has represented to La’akea that the conditions of use of the Permit, including the place, quantity and purpose of use, will remain the same. Astori International Limited may be contacted at the following address and telephone number:

Astori International Limited
Attn: Mr. Jim Aonuma
355 Royal Hawaiian Avenue
Honolulu, Hawaii 96815
Telephone No.: (808) 922-4774

If you have any questions, please do not hesitate to contact us.

Very truly yours,

James E.T. Koshiba
Director of La’akea Hawaiian Resort Company, Ltd.

Enclosure
rc: Mr. Jim Aonuma (w/ Enclosure)
GROUND WATER USE PERMIT

WUF NO. 271

PERMITTEE

Applicant/Water User
Address: LAANIA HAWAIIAN BEER CO., LTD.
47-477 WAIKIKI PLACE
LAANIA HI 96749

Landowner of Source
Address: LAANIA HAWAIIAN BEER CO., LTD.
47-477 WAIKIKI PLACE
LAANIA HI 96749

PERMITTED SOURCE INFORMATION

Island: OAHU
Water Management Area: KOOLAU
Aquifer Sector: WINDWARD
Aquifer System: KOOLAU
System Sustainable Yield: 43 maf

Well Name: RL MONTGOMERY
State Well No.: 2781-98

PERMITTED USE INFORMATION

Reasonable beneficial use: AGRICULTURE
Withdrawal (12 month moving ave.): 0.066 maf (based on 12 acres various fruits and vegetables)

Location of water use
TMK #: 47-5-1
Address: 47-477 WAIKIKI PLACE
State land use classification: AGRICULTURE
County zoning classification: AQ-2

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 applicant is hereby authorized to use ground water from the sources and in the amount and for and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:

EXHIBIT "6"
GROUND WATER USE PERMIT
LAAKEA HAWAIIAN RESORT CO., LTD., Well No. 2751-08, WUP No. 271

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 174C-101(a), HRS.

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 subsequent, as amended, approved by the Commission at its October 13, 1993 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;
GROUND WATER USE PERMIT
LAAKEA HAWAIIAN RESORT CO., LTD., Well No. 2751-08, WUP No. 271

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

11. An approved flowmeter(s) must be installed to measure 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 a yearly basis.

12. This permit shall be subject to the Commission’s periodic review of the KOOLAUPOKO 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 KOOLAUPOKO Aquifer System, or relevant modified aquifer(s), is reduced.

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

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

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

16. 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.

17. 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(g). The permittee’s water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the KOOLAUPOKO Ground Water Management Area.
GROUND WATER USE PERMIT
LAAKEA HAWAIIAN RESORT CO., LTD., Well No. 2751-08, WUP No. 271

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

19. 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.

20. This permit is subject to the special conditions attached as Exhibit A which are incorporated herein by reference.

21. 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.

22. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on October 12, 1995.

MICHAEL D. WILSON, Chairman
Commission on Water Resource Management

Date of Permit Issuance: MAR. 28, 1996

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.

Applicant's Signature: ___________________________ Date: ___________________________ 

Printed Name: ___________________________

Firm or Title: ___________________________

PLEASE RETAIN AND RETURN ONE COPY OF THIS PERMIT TO THE COMMISSION AND RETAIN A COPY FOR YOUR RECORDS.
GROUND WASTE USE PERMIT
LAKEA HAWAIIAN RESORT CO., LTD., Well No. 2751-08, WUP No. 271

EXHIBIT A

Water Use Permit
Ground Water

SPECIAL CONDITIONS

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

B. The applicant may submit monthly measurements of pumpage, water level, salinity, and water temperature on a yearly basis.

C. If a single meter at the well is used, the Commission shall allow an additional 1,000 gallons per day to the water use permit allocation amount for the domestic needs of two (2) residences, although a permit for individual domestic consumption is not required. Otherwise, the applicant must provide a meter to separately measure the irrigation consumption.
April 26, 1996

The Honorable Michael D. Wilson, Chairperson
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. Box 621
Honolulu, Hawaii 96809

Attention: Ms. Rae M. Loui, Deputy Director

Dear Mr. Wilson:

Pursuant to your assignment on March 28, 1996, of the Laakea Hawaiian Resort Company Water Use Permit (WUP) No. 271 for Well No. 2751-08, the Permittee is required to provide the Commission with a water shortage plan within thirty (30) calendar days of this date. In order to comply with this, we are pleased to present the following water shortage plan as follows hereinbelow:

Laakea Water Shortage Plan

The subject WUP allows for a reasonable beneficial use of water for Agricultural purposes, based on an average withdrawal rate of 36,000 gallons per day (GPD) and on irrigation of 12 acres of various fruits and vegetables.

In the event that the Commission is compelled to declare a "water shortage situation," Laakea will temporarily reduce its allocated average daily water withdrawal of 36,000 GPD by twenty (20) percent, or an amount equal to 7,200 GPD, by implementing the following actions for the length of the period that a given water shortage situation is duly-declared by the Commission:

1. Temporarily reduce or withhold irrigation to its agricultural plantings for an equivalent area in order to effect a reduction of twenty (20) percent in its average daily water allocation/withdrawal amount, and;

2. In the event of a prolonged water shortage situation, Laakea may elect to install an optional drip irrigation system to partially (in conjunction with solution No. 1 above) or to wholly effect a twenty (20) percent reduction in its average daily water allocation/withdrawal amount.
Inspite of the difficulty in implementing the foregoing temporary actions during a duly-declared water shortage situation, the Permittee is pleased to cooperate with the Commission. Please feel free to contact the undersigned or Ms. Amber Suzuki at 239-6335 if there are any questions.

Sincerely Yours,

[Signature]

Atsushi Inokura
Executive Vice-President & Regional Manager

Copy to: Ms. Crystal Rose, Esquire, Bays Deaver Hiatt Lung & Rose
Mr. Jimmy Yamamoto, P.E., R.M. Towill Corporation
Mr. Larry K. Fukunaga, Laakea Planning Consultant

File: WRCLTR1A.DOC
**COMMISSION ON WATER RESOURCE MANAGEMENT**

**FROM:**

**DATE:** 4/17

**TO:**

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Spoke w/ Mr. Fukushima on 9/16 about WVP 271 - Ruby Montgomery well for any that was want to change to commercial gardens. Told him code isn't clear on private commercial use and whether the WVP would need to be modified but he may want to submit WUPA anyway.
Laakea Hawaiian Resort Co., Ltd.
47-477 Waihee Place
Kaneohe, HI 96744

Dear Ms. Suzuki:

Approval of Water Use Permit WUP No. 271, for Well No. 2751-08
Koolaupoko Ground Water Management Area, Oahu

This letter transmits your water use permit for RL Montgomery Well (Well No. 2751-08) for use of 0.036 million gallons per day (mgd) of water on a 12-month moving average basis that was approved by the Commission on Water Resource Management for Ruby Montgomery on October 13, 1993. Ms. Montgomery has requested that this permit be transferred to Laakea Hawaiian Resort Co., Ltd.

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. If you accept these terms, please sign and return one copy of this permit to the Commission and retain a copy for your record.

Be aware that you are required to keep a record of your monthly total pumpage, water level, salinity, and 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.

In addition, 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 Koolaupoko 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 contact Rae M. Loui, Deputy Director, at 587-0214.

Aloha,

Michael D. Wilson
Chairperson

Attachments

c: Alexander R. Jampel, McCrorrison Miho Miller Mukai
GROUND WATER USE PERMIT
WUP NO. 271

PERMITTEE

Applicant/Water User
Applicant Water User
Address LAAKEA HAWAIIAN RESORT COMPANY, LTD.
47-477 WAIHEE PLACE
KANEHOE, HI 96744

Landowner of Source
Address LAAKEA HAWAIIAN RESORT COMPANY, LTD.
47-477 WAIHEE PLACE
KANEHOE, HI 96744

PERMITTED SOURCE INFORMATION

Island OAHU
Water Management Area KOOLAUPOKO
Aquifer Sector WINDWARD
Aquifer System KOOLAUPOKO
System Sustainable Yield 43 mgd
Well Name RL MONTGOMERY
State Well No. 2751-08

PERMITTED USE INFORMATION

Reasonable beneficial use AGRICULTURE
Withdrawal (12 month moving ave.) 0.036 mgd (based on 12 acres various fruits and vegetables)
Location of water use
TMK # 4-7-6-1
Address 47-477 WAIHEE PLACE
State land use classification AGRICULTURE
County zoning classification AG-2

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 applicant 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 174C-101(a), HRS.

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 October 13, 1993 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. If the ground water source does not presently exist, the new well shall be completed, i.e. able to withdraw water for the proposed use on a regular basis, within twenty-four (24) months from the date the water use permit is approved.

11. An approved flowmeter(s) must be installed to measure 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 a yearly basis.

12. This permit shall be subject to the Commission’s periodic review of the KOOLAUPOKO 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 KOOLAUPOKO Aquifer System, or relevant modified aquifer(s), is reduced.

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

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

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

16. 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 of 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.

17. 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 KOOLAUPOKO Ground Water Management Area.
18. The water use permit granted shall be an interim water use permit, pursuant to HRS § 174C-50. The final determination of the water use quantity shall be made within five years of the filing of the application to continue the existing use.

19. 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.

20. This permit is subject to the special conditions attached as Exhibit A which are incorporated herein by reference.

21. 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.

22. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on October 13, 1993.

MICHAEL D. WILSON, Chairperson
Commission on Water Resource Management

Date of Permit Issuance: MAR 28 1996

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.

Applicant's Signature: ___________________________ Date: ______________

Printed Name: _______________________________________

Firm or Title: _______________________________________

PLEASE SIGN AND RETURN ONE COPY OF THIS PERMIT TO THE COMMISSION AND RETAIN A COPY FOR YOUR RECORD.
EXHIBIT A

Water Use Permit
Ground Water

SPECIAL CONDITIONS

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

B. The applicant may submit monthly measurements of pumpage, water level, salinity, and water temperature on a yearly basis.

C. If a single meter at the well is used, the Commission shall allow an additional 1,000 gallons per day to the water use permit allocation amount for the domestic needs of two (2) residences, although a permit for individual domestic consumption is not required. Otherwise, the applicant must provide a meter to separately measure the irrigation consumption.
Date: June 28, 1995

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

From: Eva A Kim

Re: Escrow No. M.1775bj

TRANSMITTAL

Transmitting the following:

- [ ] For your information
- [ ] For your signature
- [ ] For review and comment
- [ ] For correction
- [ ] For payment
- [ ] For necessary action
- [ ] Per your request
- [ ] Per our conversation
- [X] Other

- Original (signed) Transfer of Water Use Permit...
  Well No. 2751-08 ... Koolaupoko Ground Water Mgmt
  Area, Oahu

REMARKS: Please feel free to contact me if you have any questions.

Received By: ___________________________ Date: ___________________________

PLEASE SIGN & RETURN
TRANSMITTAL

Date: June 28, 1995

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

From: Eva A Kim

Re: Escrow No. M.1775bj

MONTGOMERY/
LAAKEA HAWAIIAN RESORT
47-477 Waihee Place
Kaneohe, HI 96744

Transmitting the following:

[ ] For your information
[ ] For your signature
[ ] For review and comment
[ ] For correction
[ ] For payment
[ ] For necessary action
[ ] Per your request
[ ] Per our conversation
[X] Other

- Original (signed) Transfer of Water Use Permit...
  Well No. 2751-08 ... Koolaupoko Ground Water Mgmt
  Area, Oahu

REMARKS: Please feel free to contact me if you have any questions.

Received By: ___________________________ Date: ___________________
June 28, 1995

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

Re: Transfer of Water Use Permit
RL Montgomery Well (Well No. 2751-08)
Koolaupoko Ground Water Management Area, Oahu

Dear Ms. Loui:

This letter was prepared to inform you that I have transferred my property at 47-477 Waihee Place, Kaneohe, Hawaii 96744 as of this day to Laakea Hawaiian Resort Co., Ltd. Together with the transfer, I have also conveyed all of my interest in the above-referenced permit.

Please make the necessary arrangements to approve the transfer of the permit to the new owner. I have been informed that the new owner intends to comply with all of the current conditions of the permit.

Yours sincerely,

Ruby L. Montgomery

New Address: 47-701 Nukupuu Street
Kaneohe, Hawaii 96744

Previous Address: 47-477 Waihee Place
Kaneohe, Hawaii 96744
June 28, 1995

VIA CERTIFIED MAIL

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

Re: Transfer of Water Use Permit
RL Montgomery Well (Well No. 2751-08)
Koolaupoko Ground Water Management Area, Oahu

Dear Ms. Loui:

We represent Laakea Hawaiian Resort Co., Ltd. ("LHR") in connection with its property located at 47-477 Waihee Place, Kaneohe, Hawaii 96744 (the "Property"). The Property along with the rights to the Water Use Permit (Well No. 2751-08) were purchased by LHR from Ruth Montgomery on June 28, 1995. A copy of a letter dated June 28, 1995 from Ms. Montgomery addressed to the Commission on Water Resource Management (the "Commission") is attached hereto as evidence of the purchase.

In connection therewith, we hereby request the approval of the Commission for the transfer of the above-referenced Water Use Permit from Ms. Montgomery to LHR. LHR acknowledges that the Water Use Permit was issued on an interim basis for use of 36,000 gallons per day of potable water for the reasonable and beneficial use of agricultural irrigation of 12 acres, subject to the standard water use permit conditions and certain other conditions. LHR agrees to comply with all of the conditions of the Water Use Permit.

Please do not hesitate to contact me at 529-7461 if you have any questions or need additional information regarding the foregoing.

Very truly yours,

McCORRISTON MIHO MILLER MUKAI

Alexander R. Jampel

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

June 29, 1995

Re: Transfer of Water Use Permit  
RL Montgomery Well (Well No. 2751-08)  
Koolaupoko Ground Water Management Area, Oahu

Dear Ms. Loui:

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Please make the necessary arrangements to approve the transfer of the permit to the new owner. I have been informed that the new owner intends to comply with all of the current conditions of the permit.

Yours sincerely,

Ruby L. Montgomery

New Address: 47-701 Nukupuu Street  
Kaneohe, Hawaii 96744

Previous Address: 47-477 Waihee Place  
Kaneohe, Hawaii 96744
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments

Water Use Permit Application
Koolauapoko Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Ruby Montgomery for Well No. 2751-08. Public notice of this application will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.

We would appreciate your review of the attached application and please return this form by October 6, 1993.

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

LN:ko
Attachment(s)

Response: Contact person: S. Tagawa Phone: 587-0274

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

Signed: [Signature] Date: 10/25/93
The Honorable Keith W. Ahue  
Chairperson  
Commission on Water Resource Management  
Department of Land and Natural Resources  
P. O. Box 621  
Honolulu, Hawaii 96809  

Dear Mr. Ahue:  

Withdrawal of Objections  

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

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

Warmest aloha,  

Hoaliku L. Drake, Chairman  
Hawaiian Homes Commission  

HLD:BH:ci/1608L.77
October 13, 1993

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

Dear Mr. Ahue,

Subject: Your Letters of September 20 and 21, 1993 Regarding Applications for a Water Use Permit for Various Applicants

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Well No.</th>
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</thead>
<tbody>
<tr>
<td>Ruby Montgomery</td>
<td>2751-08</td>
</tr>
<tr>
<td>Raymond Caldeira</td>
<td>3855-11</td>
</tr>
<tr>
<td>Jacob I. Kaio, Sr.</td>
<td>3956-07</td>
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<tr>
<td>Campbell Estate</td>
<td>4258-09</td>
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<tr>
<td>Gentry Development Co.</td>
<td>2001-04</td>
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<td>Hawaii State Hospital</td>
<td>2448-01</td>
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<tr>
<td>DLNR-DOWALD Division</td>
<td>3309-01; 3309-02</td>
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<tr>
<td>Billy and Kanani Casey</td>
<td>3453-08</td>
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<tr>
<td>Warren Soh</td>
<td>3655-04</td>
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</tbody>
</table>

Thank you for the opportunity to comment on these applications for water use permits. I have no objections to permits for these existing uses. The Board of Water Supply has made comments already on those applications where a comment was appropriate.

Warm personal regards.

Sincerely,

FFF: js

cc: Jeremy Harris, Managing Director
MINUTES

FOR THE MEETING OF THE
COMMISSION ON WATER RESOURCE MANAGEMENT

DATE: October 13, 1993
TIME: 9:00 a.m.
PLACE: Board Room
      Kalanimoku Building
      1151 Punchbowl Street
      Honolulu, Hawaii

ROLL CALL: Chairperson Ahue called the meeting of the Commission on Water Resource Management to order at 9:09 a.m.

The following were in attendance:

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

EXCUSED: Mr. Guy Fujimura

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

COUNSEL: Mr. William Tam

OTHERS:

Winifred Miller
Guy Nakamoto
Creighton Mattoon
Warren Iwasa
Conrad Shiroma
Dave Martin
Wright Hiatt
George Young
Kent Smith
Garrett Goo
Chester Lao
Norman Quon
Edsel Yamada
Reynolds Burkland
Mr. Iida

Kahalaomapuana Wasson
Jim Anthony
Karen Piltz
Barry Ching
Elizabeth Martin
Wayne Akana
Keith Krueger
Laverne Higa
Ruby & Gene Montogomery
Laura Thielen
Ken Ishizaki
Peter Lenhart
David Taogoshi
Keith Haugen

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

AGENDA 1

ITEM 1   MINUTES OF THE SEPTEMBER 15, 1993 MEETING

Unanimously approved (Cox/Nakata).
ITEM 6  BIG ISLAND COUNTRY CLUB ESTATES. APPLICATION FOR A PUMP INSTALLATION PERMIT, BIG ISLAND COUNTY CLUB WELL 1 (WELL NO. 4950-01), PUU ANAHULU, NORTH KONA, HAWAII

Mr. Sakoda added the following to Condition 2:

"The applicant shall coordinate with the Commission and conduct a pumping test in accordance with the protocol established by the Commission."

Unanimously approved as amended (Cox/Nakata).

ITEM 7  CLAYTON HAUMEA. APPLICATION FOR A PUMP INSTALLATION PERMIT, MAILI-TOMITA WELL (WELL NO. 2409-24), MAILE, OAHU

Unanimously approved (Cox/Nakata).

ITEM 8  EXTENSION: NANSAY HAWAII, INC. WELL CONSTRUCTION PERMIT, QULI-NANSAY WELL 2 (WELL NO. 6146-01), QULI, SOUTH KOHALA, HAWAII

Mr. Ing was excused from acting on this permit since his law firm represents the company.

Unanimously approved (Lewin/Cox).

ITEM 9  EXECUTIVE SESSION: KOOLAU AGRICULTURAL CO., LTD. VS. THE COMMISSION ON WATER RESOURCE MANAGEMENT.

The Commission adjourned to an executive session to discuss Koolau Agricultural vs. the Commission litigation (Cox/Nakata).

AGENDA 3  The meeting was called to order at 1:11 p.m.

ITEM 1  DEFERRAL OF WATER USE PERMIT APPLICATIONS, OAHU WATER MANAGEMENT AREAS

Unanimously approved (Nakata/Cox).

ITEM 2  RUBY MONTGOMERY. APPLICATION FOR WATER USE PERMIT, RL MONTGOMERY WELL (WELL NO. 2751-08), KOOLAUPOKO GROUND WATER MANAGEMENT AREA, OAHU

Unanimously approved with staff's deletion of Recommendation 1d regarding DHHL reservation (Ing/Lewin).

ITEM 3  KAHALA HILTON. WATER USE PERMIT APPLICATIONS, KAHALA HILTON #1 AND #2 WELLS (WELLS NOS. 1646-05 & 06), WAIALAE-WEST GROUND WATER MANAGEMENT AREA, OAHU

Mr. Ing asked to be excused from acting on this permit since his firm represents the applicant. Standard Condition #11 will be amended to require a yearly submission.
Ruby Montgomery
Application for Water Use Permit
RL Montgomery Well (Well No. 2751-08)
Koolaupoko Ground Water Management Area, Oahu

Applicant:
Ruby Montgomery
47-477 Waihee Place
Kaneohe, HI 96744

Landowner:
Same

Background

The applicant submitted a completed water use permit application to the Commission on July 9, 1993. Specific information regarding the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibit.

Analysis & Issues

The applicant requests an allocation of 3,500 gallons per day (gpd) from the RL Montgomery Well (Well No. 2751-08) for irrigation of twelve (12) acres of bananas, various vegetables, and flowers. This fresh water supply is also used for the domestic needs of two (2) residences and for watering livestock. The source and use described in this permit application were registered and declared in July of 1990. However, the declared use at this time specified irrigation of fifteen (15) acres. The previous owner of this parcel had filed a similar declaration in May of 1989, which included estimates of monthly water use beginning in 1983. A field investigation on April 29, 1991 verified the existence of the declared water use.

Pumpage from this drilled source, which has a maximum capacity of 57,600 gallons per day (gpd), has not been metered by the applicant. No other reliable method was used to compute the estimated average daily withdrawal. The requested allocation of 3,500 gpd will most likely prove insufficient to satisfy the actual daily demand. Using the Oahu Water Requirements Forecast for Selected Crops, developed by the Department of Agriculture for the Oahu Water Management Plan (OWMP), the irrigation requirement for twelve (12) acres of bananas is estimated at 36,000 gpd, while the water required for an equivalent area in floriculture would be approximately 84,000 gpd. Vegetable crops require varying quantities of water. In addition, guidelines developed by the County for the island of Oahu indicate an average consumption of 500 gpd per single family residential unit. By this method, and assuming all cultivated acres are in banana, about 37,000 gpd is required to meet the demand. Monthly water use data provided by the previous landowner indicated an average demand of about 25,300 gpd; however the reliability of this estimate is uncertain.
Chairperson and Members  
Commission on Water Resource Management  
October 13, 1993

Currently, authorized use of 0.15 million gallons per day (mgd) of water in the Koolaupoko Aquifer System has been granted (Minami Group, Well No. 2347-02). This leaves 42.85 mgd available for allocation. However, pending requests for allocations total 48.017 mgd (see Exhibit 2). This exceeds the estimated sustainable yield by over 5.0 mgd. Of those pending, requests for existing municipal use by the Board of Water Supply (BWS) total 19.250 mgd, but preliminary analysis suggests that this request may be high. The other significant user in this system is the Waiahole Irrigation Company, which claims a total existing use of 26.68 mgd for irrigation of sugarcane lands administered by Oahu Sugar Company. The reliability of this estimated quantity of water transported via the Waiahole Ditch system is still uncertain, and staff is in the process of verifying the estimate. However, actual monthly water use data indicate that the current total 12-month moving average withdrawal for the ditch system is only 17.378 mgd.

Also, the lands irrigated by the ditch system are scheduled to be phased out of production over the course of the next two years. Staff has requested information from the Waiahole Irrigation Company regarding future plans for the ditch system. Other pending allocations total about 2.1 mgd. Of these, 1.0 mgd is a request by the BWS for future municipal use. The remaining requests are for other existing uses and possible requests for reservation. The OWMP estimated existing ground-water withdrawals of 13.7 mgd for the Koolaupoko Aquifer System as of 1990. This estimate does not include water transported by the Waiahole Ditch System. Lastly, based on reported monthly water use, the total 12-month moving average withdrawal from this system is 31.037 mgd. For all the above reasons, staff believes that the requests for water do not reflect actual existing use conditions but a mix of future and existing use.

Two other wells, located less than 1/4-mile away from the applicant's source, are being used for domestic supply on an adjacent parcel (see Exhibit 1). Water use on both parcels has coexisted for a number of years; therefore, these wells should not experience any impacts from continued withdrawals by the applicant. Refer to Attachment A for further discussion of other nearby wells.

Waiahe Stream, a major tributary of the Kahaluu system, flows within one-half mile of this source. Because this water use was in existence for at least four years prior to the establishment of the interim instream flow standard for Windward Oahu streams, this use is assumed to be accommodated in the standard.

A request for reservation of water for Hawaiian Home Lands has been submitted to the Commission by the Dept. of Hawaiian Home Lands (DHHL). The reservation ruling may ultimately affect this and other uses of water in the Koolaupoko Aquifer System, as state-owned lands exist within the aquifer system boundary. However, the pending request by DHHL should not prohibit Commission action on this permit application within this particular aquifer system.

Authorization to continue this reasonable and beneficial existing use of water should not result in unacceptable adverse impacts to other local wells, streams, and the Koolaupoko Aquifer System. No specific objections to this application have been filed. Comments have been submitted by various agencies, and these are summarized in Attachment A.

RECOMMENDATION

That the Commission approve the issuance of an interim water use permit to Ruby Montgomery to use 36,000 gallons per day of potable water for use from the RL Montgomery Well (Well No. 2751-08) for the reasonable and beneficial use of agricultural irrigation of 12 acres, subject to the standard water use permit conditions listed in Attachment B and the following special conditions:
a. The applicant may continue this existing use of ground water within the limits approved by the Commission, and the actual issuance of the interim permit shall not be a reason to interrupt this existing use.

b. The applicant may submit monthly measurements on a yearly basis.

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

d. The issuance of the permit shall be withheld until the reservation of water for the Dept. of Hawaiian Home Lands is set by rule. Until the reservation issue is resolved, the applicant may continue this existing use of water within the limits approved by the Commission.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL:

KEITH W. AHUE, Chairperson
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER:
Sustainable Yield: 43 mgd
Existing Water Use Permits: 0.150 mgd
Available Allocation: 42.850 mgd
Total of other pending allocations: 48.014 mgd

WELL:
Location: RL Montgomery Well (Well No. 2751-08)
47-477 Waihee Place, Oahu, TMK: 4-7-6:1
Year Drilled: 1981
Casing Diameter: 5 in.
Elevations (msl= 0 ft.)
Ground: NA ft.
Water Level: 350 ft.
Bottom of Solid Casing: 179.5 ft.
Bottom of Perforated: NA ft.
Bottom of Open Hole: 130 ft.
Total Depth: 220 ft.
Grouted Annulus Depth: NA ft.

Use Information

Quantity Requested: 3,500 gallons per day.
Existing Type of Water Use: Irrigation of 12 acres of banana trees, various vegetable crops, and flowers.
Place of Water Use: 47-477 Waihee Place at TMK: 4-7-6:1
Reported Water Usage:
Nearby Similar Water Usage:

ATTACHMENT A
Chairperson and Members
Commission on Water Resource Management
October 13, 1993

Koolaupoko Aquifer System
Current 12-Month Moving Average Withdrawal: 31.037 mgd
(72.18% of SY)

Nearby Surrounding Wells and Other Registered Ground Water Use

There are thirteen (13) other wells within a mile of the well (see Exhibit 1). Seven (7) of these wells are currently in use. Information from the registration program indicates there are possibly 142 existing wells in the Koolaupoko Aquifer System. Several of these wells have been initially field checked but many of the declarants, including the larger users, have not been completely field verified. Several are not in use or are rights claims. However, the Oahu Water Management Plan estimated that the existing withdrawals from the Koolaupoko Aquifer System is 13.7 mgd as of 1990.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star-Bulletin on September 15, 1993 and September 22, 1993 and copies of the notice were sent to the Mayor’s office and the Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by October 6, 1993.

Objections/Comments

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 October 6, 1993.

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

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<tr>
<th>Objector/Commentor</th>
<th>Objection/Comment</th>
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</thead>
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<td>DAR</td>
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</tr>
<tr>
<td>Land Management</td>
<td>No objections.</td>
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</table>

ATTACHMENT A
Briefs in Support

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

Field Investigation

The water source and existing use was investigated on April 29, 1991. The investigation verified the applicant’s request for water use permit.
STANDARD WATER USE PERMIT CONDITIONS

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

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

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

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

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

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

7. The water use permit application and staff submittal approved by the Commission at its October 13, 1993 meeting are incorporated into the permit by reference.

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

9. The water use permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. Protect water sources in quantity, quality, or both;
   b. Meet other legal obligations including other correlative rights;
   c. Insure adequate conservation measures;
   d. Require efficiency of water uses;

ATTACHMENT B
Chairperson and Members  
Commission on Water Resource Management  
October 13, 1993  

e. Reserve water for future uses, provided that all legal existing uses of water as of June 1987, shall be protected;  
f. Meet legal obligations to the Department of Hawaiian Homes, if applicable; or  
g. Carry out such other necessary and proper exercise of the State’s and the Commissions’s police powers under law as may be required.

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

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

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

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

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

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

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

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

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

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

ATTACHMENT B
## WATER USE PERMIT APPLICATION NOTICE STATUS REPORT 09/21/93

### ISLAND OF OAHU

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<th>Applicant</th>
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### Applications Totaling 48.017
October 7, 1993

The Honorable Keith W. Ahue
State of Hawaii
Department of Land and Natural Resources
Commission of Water Resource Management
P.O. Box 621
Honolulu, Hawaii 96809
Attn: Ms. Rae Loui, Deputy

Dear Mr. Ahue:

We have received the following water permit applications. Thank you for the opportunity to review these applications:

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<tr>
<th>Applicant Name</th>
<th>Water Mgmt. Area</th>
<th>Amount Requested (gpd)</th>
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In a recent letter addressed to you (Sept 29, 1993), we voiced our concerns over five Campbell Estate water permit applications requesting about 18 mgd from the Koolauloa aquifer, which has a 35 mgd sustainable yield.

In view of the increasing demand for water from the Koolauloa aquifer, we want to register again our concerns over potential overuse of the Koolauloa aquifer. We wonder whether the Commission keeps a record of the amount of water being withdrawn from the Koolauloa aquifer, for such records would certainly help in the formulation of strategies for future water allocations with clear-cut provisions for protecting water reserves for Native Hawaiians.

We urge the Commission to address these concerns when granting water permits in the future.

Sincerely yours,

[Signature]

Clayton H. W. Hee
Chairperson

LM:jl
MEMORANDUM

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

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

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

   Mr. Kazu Hayashida, Manager & Chief Engineer
   Honolulu Board of Water Supply

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

SUBJECT: Water Use Permit Application
         Koolaupoko Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Ruby Montgomery for Well No. 2751-08. Public notice of this application will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.

We would appreciate your review of the attached application and please return this form by October 6, 1993.

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

Attachment(s)
Response: Contact person: Luis A. Monrique Phone: 586-3460

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

Signed: Luis A. Monrique Date: 10/07/93
State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
Honolulu, Hawaii  
SEP 17 1993

MEMORANDUM

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

FROM:  Rae M. Loui, Deputy Director

SUBJECT:  Request for Comments  
Water Use Permit Application  
Koolauopoko Ground Water Management Area, Oahu

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LN:ko  
Attachment(s)

Response: Contact person: ___________________________ Phone: ___________________________

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

Signed: TANABU TAGOMORI  
Date: 10/12/93
October 11, 1993

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

Dear Mr. Ahue:

Water Use Permits

Thank you for the opportunity to respond to the following applications for water use within the Windward and Waialua groundwater management areas:

Windward:
   4
   Kane'ohe-State Hospital (2448-01)
   Waihee-Montgomery (2751-08)
   Hauula-Soh (3655-04)
   Punaluu-Casey (3453-08)
   Laie-Caldeira (3855-11)
   Kaio (3956-07)

Waialua:
   Mokuleia-DoWaLD (3309-01, 02)

These applications do not directly affect Hawaiian home lands. The Windward applications for existing uses raise no objections.

The Division of Water and Land Development applications are for exploratory wells on private property, to be dedicated to the Honolulu Board of Water Supply for unannounced future use. The relationship between land ownership and future use is relevant to the anticipated water use permit.

Reserves of potable water are being considered which will supply foreseeable needs on lands now in DHHL's inventory, which would preclude our need to intervene in this application. It is nonetheless necessary to reiterate that there is an outstanding obligation to serve lands that were wrongfully alienated from the Hawaiian home lands inventory and will eventually be restored. At this time, the location of restored inventory cannot be known,
but the Department has estimated that the water requirement to serve them could be on the order of 4.7 million gallons per day (Mgd). Our recommendation has been to reserve a bulk allocation from available sources on O'ahu to DHHL, that we might negotiate with the Board of Water Supply for implementation of service from its island-wide system.

Warmest aloha,

Hoaliku L. Drake, Chairman
Hawaiian Homes Commission
Mr. Keith Ahue, Chairperson
Commission on Water Resource Management
Department of Land and Natural Resources
State of Hawaii
P. O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Ahue:

Subject: Your Letters of September 21 and 24, 1993 Regarding Water Use Permit Applications for Various Applicants

We have no objections to issuance of water use permits for the following:

1. Department of Land and Natural Resources Exploratory Wells in Mokuleia, Nos. 3309-01 and 3309-02

2. Gentry Caprock Wells, Nos. 2001-04 and 2751-06

3. Casey Well, No. 3453-08

4. Hawaii State Hospital Well, No. 2448-01

5. Montgomery Well, No. 2751-08

We have no objections to issuance of water use permits for these wells.

6. Zions Securities Corporation Wells, Nos. 3554-01 and 02, 3654-03, 3755-04 and 06, 3855-04, 3586-04 and 07, 3956-05

We have no objections to the issuance of permits for existing uses for these wells. We recommend, however, a serious review of the water use from well No. 3755-06 to irrigate 51 acres of grass to determine whether the irrigation’s needs can be met with an alternative source such as caprock water.

Pure Water... man’s greatest need - use it wisely
7. Campbell Estate Kahuku Caprock Wells, Nos. 4157-04, 4157-08, 4157-10, 4157-11, 4257-01 and 4257-02

We have no objections to the issuance of water use permits for these caprock wells used for aquaculture.

We return the forms with appropriate boxes marked.

Very truly yours,

KAZU HAYASHIDA
Manager and Chief Engineer

Enclosure
MEMORANDUM

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

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

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

          Mr. Kazu Hayashida, Manager & Chief Engineer
          Honolulu Board of Water Supply

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

SUBJECT: Water Use Permit Application
         Koolaupoko Ground Water Management Area, Oahu

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       We would appreciate your review of the attached application and please return this
form by October 6, 1993.

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

Attachment(s)
Memorandum to:
Mrs. Hoaliku L. Drake
Dr. John C. Lewin
Mr. Clayton H.W. Hee
Mr. Kazu Hayashida

Response: Contact person: Herbert H. Minakami Phone: 527-6183

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

Signed: KAZU HAYASHIDA
Date: 10/5/93
Manager and Chief Engineer
MEMORANDUM

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

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

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

Mr. Kazu Hayashida, Manager & Chief Engineer  
Honolulu Board of Water Supply

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

SUBJECT: Water Use Permit Application  
Koolaupoko Ground Water Management Area, Oahu

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Mrs. Hoaliku L. Drake
Dr. John C. Lewin
Mr. Clayton H.W. Hee
Mr. Kazu Hayashida

Page 2

Response: Contact person: Herbert H. Minakami Phone: 527-6183

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

Signed: KAZU HAYASHIDA
Manager and Chief Engineer

Date: 10/5/93
MEMORANDUM

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

FROM: Don Hibbard, Administrator
Historic Preservation Division

SUBJECT: Application for Water Use Permit, Ko‘olaupoko Ground Water Management Area, O‘ahu
Ruby Montgomery for Well No. 2751-08
Waihee, Ko‘olauloa, O‘ahu
TMK 4-7-06:001

Thank you for the opportunity to review this project. The applicant proposes to use water from an existing source. Since an approved permit will not authorize any ground disturbing activities we believe that there will be "no effect" on historic sites.

EJ:jt
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Koolaupoko Ground Water Management Area, Oahu

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Response: Contact person: _________________________ Phone: _________________________

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

Signed: _________________________ Date: SEP 28 1993
Oahu District Office has no objection provided that the applicant obtain the applicable Federal, State and County permits.

Should you have any questions, please call John Doooling at 7-0433.
MEMORANDUM

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

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    Koolaupoko Ground Water Management Area, Oahu

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LN:ko
Attachment(s)

Response: Contact person: [Signature] Phone: 587-0297

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

Signed: [Signature] Date: 9/21/93
Memorandum

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

From: Rae M. Loui, Deputy Director

Subject: Request for Comments
Water Use Permit Application
Koolaupoko Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Ruby Montgomery for Well No. 2751-08. Public notice of this application will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.

We would appreciate your review of the attached application and please return this form by October 6, 1993.

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

LN:ko
Attachment(s)

Response: Contact person: __________________________ Phone: __________________________

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

Signed: __________________________ Date: 9/28/93
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Koolaupoko Ground Water Management Area, Oahu

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Attachment(s)
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
         Water Use Permit Application
         Koolaupoko Ground Water Management Area, Oahu

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LN:ko
Attachment(s)

Response: Contact person: ___________________________ Phone: ___________________________

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

Signed: ___________________________ Date: 9/22/93

Act. Administrator
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
         Water Use Permit Application
         KOOLAUPOKO Ground Water Management Area, Oahu

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

Response: Contact person: ___________________________ Phone: __________________

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

Signed: ___________________________ Date: __________________
MEMORANDUM

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

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

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

   Mr. Kazu Hayashida, Manager & Chief Engineer
   Honolulu Board of Water Supply

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

SUBJECT: Water Use Permit Application
         Koolaupoko Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Ruby Montgomery for Well No. 2751-08. Public notice of this application will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.

We would appreciate your review of the attached application and please return this form by October 6, 1993.

If you have any questions regarding this application, please contact Roy Hardy at 587-0274 or Lenore Nakama at 587-0218.
Memorandum to:
Mrs. Hoaliku L. Drake
Dr. John C. Lewin
Mr. Clayton H.W. Hee
Mr. Kazu Hayashida

Page 2

Response: Contact person: ___________________________ Phone: __________

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

Signed: ___________________________ Date: __________
Honorable Frank F. Fasi, Mayor
City & County of Honolulu
City Hall
Honolulu, HI 96813

Attn: Mr. Jeremy Harris

Dear Mayor Fasi:

Notice of an Application for a Water Use Permit
Koolaupoko Ground Water Management Area, Oahu

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for Ruby Montgomery for Well No. 2751-08, which will be published in the Honolulu Star Bulletin.

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

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

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

Very truly yours,

KEITH W. AHUE

Enc.
Applications for Water Use Permits
Ground Water Management Areas

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

Kahananui Well (Well No. 0352-17)
Applicant: Wilma Kamakana Grambusch
P.O. Box 614
Kaumakakai, HI 96748
Date Completed Application Received: August 19, 1993
Aquifer: Ualapue System, Southeast Sector, Molokai
Well Source: Kahananui Well, Well No. 0352-17, Kahananui Ahupuaa, Molokai at Tax Map Key: 5-6-6:14
Quantity Requested: 8,800 gallons per day
Existing Water Use: Irrigation of 2 acres of coffee trees and domestic service to 4 residences
Place of Water Use: Kahananui Ahupuaa, Ualapue, Molokai at Tax Map Key: 5-6-6:14 & 15

Kaio Artesian Well (Well No. 3956-07)
Applicant: Jacob I. Kaio, Sr.
1519 Nehoa St. Apt. 105
Honolulu, HI 96822
Date Completed Application Received: August 17, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Kaio Artesian Well, Well No. 3956-07, Lot 40 AW 3773:2, Oahu at Tax Map Key: 5-5-8:40
Quantity Requested: 20,000 gallons per day
Existing/New Water Use: Irrigation of 3 acres of taro, flowers, and various vegetables
Place of Water Use: Lots 2, 9, & 40 AW 3773:2, at Tax Map Key: 5-5-8:40, 2, & 9

Umipaa Well (Well No. 0603-01)
Applicant: Hawaiian Research Ltd.
P.O. Box 40
Kaumakakai, HI 96748
Date Completed Application Received: May 11, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Umipaa Well, Well No. 0603-01, Kalamaula, Molokai, at Tax Map Key: 5-2-11:28
Quantity Requested: 11,000 gallons per day
Existing Water Use: Irrigation Of 25 acres of corn and sorghum
Place of Water Use: Kalamaula, Molokai at Tax Map Key: 5-2-11:28, 10, & 33

(more)
Caldeira Well (Well No. 3855-11)
Applicant: Raymond Caldeira
P.O. Box 262
Kahuku, HI 96731
Date Completed Application Received: July 9, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Caldeira Well, Well No. 3855-11, 55-238-D Kamehameha Hwy, Oahu at Tax Map Key: 5-5-1:60
Quantity Requested: 58,000 gallons per day
Existing Water Use: Irrigation of 1.2 acres of various crops and livestock operations
Place of Water Use: 55-238-D Kamehameha Hwy at Tax Map Key: 5-5-1:60

Pacific Sea 4 Well (Well No. 4258-09)
Applicant: Campbell Estate
1001 Kamokila Blvd.
Kapolei, HI 96707
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Pacific Sea 4 Well, Well No. 4258-09, Kahuku, Oahu at Tax Map Key: 5-6-3:26
Quantity Requested: 2,000,000 gallons per day
New Water Use: Shrimp aquaculture
Place of Water Use: Kahuku at Tax Map Key: 5-6-3

Naiwa Dug Well (Well No. 0603-07)
Applicant: Maui Electric
P.O. Box 378
Kaunakakai, HI 96748
Date Completed Application Received: July 16, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Naiwa Dug Well, Well No. 0603-07, Kaluaupuhi Fishpond, Molokai at Tax Map Key: 5-2-11:23
Quantity Requested: 1,000 gallons per day
Existing Water Use: Fire protection system testing
Place of Water Use: Kaluaupuhi fishpond at Tax Map Key: 5-2-11:31

Naiwa MECO Openpit (Well No. 0604-03)
Applicant: Maui Electric
P.O. Box 378
Kaunakakai, HI 96748
Date Completed Application Received: July 16, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Naiwa MECO Openpit Well, Well No. 0604-03, MECO Palaau Power Plant, Molokai at Tax Map Key: 5-2-11:36
Quantity Requested: 150 gallons per day
Existing Water Use: Fire protection
Place of Water Use: MECO Palaau Power Plant at Tax Map Key: 5-2-11:36

(more)
Naiwa-MECO Irr. #1 (Well No. 0604-04)
Applicant: Maui Electric
P.O. Box 378
Kaunakakai, HI 96748
Date Completed Application Received: July 16, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Naiwa-MECO Irr. #1 Well, Well No. 0604-04, MECO Palaaau Power Plant, Molokai at Tax Map Key: 5-2-11:31
Quantity Requested: 2,500 gallons per day
Existing/New Water Use: Irrigation of 10 acres of landscape
Place of Water Use: MECO Palaaau Power Plant at Tax Map Key: 5-2-11:31

Naiwa MECO Irr #2 (Well No. 0603-06)
Applicant: Maui Electric
P.O. Box 378
Kaunakakai, HI 96748
Date Completed Application Received: July 16, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Naiwa MECO Irr #2 Well, Well No. 0603-06, MECO Palaaau Power Plant, Molokai at Tax Map Key: 5-2-11:31
Quantity Requested: 2,500 gallons per day
Existing/New Water Use: Irrigation of 10 acres of landscape
Place of Water Use: MECO Palaaau Power Plant at Tax Map Key: 5-2-11:31

Naiwa MECO Cooling Well (Well No. 0604-05)
Applicant: Maui Electric
P.O. Box 378
Kaunakakai, HI 96748
Date Completed Application Received: July 16, 1993
Aquifer: Manawainui System, Central Sector, Molokai
Well Source: Naiwa MECO Cooling Well, Well No. 0604-05, MECO Palaaau Power Plant, Molokai at Tax Map Key: 5-2-11:31
Quantity Requested: 350,000 gallons per day
New Water Use: Industrial cooling and fire protection
Place of Water Use: MECO Palaaau Power Plant at Tax Map Key: 5-2-11:31

RL Montgomery Well (Well No. 2751-08)
Applicant: Ruby Montgomery
47-477 Waihee Place
Kaneohe, HI 96744
Date Completed Application Received: July 9, 1993
Aquifer: Koolaupoko System, Windward Sector, Oahu
Well Source: RL Montgomery Well, Well No. 2751-08, 47-477 Waihee Place, Oahu at Tax Map Key: 4-7-6:1
Quantity Requested: 2,000 gallons per day
Existing Water Use: Domestic service to 2 residences, livestock operations, and irrigation of 12 acres of various fruits and vegetables
Place of Water Use: 47-477 Waihee Place at Tax Map Key: 4-7-6:1

(more)
HI State Hosp/416 Well (Well No. 2448-01)

Applicant: Hawaii State Hospital
45-710 Keahala Road
Kaneohe, HI 96744

Date Completed Application Received: August 9, 1993
Aquifer: Koolaupoko System, Windward Sector, Oahu
Well Source: HI State Hosp/416 Well, Well No. 2448-01, 45-710 Keahala Road, Oahu at
Tax Map Key: 4-5-23:2
Quantity Requested: 250,000 gallons per day
Existing Water Use: Domestic consumption and irrigation of a 2,280 sq. ft. nursery
Place of Water Use: Hawaii State Hospital at Tax Map Key 4-5-23:2

Geiger Park Well (Well No. 2001-04)

Applicant: Gentry Development Co.
P.O. Box 295
Honolulu, HI 96809

Date Completed Application Received: July 23, 1993
Aquifer: Ewa Caprock System, Pearl Harbor Sector, Oahu
Well Source: Geiger Park Well, Well No. 2001-04, Ewa By Gentry Development, Oahu at
Tax Map Key: 9-1-61:7
Quantity Requested: 40,000 gallons per day
New Water Use: Irrigation of 13 acres of lawn and landscape
Place of Water Use: Ewa By Gentry Development at Tax Map Key: 9-1-61:7 & 41 to 50

Mokuleia Well (Well No. 3309-02)

Applicant: State of Hawaii
Dept. of Land and Natural Resources,
Division of Water and Land Development
1151 Punchbowl ST.
Honolulu, HI 96813

Date Completed Application Received: August 13, 1993
Aquifer: Mokuleia System, North Sector, Oahu
Well Source: Mokuleia Well, Well No. 3309-02, Mokuleia, Oahu at Tax Map Key: 6-8-7:1
Quantity Requested: 0 gallons per day
New Water Use: Exploratory purposes only
Place of Water Use: Mokuleia exploratory well site

Soh Well (Well No. 3655-04)

Applicant: Warren Soh
P.O. Box 865
Kahuku, HI 96731

Date Completed Application Received: July 14, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Soh Well, Well No. 3655-04, 53-120 Halai St. Hauula, Oahu at Tax Map Key:
5-3-15:18
Quantity Requested: 500,000 gallons per day
New Water Use: Irrigation of 1 acre of taro, mango and banana trees
Place of Water Use: 53-120 Halai St., Hauula, Oahu, Makao Valley at Tax Map Key:
5-3-15:18

(more)
Waiono-Punaluu Well (Well No. 3453-08)
**Applicant:** Billy and Kanani Casey
53-416 G. Kam Hwy.
Hauula, HI 96717

**Date Completed Application Received:** July 15, 1993

**Aquifer:** Koolauloa System, Windward Sector, Oahu

**Well Source:** Waiono-Punaluu Well, Well No. 3453-08, 53-416 G. Kam Hwy, Oahu at Tax Map Key: 5-3-5:11

**Quantity Requested:** 3,000 gallons per day

**Existing Water Use:** Domestic service to 1 residence and irrigation of 1 acre of banana and papaya trees

**Place of Water Use:** 53-416 G. Kam Hwy at Tax Map Key: 5-3-5:11

Quarry Well D (Well No. 3856-04)
**Applicant:** Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762

**Date Completed Application Received:** June 23, 1993

**Aquifer:** Koolauloa System, Windward Sector, Oahu

**Well Source:** Quarry Well D, Well No. 3856-04, Laie Quarry, Oahu at Tax Map Key: 5-5-6:1

**Quantity Requested:** 334,000 gallons per day

**Existing Water Use:** Irrigation of 51 acres of banana and papaya trees and grass

**Place of Water Use:** Behind BYUH campus at Tax Map Key: 5-5-6:1

Laie Maloo Well (Well No. 3755-04)
**Applicant:** Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762

**Date Completed Application Received:** June 23, 1993

**Aquifer:** Koolauloa System, Windward Sector, Oahu

**Well Source:** Laie Maloo Well, Well No. 3755-04, Mauka of Kamehameha Hwy, Oahu at Tax Map Key: 5-5-6:11

**Quantity Requested:** 5,000 gallons per day

**Existing Water Use:** Supply for livestock (1 horse)

**Place of Water Use:** Mauka of Kam Hwy in Laie at Tax Map Key: 5-5-6:11

Pump 15 (Well No. 4157-04)
**Applicant:** Campbell Estate
1001 Kamokila Blvd.
Kapolei, HI 96707

**Date Completed Application Received:** July 16, 1993

**Aquifer:** Koolauloa System, Windward Sector, Oahu

**Well Source:** Pump 15, Well No. 4157-04, Kahuku, Oahu at Tax Map Key: 5-6-2:1

**Quantity Requested:** 1,530,000 gallons per day

**Existing Water Use:** Service to 6 military offices and 23 acres of aquacultural operations

**Place of Water Use:** Kahuku and Kahuku Army Training Area at Tax Map Key: 5-6-2:1, 21, & 26

(more)
Kawaihapai Well (Well No. 3309-01)
Applicant: State of Hawaii
Dept. of Land and Natural Resources,
Division of Water and Land Development
1151 Punchbowl St.
Honolulu, HI 96813
Date Completed Application Received: August 13, 1993
Aquifer: Mokuleia System, North Sector, Oahu
Well Source: Kawaihapai Well, Well No. 3309-01, Mokuleia, Oahu at Tax Map Key: 6-8-7:1
Quantity Requested: 0 gallons per day
New Water Use: Exploratory Purposes Only
Place of Water Use: Kawaihapai exploratory well site

Kapaka Farm Wells (Well Nos. 3554-01 & 02 and 3654-03)
Applicant: Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Kapaka Farm Wells, Well Nos. 3554-01 & 02 and 3654-03, near Kaluanui Stream, Oahu at Tax Map Key: 5-3-12:1
Quantity Requested: 324,000 gallons per day
Existing Water Use: Irrigation of 33 acres of banana and papaya trees and various other crops
Place of Water Use: Near Kaluanui Stream mauka of Kam Hwy at Tax Map Key: 5-3-12:1

Prawn Farm Well (Well No. 3856-07)
Applicant: Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Prawn Farm Well, Well No. 3856-07, along Poohaili Street, Oahu at Tax Map Key: 5-5-5:1
Quantity Requested: 475,000 gallons per day
Existing Water Use: Services 103-acre prawn farm
Place of Water Use: Windward Oahu at Tax Map Key: 5-5-5:1 & 23 and 5-5-8

Egg Farm Well (Well No. 3956-05)
Applicant: Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Egg Farm Well, Well No. 3956-05, along Poohaili Street, Oahu at Tax Map Key: 5-5-8:55
Quantity Requested: 62,000 gallons per day
Existing Water Use: Service to chicken and egg farm
Place of Water Use: Along Poohaili Street at Tax Map Key: 5-5-8:51
(more)
Welfare Farm Well (Well No. 3855-04)
Applicant: Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Welfare Farm Well, Well No. 3855-04, mauka of Kam Hwy, Laie, Oahu at Tax Map Key: 5-5-6:1
Quantity Requested: 128,000 gallons per day
Existing Water Use: Irrigation of 39 acres of banana and papaya trees and grass
Place of Water Use: Mauka of Kam Hwy, Laie at Tax Map Key: 5-5-6:1

Truck Farm Well (Well No. 3755-06)
Applicant: Zions Securities Corp.
55-510 Kamehameha Hwy
Laie, HI 96762
Date Completed Application Received: June 23, 1993
Aquifer: Koolauloa System, Windward Sector, Oahu
Well Source: Truck Farm Well, Well No. 3755-06, mauka of Kam Hwy, Laie, Oahu at Tax Map Key: 5-5-6:1
Quantity Requested: 167,000 gallons per day
Existing Water Use: Irrigation of 51 acres of grass
Place of Water Use: Mauka of Kam Hwy in Laie at Tax Map Key: 5-5-6:1

WM Kamakana Kawela (Well Nos. 0456-01 & 17)
Applicant: Wilma Kamakana Grambusch
P.O. Box 614
Kaunakakai, HI 96748
Date Completed Application Received: August 19, 1993
Aquifer: Kawela System, Southeast Sector, Molokai
Well Source: WM Kamakana Kawela Well, Well Nos. 0456-01 & 17, Kam V Hwy, Kawela, Molokai at Tax Map Key: 5-4-1:29
Quantity Requested: 52,500 gallons per day
Existing Water Use: Irrigation of 9 acres of various crops
Place of Water Use: Kam V Hwy, Kawela, Molokai at Tax Map Key: 5-4-1:29

Soda Creek III (Well No. 2001-05)
Applicant: Gentry Development Co.
P.O. Box 295
Honolulu, HI 96809
Date Completed Application Received: July 23, 1993
Aquifer: Ewa Caprock System, Pearl Harbor Sector, Oahu
Well Source: Soda Creek III Well, Well No. 2001-05, Ewa by Gentry Development, Oahu at Tax Map Key: 9-1-70:132
Quantity Requested: 20,000 gallons per day
New Water Use: Irrigation for 6.67 acres of lawn and landscape
Place of Water Use: Ewa by Gentry Development at Tax Map Key: 9-1-70

(more)
Kamakana Kakahaia Well (Well No. 0456-18)

Applicant: Wilma Kamakana Grambusch
P.O. Box 614
Kaunakakai, HI 96748

Date Completed Application Received: August 19, 1993

Aquifer: Kawela System, Southeast Sector, Molokai

Well Source: Kamakana Kakahaia Well, Well No. 0456-18, Kam V Hwy, Kawela, Molokai at Tax Map Key: 5-4-1:18

Quantity Requested: 2,355 gallons per day

Existing/New Water Use: Irrigation of 0.78 acres of banana

Place of Water Use: Kam V Hwy., Kawela, Molokai at Tax Map Key: 5-4-1:12 & 8 and 5-5-1:18

WM. Kamakana #2 Well (Well No. 0456-19)

Applicant: Wilma Kamakana Grambusch
P.O. Box 614
Kaunakakai, HI 96748

Date Completed Application Received: August 19, 1993

Aquifer: Kawela System, Southeast Sector, Molokai

Well Source: WM. Kamakana #2 Well, Well No. 0456-19, Kam V Hwy, Kawela, Molokai at Tax Map Key: 5-4-1:2

Quantity Requested: 90,000 gallons per day

Existing Water Use: Aquaculture operations for 2.5 acres of limu and awa

Place of Water Use: Kam V Hwy, Kawela at Tax Map Key: 5-4-1:2

Written objections or comments on the applications for water use permits may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permits. Send written objections by October 6, 1993 to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809, and 2) a copy of the objection letter(s) to the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

KEITH W. AHUE
Chairperson

Dated: SEP - 8 1993

Publish in: Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993
Ms. Ruby Montgomery  
47-477 Waihee Place  
Kaneohe, HI 96744  

Dear Ms. Montgomery:  

Enclosed is a copy of the public notice for your water use permit application for Well No. 2751-08 which will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.  

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

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

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

Sincerely,  

[Signature]  

RAE M. LOUI  
Deputy Director  

LN:ko  
Encl.
MEMORANDUM

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

FROM: Rae M. Loui, Deputy Director

SUBJECT: Request for Comments
          Water Use Permit Application
          Koolaupoko Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Ruby Montgomery for Well No. 2751-08. Public notice of this application will be published in the Honolulu Star Bulletin issues of September 15, 1993 and September 22, 1993.

We would appreciate your review of the attached application and please return this form by October 6, 1993.

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

LN:ko
Attachment(s)

Response: Contact person: ___________________________ Phone: ____________

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

Signed: ___________________________ Date: ______________
INTERESTED OTHERS LIST

ADDITIONAL STANDARD CORRESPONDENCE

Mr. David Martin
Native Hawaiian Advisory Council
1088 Bishop St., Suite 1204
Honolulu, Hawaii 96813
Ms. Ruby Montgomery  
47-477 Waihee Place  
Kaneohe, HI 96744

Dear Ms. Montgomery:

Application for a Water Use Permit  
Koolaupoko Ground Water Management Area, Oahu

We acknowledge receipt, on July 9, 1993, of your completed water use permit application for the RL Montgomery Well (Well No. 2751-08). You can expect your application to be processed within ninety (90) days from the date of receipt unless there are objections to your application. We will be sending you a copy of the public notice for your application and any further information regarding the status of your application.

Based on the guidelines for water requirements for selected crops that were developed for the island of Oahu, your daily use estimate of 2,000 gallons per day for irrigation of 12 acres of bananas, flowers, and vegetables, seems rather low. The guidelines indicate that bananas generally require about 3,019 gallons per acre per day, and floriculture requirements may be as high as 7,400 gallons per acre per day. Using these estimates as a guideline, your irrigation requirements would range from 36,228 to 88,800 gallons per day. Please call us at your earliest convenience if you would like to revise your requested allocation of water.

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

Sincerely,

RAE M. LOUI  
Deputy Director

LN:fc
Pay to the Order of D L N R $25.00

Twenty Five 00/100 Dollars

RUBY L. MONTGOMERY
575-40-8854  239-5769
47-417 WAINEE PLACE
KANEHOE, HAWAII 96744

Kaneohe Branch
46-005 Kawa Street
Kaneohe, Hawaii 96744

JULY 7, 1993

Gave to Kay 8/16/93
APPLICATION FOR WATER USE PERMIT

1. (a) APPLICANT
   Firm/Name: Ruby Montgomery
   Contact Person: Ruby Montgomery
   Address: 147-479 Waihee Pl.

2. WATER MANAGEMENT AREA: (Koolau Pole) - ISLAND: OAHU

3. (a) EXISTING SOURCE NAME AND STATE NUMBER: N/A
   (b) PROPOSED (NEW) SOURCE NAME: N/A

4. SOURCE LOCATION: Address 147-479 Waihee Pl. Tax Map Key L-4-7-6-1
   (Attach a USGS map, scale 1"=2000", and a property tax map showing source location referenced to established property boundaries.)

5. SOURCE TYPE: (check one): □ Stream □ Artesian Flow □ Well & Pump □ Diverted Surface Flow □ Other

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

7. LOCATION OF PROPOSED WATER USE: (if possible, show on same maps as source location. Otherwise, attach similar maps)
   (a) Address: 147-479 Waihee Pl. Tax Map Key L-4-7-6-1
   (b) Land Use District: (check one): □ Urban □ Agriculture □ Conservation □ Rural
   (c) County Zoning (describe): □ Urban □ Agriculture

8. QUANTITY OF WATER REQUESTED: 3,500 gallons per day

9. METHOD OF MEASUREMENT:
   □ Flowmeter □ Open-pipe □ Weir □ Orifice □ Other

10. QUALITY OF WATER REQUESTED:
    □ Fresh □ Salt □ Brackish □ Other (explain) ■ Permitted for Domestic Use Only

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

12. NUMBER AND TYPE OF UNITS TO BE SERVED: Farming Bananas, Livestock and Domestic 2 Homes

13. TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP: 18 acres Bananas, Other (crop) Flowers, Vegetable

14. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION: Daily Usage

15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:
    (a) Impact on Sustainable yield (?): Minimal
    (b) Permanant or Interim Instream Flow Standards affected (?): N/A
    (c) Hawaiian Home Land uses affected (?): N/A
    (d) Other existing legal uses affected (?): N/A
    (e) Other: N/A

16. REMARKS, EXPLANATIONS:

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

Applicant (print): Ruby Montgomery
Signature: July 5, 1993
Landowner (print): Ruby Montgomery
Signature: July 5, 1993
\textit{x} indicates as near as possible where our well is located.
\( \times \) indicates as near as possible where our well is located.
PART I: USE OF WATER

1. Tax Map Key where the water is used: 4-7-06:01. Does the declarant own this land? Yes If not, who does? ____________________________

2. What is the water used for? Domestic, irrigation, livestock
If for irrigation, how many acres are being irrigated by crop type? 10
Flavors (approx. 100 acres)
If for drinking, at how many houses? 2 by how many people? __________

3. Is the quantity of water use being measured? No If yes, document the location of the measurement point and method of measurement; also get use records if these were not submitted previously.

4. If this person takes from a multi-user pipe or ditch system:
   How is the water taken from the system? __________________________
   What is the capacity for taking (gpm)? ____________________________
   How often is it taken (used)? ____________________________

PART II: WATER SOURCE

Source #: 2701-14-09 Name: RL Montgomery

1. Where does the water come from / what kind of source is this? Well (drilled)

   Types of sources include:
   1) Wells (drilled, dug, tunnel)
   2) Diversions (ditch, pipe, or pump from a stream, spring, swamp, pond)
   3) Multi-source systems. (Declared use cannot be traced to a single well or diversion)

   NOTE: If a multi-user system: take from pipe or ditch (need to determine whether this is a multi-source or single-source system before the data can be input to the computer
   4) Instream (i.e., livestock drink from stream, or crops planted along water edge)

2. Show the source location on maps, determine latitude and longitude, and document the nature of source development by measurements, sketches, and photographs. How is the water taken? Domestic electric pump
   What is the capacity for taking (gpm)? approx. 22-56
   How often is it taken (used)? Pump is hooked up to a float level
   Storage tank (20,000 gallon)

3. Tax Map Key at the source: 4-7-06:01. Determine declarant's relation to source. Does the declarant:

   1) Operate and maintain the source? Yes If not, who does? ____________________________
   2) Own the land at the source? Yes If not, who does? ____________________________
   3) Use the water from this source? Yes If not, who does? ____________________________
   4) Own the land where the water is being used? Yes

4. Does any one else also use water from this source? Yes If yes, is their use include in this user's declaration? Yes Who are the other users? Did they file? No
   The other user is the daughter and her family of 4 who is included w/ data for the domestic use since they live on the same property.

VERIFIED BY: Guy Yasuda
DATE: 4/28/91
The Montgomery's have one drilled well that has a submersible electric pump with a capacity of about 40 gpm. The pump is piped in a series with two storage tanks. The second storage tank has a float level that is set to turn on the pump when the tank is half full and thus regulates the amount of water being pumped. They have a total of four storage tanks; one concrete tank with a capacity of 12,000 gallons, that is currently out of service to be cleaned and 3-20,000 gallon storage tanks. The concrete tank will be used in conjunction with two of the three other storage tanks to provide water for everyday use. The third storage tank will be held in reserve. The well and the storage tanks are located on the top of the hillside at the rear of the property and use gravity feed to supply the water for the two households, the stables, the four hot houses w/drip irrigation, and the approx. 15 acres of various vegetables, flowers, and bananas. Currently only one of the households has a water filtration and conditioning unit, although both households use the water. The other household is slated to have a filtration and conditioning unit installed in the near future. The well is the only source of water for the Montgomery's.
This report has been prepared in accordance with 13-171-22(b) of the Hawaii Revised Statutes requiring a 20-year review of issued water use permits to determine permit compliance. Following is a summary of permit information, site characteristics, methodology, findings, and recommendations for this State permit file.

### Permit Information

| **Water User:** | Jean-Paul Renior  
47-477 Waihee Pl.  
Kaneohe, HI 96744 |
| **Landowner of Source:** | Jean-Paul Renior  
47-477 Waihee Pl.  
Kaneohe, HI 96744 |
| **Permitted Withdrawal Rate:** | 0.036 mgd (Based upon a 12-month moving average) |
| **Water Management Area:** | Koolaupoko |
| **Island:** | Oahu |
| **Aquifer Sector/System:** | Windward/Koolaupoko |
| **System Sustainable Yield:** | 43 mgd |
| **Water Type:** | Fresh |
| **Original CWRM Date:** | October 13th, 1993 |
| **Standard Conditions:** | 1-19 |
| **Special Conditions:** | 1-2 |

### Water Source

| **State Well Number(s):** | 2751-08 |
| **Well Name:** | RL Montgomery |
| **Water Source TMK Number(s):** | 1st Division, 4-7-006:001 |
| **State Land Use Classification(s):** | Conservation/Urban |
| **County Zoning Classification(s):** | AG-2/P-1 |
| **Geographical Coordinates:** | Latitude 21° 27' 20.9" North  
Longitude 157° 51' 26.0" West |

### End Use

| **End Use TMK Number(s):** | 1st Division, 4-7-006:001, 4-7-033:010, 4-7-033:023  
4-7-033:036 |
| **State Land Use Classification(s):** | Conservation/Urban |
| **County Zoning Classification(s):** | AG-2/P-1 |
Beneficial Use Explanation: Use for domestic, agricultural (green house, 17-acre orchard), and conservation remediation purposes.

**Background Information**

State Well No. 2751-08 was originally governed by Water Use Permit 271, which was issued to Laakea Hawn Resort Co. with a permitted allocation of 0.036 mgd. In 1993, Water Use Permit 580 superseded Water Use Permit 271 and transferred water rights to Astori International, Ltd. Since then, it appears that the property on which the water source sits may have been sold. However, there has been no request to transfer the permit from Astori International to the new land owner. This matter should be investigated further to ensure that the water use permit is issued to the current user.

Water Use Permit 580 was approved during the October 13th, 1993 Commission on Water Resource Management meeting. There are no monthly water use or salinity reports on file for State Well No. 2751-08. Standard conditions 1-19 and special conditions 1-2 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the permit file.

**Field Investigation Information**

Contact: Jean Paul Renior
Site Address: 47-477 Waihee Pl.
Kaneohe, HI 96744

Brown and Caldwell conducted a field investigation on August 22nd, 2008 from 2:30 p.m. until 3:30 p.m. with Mr. Renior. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. The physical location of this site is at the end of Waihee Place, up a long concrete driveway on the right hand side of the road. Reference the TMK and GIS maps in the permit file for a visual representation of the site.

**Summary of Findings for Water Use Permit No. 580**

State Well No. 2751-08 is located on TMK parcel 4-7-006:001 at 12° 27' 20.9" N, 157° 51' 26.0" W, with a real time accuracy of ±25 feet. Water is drawn via a submersible pump and is metered at the well site. Four storage tanks sit in the vicinity of the well and are used to store the well
water. Three tanks are pre-injected with fertilizer and are reserved strictly for agricultural and irrigation purposes on TMK parcels 4-7-006:001, 4-7-033:010, 4-7-033:023, and 4-7-033:036. The fourth tank is chlorine treated and is used only for domestic purposes on TMK parcel 4-7-006:001. All water is gravity fed from the tanks down to the appropriate end use areas. The pump is initiated automatically when water levels in the tanks drop below a specified level. Reference the Appendix for photographs of the previously described system components.

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

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)

Since the water is being used on several TMK parcels (4-7-033:010, 4-7-033:023, and 4-7-033:036) that are not permitted end use locations, the permittee is found to be in violation of Standard Condition (1).

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

Since no water use or salinity records are being submitted for State Well No. 2751-08, the permittee is in violation of Standard Condition (10).

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

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

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

It appears that the permittee listed, Astori International, is no longer in existence. The new land owner, Jean-Paul Renier, has indicated that a permit transfer request had been submitted to the Commission several months ago. However, there is no record of the transfer on file. If no transfer has taken place, the current user is found to be in violation of Standard Condition (12) for a ‘failure to inform the department of the transfer’. If the transfer application has been submitted, then this violation can be disregarded. Reference the permit file for supporting documentation on this matter.
Based upon visual inspection of the system, all components appear to be in full working order. The permittee demonstrated functionality of an installed flowmeter and provided access to the site grounds where no wasting of water or water loss was observed. However, since water use is being use on non-permitted TMK parcels, a transfer of water use without a permit transfer has occurred, and water use and salinity levels are not being reported to the Commission, full compliance with Water Use Permit 580 has not been achieved.

Recommendations

- Address the following discrepancies between the Commission’s electronic database and actual field investigation findings:
  - Permittee and land owner names and addresses
  - Change permittee contact to Jean-Paul Renior at (808) 239-9786
    (jeanpaulrenior@hawaii.rr.com)
  - End use TMK parcel numbers
  - Beneficial use description
  - State land use and county zoning classifications
- Address violation of Standard Condition (1) regarding use on non-permitted TMK parcels.
- Address violation of Standard Condition (10) regarding non-reporting of water use and salinity levels.
- Investigate and address pending application to transfer Water Use Permit 580 from ‘Astori International’ to ‘Jean-Paul Renior’. If no application has been submitted, address violation of Standard Condition (12) regarding failure to inform the CWRM of a transfer of water user. If an application has been submitted, disregard violation of Standard Condition (12) and update permit database accordingly.
20-Year Water Use Permit Review
Water Use Permit No. 580

APPENDIX

Field Investigation Photographs
Figure 1 – State Well No. 2751-08 w/fertilizer and treatment injection

Figure 2 – Functional system flowmeter
Figure 3 – System controls

Figure 4 – Typical end use location for conservation remediation
Figure 5 – Typical end use area for domestic (house on hill) and orchard irrigation

Figure 6 – Typical end use location for conservation remediation
Standard Conditions List

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

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

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

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

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

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

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

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

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

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

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

Variations of Standard Condition (10) are as follows:
   i. The applicant shall keep monthly pumpage estimates to be submitted annually to the Commission.
   ii. An approved flowmeter(s) need not be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a yearly basis (attached).
   iii. An approved flowmeter(s) must be installed to measure withdrawals and a monthly record of withdrawals, water-levels, salinity, and temperature must be kept and reported to the Commission on a monthly basis in accordance with the Commission's September 16, 1992 action on reporting requirements.
   iv. Approved flowmeters must be installed to measure monthly withdrawals and a monthly record of withdrawals must be kept and reported to the Commission on Water Resource Management on a monthly basis.
   v. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a quarterly/yearly basis (attached).
   vi. An approved flowmeter shall be installed to measure water withdrawals.
   vii. An approved flowmeter(s) must be installed to measure withdrawals; and a record of the withdrawals must be kept and reported to the Department of
Land and Natural Resources, Division of Water and Land Development, P.O. Box 373, Honolulu, HI 96809, on a monthly basis.

viii. Although not stated as a condition of the permit § 13-168-7 HAR requires you to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular monthly basis using the enclosed water use report form.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20. Standard Condition 16 is waived for saltwater wells.

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

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

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

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

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

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

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

28. The applicant shall follow the agreed monitoring plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66. WUP No. <Insert #> is revoked

67. Standard Condition 17 is waived.

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

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

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

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

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

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

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

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

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

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

78. Standard Condition 9 is waived.

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

80. Standard Condition 10 is waived.

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

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

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

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

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

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

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

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

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

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

92. Standard Condition 7 shall not apply.

93. Standard Condition 22 shall not apply.

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

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

96. HECO 1 mgd for industrial use

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

98. BWS 1 mgd for municipal use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119. Standard Conditions 10 & 18 shall not apply.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

143. Proposed other uses will be considered at a later date.
**Water Use Permit Survey**  
(Please complete one survey form for each WUP)

<table>
<thead>
<tr>
<th>WUP Number:</th>
<th>580</th>
<th>Well Number(s):</th>
<th>1751-08</th>
</tr>
</thead>
</table>

**Contact Information** (of the person who will be present at site visit):

Name: Jean Paul Remi

Phone (for phone interview): 239-9786  Fax:

Email: JeanPaul.Remi@hawaii.gov

Best time to reach for phone interview: evening

**Property Information** (of the water use/well location):

Address: 47-477 Waihee Place

City: Kaneohe  Zip: 96746-4959

Well Location TMK (list all if multiple wells present): 4-4-7-61

Water Use TMK (list all if used on multiple lots): 

**Water Use/Well Information:**

- **Is the water source currently in use?**  Yes [ ]  No [ ]

  If no, please explain:

  ________________________________

- **What are you currently using the water for?** (example: "Use for 45 acres of diversified agriculture and 3 residences"): 2 residences, 1 greenhouse, 17 acres of apple and pear orchards, lawn, tree spraying, and conservation remediation project (mostly from 4-4-7-61) on conserv. land 10ac.

  Is a flow meter installed and working properly?  Yes [ ]  No [ ]

  If no, please explain:

  ________________________________

- **Do you submit monthly water use reports to the State?**  Yes [ ]  No [ ]

  If no, please explain:

  ________________________________

**Field Investigations:**

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

<table>
<thead>
<tr>
<th>Option #1</th>
<th>Date (M-F):</th>
<th>M</th>
<th>Time:</th>
<th>9:00 am</th>
<th>12:00 pm</th>
<th>3:00 pm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Option #2</td>
<td>Date (M-F):</td>
<td>T</td>
<td>Time:</td>
<td>9:00 am</td>
<td>12:00 pm</td>
<td>3:00 pm</td>
</tr>
<tr>
<td>Option #3</td>
<td>Date (M-F):</td>
<td>T</td>
<td>Time:</td>
<td>9:00 am</td>
<td>12:00 pm</td>
<td>3:00 pm</td>
</tr>
</tbody>
</table>

Once this survey is returned, a Brown and Caldwell representative will be contacting you to conduct a phone interview and finalize the exact date and time of your field investigation. Please fax/mail completed surveys by **March 5th, 2008** and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:

1099 Alakea Street, Suite #2400  
Honolulu, HI 96813  
Tel: (808) 203-2661  
Fax: (808) 533-0226  
mcsmith@brwncald.com

Received: **7/19/08**  
Information Updated: **7/21/08**  
Phone Interview Complete: **8/15/08**

Notes/Comments: ____________________________________________________
Phone Interview

WUP Number: 580  Well Number(s): 2751-08

Contact Name: Jean Paul Renoir  Phone Number: 239-9786

Attempt #1: Date/Time: 6/15/08 (10:30)  Result: Reached
Attempt #2: Date/Time: N/A  Result: N/A

Well Location TMK(s): 4-7-006-001
Water Use TMK(s): 4-7-006-001

Well Source Address: 47-477 Waihee Place
City: Kaneohe  Zip Code: 96744-4959

Currently using water source? Yes ☒  No ☐

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

How long have you been using this water source?: 3

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

Scheduled field investigation day/time: 6/22/08 @ 2:30 p.m.

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

End of Waihee Place — To end of concrete drive — turn (R)

Call cell upon arrival

Comments To Make:

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

Interviewed By: ____________________________  Date: 6/15/08  Time: 10:30 a.m.
Field Investigation Checklist

WUP Number: 580 Well Number(s): 2751-08

**Water Source**

Well Location TMK(s): 4-7-006:001
Well Head GPS Coordinates: Latitude: 21°27'20.9" N Longitude: 107°51'26.0" W
Well Type: Drilled, -4 inches, -10 HP, 10 HP, Pump

Currently using water source? Yes ☑ No ☐
Notes/Comments: ________________________________

Is there a flow meter installed? Yes ☑ No ☐
Is the flow meter operational? Yes ☑ No ☐
Notes/Comments: ________________________________

**Water Use**

Water Use TMK(s): 4-7-006:001, 4-7-033:010, 023 036

What is the water being used for? Misc. Yes -- Ag Irrigation (see survey form)

Is the water being used within the permitted boundaries? Yes ☑ No ☐
If no, explain: Additional use TMK’s not listed in permit

Is there any observed wasting of water or water loss? Yes ☐ No ☑
If no, explain: ________________________________

Are the permit conditions being complied with? Yes ☑ No ☐
If no, explain: No water use reports, salinity reports, use on non-permitted TMK parcels

Photographs of: Water Source ☑ Water Meter ☑ Usage Area ☑ Pump/Motor ☑

General Notes/Comments:

- Water drawn, treated, stored at the well site - No times
  total (3 ag, 1 domestic) - Gravity fed from tanks into end use areas

- Permit transfer has been requested (from Anton to Jean-Paul Rener). Non-ag

- Reprobing information given to permittee - permittee advised that they would begin to report ASAP

Investigated By: M G. Date: 6/22/08 Time: 2:30 p.m.
Jean-Paul Renoir

From: Christine A. Kubota [cak@hawaiilawyer.com]
Sent: Tuesday, July 15, 2008 5:31 PM
To: Jean-Paul Renoir
Cc: Gregory Kugle; Noelle B. Catalan
Subject: DLNR - Permit Name Change

Jean Paul:
DLNR is reviewing our application now. The address for Astori was c/o of our office but for whatever reason, they had put the file away because they could not get in touch with "Astori"... but now they know where we are. It sounds like transfer will be done – we were told to wait – so we’ll check again in a couple of weeks but we did talk to the DLNR rep that will be actually reviewing the application. Please stand by. Thank you.

Christine A. Kubota
久保田クリステイーン
cak@hawaiilawyer.com
http://www.hawaiilawyer.com
Damon Key Leong Kupchak Hastert
1600 Pauahi Tower, 1003 Bishop St.
Honolulu, HI 96813-6452
Phone: 808.531.8031
Fax: 808.533.2242

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Mr. Jim Aonuma  
Astori International Limited  
355 Royal Hawaiian Avenue  
Honolulu, HI 96815  

Dear Mr. Aonuma:

Approval of Water Use Permit for Well No. 2751-08  
Koolaupoko Ground-Water Management Area, Oahu

This is in response to a letter sent to us on October 3, 2000 by Koshiba Agena & Kubota requesting transferal of WUP No. 271 to Astori International Limited. This letter transmits your water use permit for Laakea Hawaiian Resort Well (Well No.2751-08) for use of 0.036 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 October 13, 1993. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

**Special Conditions**

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

2. **In the event 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 Koolaupoko 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 Ryan Imata of the Commission staff at 587-0255.

Aloha,

TIMOTHY E. JOHNS
Chairperson

Attachments

c: Koshiba Agena & Kubota
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. Is consistent with the public interest;
   d. Is consistent with State and County general plans and land use designations;
   e. Is consistent with County land use plans and policies; and
   f. 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 October 13, 1993 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 Koolaupoko 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 Koolaupoko 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 which 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 Koolaupoko 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. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

19. 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.

TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

Attachment
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERMIT

□ Groundwater or □ Surface Water

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
Firm/Name Astori International Limited
Contact Person Kiiko Nakahara
Address C/O Damon Key Leong Kupchak Hastert
1600 Pauahi Tower, 1003 Bishop St.
Honolulu, HI 96813
Phone 531-8031 Fax 533-2242
E-mail nbc@hawaiilawyer.com

(b) LANDOWNER OF SOURCE
Firm/Name Jean Paul Renoir and Kiiko Nakahara
Contact Person Jean Paul Renoir
Address C/O Damon Key Leong Kupchak Hastert
1600 Pauahi Tower, 1003 Bishop St.
Honolulu, HI 96813
Phone 531-8031 Fax 533-2242
E-mail nbc@hawaiilawyer.com

Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

Signature Date
Kiiko Nakahara

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
Firm/Name Jean Paul Renoir & Kiiko Nakahara
Contact Person Jean Paul Renoir
Address C/O Damon Key Leong Kupchak Hastert
1600 Pauahi Tower, 1003 Bishop St.
Honolulu, HI 96813
Phone 531-8031 Fax 533-2242
E-mail nbc@hawaiilawyer.com

(b) LANDOWNER OF SOURCE
Firm/Name Jean Paul Renoir & Kiiko Nakahara
Contact Person Jean Paul Renoir
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Phone 531-8031 Fax 533-2242
E-mail nbc@hawaiilawyer.com

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Signature Date
Jean Paul Renoir

WATER USE PERMIT TRANSFER INFORMATION


4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08

5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
CURRENT PERMIT HOLDER:
1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: C/O Damon, Key Leong, Kupchak, Hastert
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com
   SIGNATURE: 
   Date: 

2. (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: C/O Damon, Key Leong, Kupchak, Hastert
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com
   SIGNATURE: 
   Date: 

PERMIT TO BE TRANSFERRED TO:
2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: C/O Damon, Key Leong, Kupchak, Hastert
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com
   SIGNATURE: 
   Date: 

2. (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: C/O Damon, Key Leong, Kupchak, Hastert
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com
   SIGNATURE: 
   Date: 

WATER USE PERMIT TRANSFER INFORMATION
3. WATER USE PERMIT NO.: WUP No. 580
   EFFECTIVE DATE OF TRANSFER: 08/28/2002
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE: 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERMIT

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit http://www.hawai.gov/dlnr/cwrm.

CURRENT PERMITTEE:

1. (a) PERMITTEE
   Firm/Name Astori International Limited
   Contact Person Kiiko Nakahara
   Address c/o Damon Key Leong Kupchak Hastert
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com

(b) LANDOWNER OF SOURCE
   Firm/Name Jean Paul Renoir and Kiiko Nakahara
   Contact Person Jean Paul Renoir
   Address 1600 Pauahi Tower, 1003 Bishop St.
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com

Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

Signature / Kiiko Nakahara
Date

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   Firm/Name Jean Paul Renoir & Kiiko Nakahara
   Contact Person Jean Paul Renoir
   Address c/o Damon Key Leong Kupchak Hastert
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com

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Signature / Jean Paul Renoir
Date

WATER USE PERMIT TRANSFER INFORMATION

4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERMIT

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1. (a) PERMITTEE
   Firm/Name Astori International Limited
   Contact Person Kiiko Nakahara
   Address 1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
   Phone 531-8031
   Fax 533-2242
   E-mail nbc@hawaiilawyer.com

   Signature
   Date

   (b) LANDOWNER OF SOURCE
   Firm/Name Jean Paul Renoir and Kiiko Nakahara
   Contact Person Jean Paul Renoir
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   Phone 531-8031
   Fax 533-2242
   E-mail nbc@hawaiilawyer.com

   Signature
   Date

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2. (a) PERMITTEE
   Firm/Name Jean Paul Renoir & Kiiko Nakahara
   Contact Person Jean Paul Renoir
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   Signature
   Date

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   Honolulu, HI 96813
   Phone 531-8031
   Fax 533-2242
   E-mail nbc@hawaiilawyer.com

   Signature
   Date

WATER USE PERMIT TRANSFER INFORMATION
3. WATER USE PERMIT NO.: WUP No. 580
   EFFECTIVE DATE OF TRANSFER: 08/28/2002
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
REQUEST TO TRANSFER WATER USE PERMIT

1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1001 Bishop St.
             Honolulu, HI 96813
   Phone: 531-8031   Fax: 533-2242
   Email: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1001 Bishop Street
             Honolulu, HI 96813
   Phone: 531-8031   Fax: 533-2242
   Email: nbc@hawaiilawyer.com

   Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

   Signature: Kiiko Nakahara
   Date: 

   Signature: Jean Paul Renoir
   Date: 

2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1001 Bishop St.
             Honolulu, HI 96813
   Phone: 531-8031   Fax: 533-2242
   Email: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1001 Bishop Street
             Honolulu, HI 96813
   Phone: 531-8031   Fax: 533-2242
   Email: nbc@hawaiilawyer.com

   Signing below indicates that the signatories swear that: 1) the conditions of use of the transferred permit including place, quantity, and purpose of the use remain the same. I also understand that a new water use permit will be issued to document this transfer and the old water use permit number will be void and superseded.

   Signature: Jean Paul Renoir
   Date: 

   Signature: Jean Paul Renoir
   Date: 

3. WATER USE PERMIT NO.: WUP No. 580
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE: 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERMIT

For Official Use Only:

RECEIVED
08 JAN 25 ALL: 0

COMMISSION ON WATER RESOURCE MANAGEMENT

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit http://www.hawaiilgov/dlnr/cwrm.

CURRENT PERMIT HOLDER:
1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
   Phone: 531-8031 Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop Street
   Honolulu, HI 96813
   Phone: 531-8031 Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

   Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

   Signature: Kiiko Nakahara
   Date: [Signature Date]

   Signature: Jean Paul Renoir
   Date: [Signature Date]

PERMIT TO BE TRANSFERRED TO:
2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: c/o Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
   Phone: 531-8031 Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: c/o Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop Street
   Honolulu, HI 96813
   Phone: 531-8031 Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

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   Signature: Jean Paul Renoir
   Date: [Signature Date]

   Signature: Jean Paul Renoir
   Date: [Signature Date]

WATER USE PERMIT TRANSFER INFORMATION
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1
CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   - Firm/Name: Astori International Limited
   - Contact Person: Kiiko Nakahara
   - Address: P.O. Box 760, Honolulu, HI 96814
   - Phone: 531-8031
   - E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   - Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   - Contact Person: Jean Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   - Phone: 531-8031
   - E-mail: nbc@hawaiilawyer.com

Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

Signature: Kiiko Nakahara
Date: ____________

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   - Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   - Contact Person: Jean Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   - Phone: 531-8031
   - E-mail: nbc@hawaiilawyer.com

   (b) LANDOWNER OF SOURCE
   - Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   - Contact Person: Jean Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   - Phone: 531-8031
   - E-mail: nbc@hawaiilawyer.com

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Signature: Jean Paul Renoir
Date: ____________

WATER USE PERMIT TRANSFER INFORMATION

3. WATER USE PERMIT NO.: WUP No. 580
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE: 4-7-6:1
CURRENT PERMIT HOLDER:
1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

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   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
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   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

   Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

   Signature: [Signatures]
   Date: [Dates]

PERMIT TO BE TRANSFERRED TO:
2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Phone: 531-8031
   E-mail: nbc@hawaiilawyer.com

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   Signature: [Signatures]
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WATER USE PERMIT TRANSFER INFORMATION
3. WATER USE PERMIT NO.: WUP No. 580
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE: 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
**State of Hawaii**

**COMMISSION ON WATER RESOURCE MANAGEMENT**

**Department of Land and Natural Resources**

**REQUEST TO TRANSFER WATER USE PERMIT**

For Groundwater or Surface Water

---

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit [http://www.hawaii.gov/dlnr/cwrm](http://www.hawaii.gov/dlnr/cwrm).

**CURRENT PERMIT HOLDER:**

1. **(a) PERMITTEE**
   - Firm/Name: Astori International Limited
   - Contact Person: Kiiko Nakahara
   - Address: 1600 Pauahi Tower, 1003 Bishop St., Honolulu, HI 96813
   - Phone: 531-8031
   - Fax: 533-2242
   - E-mail: nbc@hawaii1awyer.com

   Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

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

   **(b) LANDOWNER OF SOURCE**
   - Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   - Contact Person: Jeann Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   - Phone: 531-8031
   - Fax: 533-2242
   - E-mail: nbc@hawaii1awyer.com

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

---

**PERMIT TO BE TRANSFERRED TO:**

2. **(a) PERMITTEE**
   - Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   - Contact Person: Jean Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop St., Honolulu, HI 96813
   - Phone: 531-8031
   - Fax: 533-2242
   - E-mail: nbc@hawaii1awyer.com

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

   **(b) LANDOWNER OF SOURCE**
   - Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   - Contact Person: Jean Paul Renoir
   - Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   - Phone: 531-8031
   - Fax: 533-2242
   - E-mail: nbc@hawaii1awyer.com

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

---

**WATER USE PERMIT TRANSFER INFORMATION**

3. **WATER USE PERMIT NO.:** WUP No. 580  
   **EFFECTIVE DATE OF TRANSFER:** 08/28/2002

4. **WELL/STREAM DIVERSION NAME AND STATE NUMBER:** Laakea Hawaiian Resort Well 2751-08

5. **T.M.K. AT SOURCE:** 4-7-6:1

---

WUP TRANSFER FORM (02/09/2005)
CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St., Honolulu, HI 96813
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   Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   Phone: 531-8031, Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

   Signature: Kiiko Nakahara
   Date: [Signature Date]

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
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   E-mail: nbc@hawaiilawyer.com

   Signature: Jean Paul Renoir
   Date: [Signature Date]

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5. T.M.K. AT SOURCE: 4-7-6:1

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   Signature
   Date

   Signature
   Date

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   Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

   Signing below indicates that the signatories swear that: 1) the conditions of use of the transferred permit including place, quantity, and purpose of the use remain the same. I also understand that a new water use permit will be issued to document this transfer and the old water use permit and number will be void and superseded.

   Signature
   Date

   Signature
   Date

WATER USE PERMIT TRANSFER INFORMATION

4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources

REQUEST TO TRANSFER WATER USE PERMIT

☑ Groundwater or ☐ Surface Water

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 987-0225. For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

CURRENT PERMIT HOLDER:
1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St., Honolulu, HI 96813
   Phone: 531-8031
   E-mail: nbc@hawaii1awyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   Phone: 531-8031
   E-mail: nbc@hawaii1awyer.com

   Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

   Signature: Kiiko Nakahara
   Date:

   Signature: Jean Paul Renoir
   Date:

PERMIT TO BE TRANSFERRED TO:
2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop St., Honolulu, HI 96813
   Phone: 531-8031
   E-mail: nbc@hawaii1awyer.com

   (b) LANDOWNER OF SOURCE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop Street, Honolulu, HI 96813
   Phone: 531-8031
   E-mail: nbc@hawaii1awyer.com

   Signing below indicates that the signatories swear that: 1) the conditions of use of the transferred permit including place, quantity, and purpose of the use remain the same. I also understand that a new water use permit will be issued to document this transfer and the old water use permit and number will be void and superseded.

   Signature: Jean Paul Renoir
   Date:

   Signature: Jean Paul Renoir
   Date:

WATER USE PERMIT TRANSFER INFORMATION
3. WATER USE PERMIT NO.: WUP No. 580
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE: 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: c/o Damon Key Leong Kupchak Hastert
   Phone: 531-8031
   Fax: 533-2242
   E-mail: nbc@hawaiilawyer.com

(Continued on next page)
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERMIT

Instructions: Please print in ink or type and send completed application to the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809. The Commission may not accept incomplete applications. For assistance, call the Regulation Branch at 587-0225. For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   Firm/Name Astori International Limited
   Contact Person Kiiko Nakahara
   Address C/O Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, Hi 96813
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com

2. (b) LANDOWNER OF SOURCE
   Firm/Name Jean Paul Renoir and Kiiko Nakahara
   Contact Person Jean Paul Renoir
   Address C/O Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop Street
   Honolulu, HI 96813
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com

SIGNING BELOW INDICATES THAT THE SIGNATORIES UNDERSTAND AND HAVE NO OBJECTION TO THIS WATER USE PERMIT TRANSFER REQUEST.

Signature
Date

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   Firm/Name Jean Paul Renoir & Kiiko Nakahara
   Contact Person Jean Paul Renoir
   Address C/O Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
   Phone 531-8031 Fax 533-2242
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   Firm/Name Jean Paul Renoir & Kiiko Nakahara
   Contact Person Jean Paul Renoir
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   1600 Pauahi Tower, 1003 Bishop Street
   Honolulu, HI 96813
   Phone 531-8031 Fax 533-2242
   E-mail nbc@hawaiilawyer.com


Signature
Date

WATER USE PERMIT TRANSFER INFORMATION

4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08
5. T.M.K. AT SOURCE 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
REQUEST TO TRANSFER WATER USE PERMIT

For Official Use Only:

COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources

REQUEST TO TRANSFER WATER USE PERMIT

For further information and updates to this application form, visit http://www.hawaii.gov/dlnr/cwrm.

CURRENT PERMIT HOLDER:

1. (a) PERMITTEE
   Firm/Name: Astori International Limited
   Contact Person: Kiiko Nakahara
   Address: 1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
   Phone: 531-8031
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   Firm/Name: Jean Paul Renoir and Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: 1600 Pauahi Tower, 1003 Bishop Street
   Honolulu, HI 96813
   Phone: 531-8031
   Fax: 533-2242
   E-mail: nbc@hawaii1awyer.com

Signing below indicates that the signatories understand and have no objection to this water use permit transfer request.

Signature: Kiiko Nakahara
Date:

PERMIT TO BE TRANSFERRED TO:

2. (a) PERMITTEE
   Firm/Name: Jean Paul Renoir & Kiiko Nakahara
   Contact Person: Jean Paul Renoir
   Address: c/o Damon Key Leong Kupchak Hastert
   1600 Pauahi Tower, 1003 Bishop St.
   Honolulu, HI 96813
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Signature: Jean Paul Renoir
Date:

Signature: Jean Paul Renoir
Date:

WATER USE PERMIT TRANSFER INFORMATION

3. WATER USE PERMIT NO.: WUP No. 580
   EFFECTIVE DATE OF TRANSFER: 08/28/2002

4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: Laakea Hawaiian Resort Well 2751-08

5. T.M.K. AT SOURCE: 4-7-6:1

WUP TRANSFER FORM (02/09/2005)
### CONTRACTOR'S BORING LOG

**Project: Waihee Farm**  
**Well No.: 2**  
**Type of Equipment: 4" submersible pump**

**Remarks:** Well depth 220.0' ± 5'. Casing set at 170.5'.

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**August 10, 1981**  
204.2"  
18#  
162.59

**CERTIFIED CORRECT:**  
Paul J. Kuchler, President  
Consultant