Mr. Dan Nellis  
Mr. Gary Paracuelles  
Dole Food Company  
1116 Whitmore Avenue  
Wahiawa, HI 96786

Dear Messrs. Nellis and Paracuelles:

Re: Waialua Ground Water Management Areas  
Action on Water Use Permit Nos. 35, 36, 39, 46, 48, & 136

We are writing with regard to water allocations in the Waialua Ground Water Management Area. There are substantial portions of pre-1987 allocations in the Waialua Ground Water Management Area that have not been used for a very long time. To accommodate new water use applicants (including the Honolulu Board of Water Supply), the Commission on Water Resource Management ("Commission") is in the process of 1) revoking allocations that have not been used for a long time; and 2) revisiting the remaining uses.

On February 15, 2012, the Commission staff recommended revoking a total of 21.651 Mgd of the 25.0 Mgd (sustainable yield) in Waialua Ground Water Management Area. Of this total, Dole faced the bulk of the revocation (21.292 Mgd).

At the February 15, 2012 meeting, Dole Foods Company ("Dole") provided some information in support of its request to preserve a 9.0 mgd allocation to Waialua Sugar Co. Waialua Sugar Co. closed operations in 1996. Although Waialua Sugar Co. was a wholly owned subsidiary of Dole, the Waialua Sugar Co. never transferred its water use permits to Dole.

Dole seeks the 9.0 Mgd as a backup source for surface water from the Wahiawa Reservoir Irrigation System (owned in part by Dole). Pioneer Hi-Bred (a Dole tenant) indicated that it had an interest in the use of this water. The Commission deferred any action on revocations that would impact Dole, pending the receipt of additional information. In particular, the Commission needs to know which unpermitted allocations Dole will voluntarily relinquish.

Subsequently, the Commission's staff met with Dole on two occasions to discuss the needed information. Enclosed is the Commission's summary of the table Dole presented at the February
2012 Commission meeting. This table clarifies Dole's request and its voluntary revocations. In accordance with Dole's representations, Dole now agrees to voluntarily relinquish 13.890 Mgd.

There are further questions that need to be clarified:

1) As noted in the revised table and Dole's figures, the domestic use portion of Dole's existing WUP 036 for Pump 2A (Well Nos. 3307-07 & 11 to 14) is now proposed to be assigned to Pump 2 (Well Nos. 3307-01 to 06, & 08 to 10). Please explain the reasons for this change.

2) A reasonable-beneficial irrigation use is based upon available rainfall, soil types, acreages under cultivation with normal fallowing patterns, types of crops, type of irrigation system, evapotranspiration, and other considerations. Dole has not provided the quantities and locations in its analysis. Please prepare the analysis and provide it to the Commission.

3) The Commission requested maps showing the current irrigation boundaries and footprint of the service areas distinguishing between current actual and potential future areas of use that are necessary to answer #2 above. Please provide these maps and information as soon as possible.

4) What is the reasonable-beneficial basis for requesting ground water use allocations as backup for existing surface water use of 2.745 Mgd identified by Dole?

5) What are the maintenance plans for the existing ditch and wells sources? What is the physical relationship between the systems? Describe how the wells serve as backup and to which fields.

As you know, the Commission bases decisions on the best available information, so it is important to have current and accurate data. In order to proceed with the Board of Water Supply permit in a timely manner, please respond to this letter by August 6, 2012.

If you have any questions, contact Charley Ice (ph 587-0218) or Roy Hardy (587-0274).

Thank you.

Very truly yours,

WILLIAM M. TAM
Deputy Director

CJ:ss
Attachments
<table>
<thead>
<tr>
<th></th>
<th>1993 Allocation to Waialua Sugar</th>
<th>Reported Ditch Use requiring Backup</th>
<th>Request at CWRM February 15, 2012</th>
<th>Voluntary Reduction</th>
<th>% Reduction</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUP #36 Pump 2A</td>
<td>4.450 Mgd</td>
<td>0.555 Mgd</td>
<td>2.000 Mgd</td>
<td>2.450 Mgd</td>
<td>55%</td>
<td>Potential to irrigate over 1007 acres</td>
</tr>
<tr>
<td>WUP #35 Pump 2</td>
<td>4.370 Mgd</td>
<td>0.359 Mgd</td>
<td>2.000 Mgd</td>
<td>2.370 Mgd</td>
<td>54%</td>
<td>Domestic water Ag irrigation</td>
</tr>
<tr>
<td>WUP #46 Pump 1</td>
<td>2.330 Mgd</td>
<td>1.047 Mgd</td>
<td>2.000 Mgd</td>
<td>0.330 Mgd</td>
<td>14%</td>
<td>Irrigation – over 278 acres</td>
</tr>
<tr>
<td>WUP #48 Pump 7 D/E</td>
<td>0.180 Mgd</td>
<td></td>
<td>0.180 Mgd</td>
<td>100%</td>
<td></td>
<td>No domestic use any longer</td>
</tr>
<tr>
<td>WUP #136 Pump 7</td>
<td>2.930 Mgd</td>
<td>0.331 Mgd</td>
<td>1.000 Mgd</td>
<td>1.930 Mgd</td>
<td>66%</td>
<td>Irrigation – over 390 acres</td>
</tr>
<tr>
<td>WUP #39 Pump 17</td>
<td>8.630 Mgd</td>
<td>0.453 Mgd</td>
<td>2.000 Mgd</td>
<td>6.630 Mgd</td>
<td>77%</td>
<td>Irrigation – over 400 acres</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>22.890 Mgd</strong></td>
<td><strong>2.745 Mgd</strong></td>
<td><strong>9.000 Mgd</strong></td>
<td><strong>13.890 Mgd</strong></td>
<td><strong>61%</strong></td>
<td></td>
</tr>
</tbody>
</table>

1. As offered on WUP application forms submitted February 23, 2012

Note: Of the original permits, only WUP 36 (Pump 2A) had a domestic component; current proposed preservation of domestic use is from WUP #35 (Pump 2). WUP #48 (Pump 7 D/E) does not have a domestic component as currently permitted.

This is our understanding of your request

William M. Tam

We agree to this understanding

Daniel X. Nellis
Commission on Water Resource Management
Meeting: Wednesday, February 15, 2012 (9:00 a.m.)
Review of Water Use Permits
Partial and/or Complete Revocations
Waialua Ground Water Aquifer System Area, Waialua, Oahu

On February 15, 2012, the Commission on Water Resource Management (Commission) will meet and review all water use permits in the Waialua Ground Water System Area. Enclosed is a copy of the staff submittal recommending partial or complete revocation or continuation of existing ground water use permits. Your well is among those which will be reviewed and acted upon.

You are invited to attend and discuss your wells. The meeting is scheduled for 9:00 a.m. in the DLNR Board Room 132, 1151 Punchbowl Street, Honolulu, Hawaii.

This meeting follows a review of all water use permits, information available in the public record, and field visits. Many of the ground water use permits date back to 1981 when the Waialua Ground Water Control Area was designated by the Board of Land Natural Resources. Many wells are old. Much of the water use approved at that time was for plantation agriculture, which has subsequently ceased. Unused allocations need to be revoked to make ground water available for new uses. The Commission will consider wellhead conditions for old wells in order to meet current standards for protecting ground water.

If you have any questions, please contact Charley Iice of our staff at (808) 587-0218.

Sincerely,

WILLIAM M. TAM
Deputy Director

Sincerely,

WILLIAM M. TAM
Deputy Director

CI:ss
Enclosure (Submittal)
Mr. Gary Paracuelles  
Dole Food Company Hawaii  
1116 Whitmore Avenue  
Wahiawa, HI 96786  

Dear Mr. Paracuelles:  

Water Use Permit Applications  
Pump 1 (Well Nos. 3407-04 to -06, -14 & -15, WUPA No. 947)  
Pump 2 (Well Nos. 3307-01 to -06, 08 to -10, WUPA No. 948)  
Pump 7 B&C (Well Nos. 3407-11 & -12 WUPA No. 949)  
Waialua, Oahu  

We acknowledge receipt, on January 30, 2012, of your water use permit applications for Pump 2 (Well Nos. 3307-01 to -06, 08 to -10, WUPA No. 947), Pump 1 (Well Nos. 3407-04 to -06, -14 & -15, WUPA No. 948), and Pump 7 B&C (Well Nos. 3407-11 & -12, WUPA No. 949). However your applications are incomplete. Matters which must be addressed before we accept your application as complete are as follows:  

1. Please submit a filing fee of $25 for each application.  
2. Tables 2, 3, & 4 (Items 12-14) and the statement of consistency with the public interest (Item 15) must be completed.  
3. Please submit tax maps showing the parcels where the water will be used as described in the tables, showing the portions ("footprint") of the parcels to be receiving water use.  

Upon receipt of the above information, we will accept your application as complete and you can then expect your application to be processed within ninety (90) days.  

If you have any questions, please contact Charley Ice of our staff at (808) 587-0218.  

Sincerely,  

WILLIAM M. TAM  
Deputy Director  

CI:ss
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
**ROUTE SLIP FOR NEW APPLICATIONS**

**FROM:** CHARLEY  
**DATE:** 4-Jan-12  
**SUSPENSE DATE:** 11-Jan-12

<table>
<thead>
<tr>
<th>TO</th>
<th>INIT</th>
<th>TO</th>
<th>INIT</th>
<th>FOR</th>
<th>PLEASE</th>
</tr>
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<tbody>
<tr>
<td>FUJI, N.</td>
<td></td>
<td>KUNIMURA, I.</td>
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<td>1 Approval</td>
<td>See Me</td>
</tr>
<tr>
<td>HARDY, R.</td>
<td></td>
<td>TAM, W.</td>
<td></td>
<td>2 Review &amp; Comment</td>
<td>Take Action</td>
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<tr>
<td>HOAGBIN, S.</td>
<td></td>
<td>NAKAMA, L.</td>
<td></td>
<td>3 Signature</td>
<td>Type Draft letter</td>
</tr>
<tr>
<td>ICE, C.</td>
<td></td>
<td>UYENO, D.</td>
<td></td>
<td>4 Information</td>
<td>Type Final, label file folder, update People.db</td>
</tr>
<tr>
<td>IMATA, R.</td>
<td></td>
<td>YODA, K.</td>
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<td></td>
<td>File &amp; Input Issue Date</td>
</tr>
</tbody>
</table>

**WELL NUMBER** 3307-01  
**WELL NAME** Pump 2  
**WUP Number** 947(942)  
**NEW** 08 to 40

**ATTACHMENTS FOR APPLICATION PROCESSING** - Both applicant & staff generated

- **1** TRANS. LETTER
- **2** PERMIT PROCESS TABLE
- **3** CWRM MAPS
- **4** APPL. FORM (11 COPIES)
- **5** USGS MAPS (11 COPIES)
- **6** TAX MAPS (11 COPIES)
- **7** PARCEL OWNER VERIF.
- **8** CONTRACTOR VERIF.
- **9** ALL INFO FILLED IN
- **10** BACKGROUND CHECK
- **11** $25 FEE DEPOSIT SLIP
- **12** DHP/CDUP/EMA pre-screen

- [SMA map printout](http://gis.hicentral.com/website/parcelzoning/viewer.htm.), or INGRID'S SMA/CD MAP
- [EMA map printout](http://luc.state.hi.us/luc_maps.htm.), or INGRID'S SMA/CD MAP

**EA 343 5(a) triggers?**  
- **NO**
- **YES** - trigger identified is:  
  (if triggered, exemption analysis memo and/or OEQC Environmental Notice Documents must be attached before accepting)

**FOLDER:**  
- MADE NEW FILE FOLDER, ATTACHED
- FILE FOLDER ALREADY MADE, IN FILE CABINET

**INCOMPLETE ACTION DATES:**

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

NEW OLD

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**WELL NUMBER** 3307-01  
**WELL NAME** Pump 2  
**WUP Number** 947(942)  
**NEW** 08 to 40

**ATTACHMENTS FOR APPLICATION PROCESSING** - Both applicant & staff generated

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- [EMA map printout](http://luc.state.hi.us/luc_maps.htm.), or INGRID'S SMA/CD MAP

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**FOLDER:**  
- MADE NEW FILE FOLDER, ATTACHED
- FILE FOLDER ALREADY MADE, IN FILE CABINET

**INCOMPLETE ACTION DATES:**

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

NEW OLD
We'll work on that too.

Gary

Ph. (808)-621-3206

The preceding e-mail message (including any attachments) contains information that may be confidential or may be otherwise intended as non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

Thanks very much.
Any chance we can see some water use reports?

Happy Holidays Charley-
We just mailed out draft copies of our water use applications for your review. It was mailed certified yesterday. Sorry for the long delay. We plan to be on top of this going forward.

Please contact me after you had a chance to review the applications.

Thanks,
Gary
Ph. (808)-621-3206

The preceding e-mail message (including any attachments) contains information that may be confidential or may be otherwise intended as non-public information. It is intended to be conveyed only to the designated recipient(s). If you are not an intended recipient of this message, please notify the sender by replying to this message and then delete it from your system. Use, dissemination, distribution, or reproduction of this message by unintended recipients is not authorized and may be unlawful.

From: Charley.F.ice@hawaii.gov
To: gary.paracuelles@dole.com
Date: 12/30/2011 11:31 AM
Subject: Moving in to the New Year

Very warmest wishes during this holiday season!
Sorry we have not heard from you in quite some time, and we are readying a submittal for the Commission to revoke or modify current water permit allocations for 4 years non-use.

We anticipate revoking large portions of water use permits that were approved for Waialua Sugar from wells now transferred from Waialua Sugar to Dole Food Company's ownership. The water use permits have never been transferred, as required, but we are prepared to recommend continuation of current use levels as new allocations to be approved as new water use permits by the Commission. However, we have only a snapshot of use that you provided one year ago -- no current water use reporting. The amounts you indicated in use may not be a reflection of your current use nor indeed of future plans, but without more communications, we are unable to accommodate those uses or plans.

Our submittal may go to the February 15, 2012 meeting, at which time you will have the opportunity to clarify your needs. We would prefer to work more closely with you. We also recommend that you prepare to surrender unused portions of allocations to Waialua Sugar while you bring your plans to fruition. We hope you are preparing applications for new water use permits as a foundation for your request to continue current uses.
December 28, 2011

Mr. Charley Ice
State of Hawaii, DLNR
Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

Re:  Applications – Water Use Permits

Dear Mr. Ice:

Enclosed are draft copies of the above captioned and a map showing locations for the following Dole Wells:

- Pump 2  WUP No. 35
- Pump 1  WUP No. 46
- Pump 7  WUP No. 48 and 136

Pump 17, WUP 39, and Pump 2A, WUP No. 36, are currently not in use but we would like to keep the allocation for it as it can be used for irrigation purposes when needed. We can also complete applications for them if needed. Pump 2, WUP No. 35 has been on the Board of Water Supply system since August 2010 because of problems with our pumping system. We also realize that there has been no transfer of water use permits from Waialua Sugar Company to Dole Food Company Hawaii and we’ll be working on them to update this concern.

Please review the draft applications and contact me to discuss. You can contact me at (808) 621-3206 or email at gary.paracuelles@dole.com.

Sincerely,

Gary M. Paracuelles
Administrator, Safety/Security/Property

Cc: Barbara Awo
    Dan Nellis
For detailed instructions on filling out this application form, refer to the attached instruction sheet.

1. APPLICANT'S NAME/COMPANY
   Dole Food Company Hawaii

2. SOURCE LANDOWNER'S NAME/COMPANY
   Gary M. Paracuelas

   1116 Whitmore Avenue
   Wahiawa, HI 96786

   (808)-621-3206

   gary.paracuelas@dole.com

   E041- 2010

   9. TABLE 1: 12-MONTH AVERAGE CALCULATION AS OF THE DATE OF DESIGNATION

<table>
<thead>
<tr>
<th>MM/YY</th>
<th>AVERAGE DAILY PUMPAGE FOR THE MONTH (GALLONS PER DAY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan 2010</td>
<td>90.475</td>
</tr>
<tr>
<td>Feb 2010</td>
<td>56.247</td>
</tr>
<tr>
<td>Mar 2010</td>
<td>101.311</td>
</tr>
<tr>
<td>Apr 2010</td>
<td>285.348</td>
</tr>
<tr>
<td>May 2010</td>
<td>432.411</td>
</tr>
<tr>
<td>Jun 2010</td>
<td>579.083</td>
</tr>
<tr>
<td>July 2010</td>
<td>531.52</td>
</tr>
<tr>
<td>Aug 2010</td>
<td>63.967</td>
</tr>
</tbody>
</table>

   AVERAGE OF PUMPAGE LISTED ABOVE: 262.489

   2011 DEC 30 AM 9:19

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

   APPLICATION FOR GROUND WATER USE PERMIT
   FOR AN EXISTING USE IN THE WAIALUA GROUND WATER MANAGEMENT AREA

   Further, the signatories understand that: 1) if necessary, further information may be required before the application is considered complete; 2) if a water use permit is granted by the Commission, the permit will be subject to, but not limited to, any existing legal uses, changes in sustainable yields and standards, Hawaiian Home Lands uses and any other conditions imposed by the Commission; and 3) the applicant is responsible for paying the associated costs with this application.

   SIGNATURE PRINT DATE

   FORM GWUPA-E 5/7/08 (page 1 of 7)
## Existing Use Information

12. **TABLE 2: LAND USE CONSISTENCY / EFFICIENCY** (Attach additional copies if necessary)

### Land Use Consistency

<table>
<thead>
<tr>
<th>Purpose/Water Use Category</th>
<th>USE TMK</th>
<th>Attach the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Property tax map, showing use location referenced to establishment property description</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Photograph of the area of use</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>State Land Use District</th>
<th>Use Code</th>
<th>County</th>
<th>Code</th>
<th>GPO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Uses that Require Potable (Drinking) Water

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Uses that Do Not Require Potable Water

<table>
<thead>
<tr>
<th>Zone</th>
<th>Use</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

### Total Potable Use

<table>
<thead>
<tr>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

### Total Non-Potable Use

<table>
<thead>
<tr>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

**Total Use Requested** (the sum of total potable use and total non-potable use in table above) = **GPD**

If total use requested is not equal to the 12-month moving average in Table 1 of the previous page, explain below.

In accordance with §174C-61(5), please explain if there are any limitations (legal, contractual, etc.) on the use(s) of water described above.

---

**FORM GWUPA-E 5/7/08 (page 2 of 7)**
13. **TABLE 3: IRRIGATION INFORMATION**

List all crops separately, grown in the 12 months prior to the effective date of designation. Attach additional copies if necessary.

<table>
<thead>
<tr>
<th>USE TMK (attach map outlining area and photo)</th>
<th>CROP</th>
<th>TOTAL ACREAGE</th>
<th>NET IRRIGATED ACREAGE</th>
<th>BEGIN GROWTH PERIOD (month)</th>
<th>END GROWTH PERIOD (month)</th>
<th>IRRIGATION SYSTEM (refer to instructions)</th>
<th>IRRIGATION PRACTICE (refer to instructions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>zone sec parcel</td>
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<td></td>
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<td></td>
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<tr>
<td>zone sec parcel</td>
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<tr>
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<td>zone sec parcel</td>
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<td>zone sec parcel</td>
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</tr>
</tbody>
</table>
### 14. TABLE 4: ALTERNATIVES ANALYSIS

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Potable Attach additional sheets if necessary</th>
<th>Non-potable Attach additional sheets if necessary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal sources</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wastewater reuse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditch system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Desalinization</td>
<td></td>
<td></td>
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<td>Surface water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
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</table>

### 15. PUBLIC INTEREST

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

Explain below how the uses in your application are consistent with the public interest.
Mr. Gary Paracuelles  
Dole Food Company, Inc.  
1116 Whitmore Avenue  
Honolulu, HI 96786
For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.

For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".

If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making any action.
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
Print your name and address on the reverse so that we can return the card to you.
Attach this card to the back of the mailpiece, or on the front if space permits.

<table>
<thead>
<tr>
<th>SENDER: COMPLETE THIS SECTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</td>
</tr>
<tr>
<td>Print your name and address on the reverse so that we can return the card to you.</td>
</tr>
<tr>
<td>Attach this card to the back of the mailpiece, or on the front if space permits.</td>
</tr>
</tbody>
</table>

1. Article Addressed to:

   Mr. Gary Paracuelles  
   Dole Food Company, Inc.  
   1116 Whitmore Avenue  
   Wahiawa, HI 96786

2. Article Number  
   (Transfer from service)  
   2299 ESBE E000 0572 9002

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

4. Restricted Delivery? (Extra Fee)  
   No

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
   x [Signature]

B. Received by (Printed Name)  
   [Signature]

C. Date of Delivery  
   8/10/11

D. Is delivery address different from item 1?  
   No

PS Form 3811, February 2004  
Domestic Return Receipt  
102595-02-M-154
Attn: Charlie Ice

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

2011 Aug 11 AM 7:58

[Postmark and address information]
August 9, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gary Paracuelles
Dole Food Company, Inc.
1116 Whitmore Avenue
Wahiawa, HI 96786

Dear Mr. Paracuelles:

20-Year Water Use Permit Review and Current Water Use Reporting

A number of former Waialua Sugar Company wells have been transferred to you, but the water use permits for them have not. Our letter dated April 22, 2010 identified these wells, noted the need to transfer identified water use permits for them, and requested attention to any non-use of Waialua Sugar’s allocations totaling 22.89 mgd. As part of our recent 20-year review of water use permits, required by the State Water Code, we note that there is no reporting of water use from these wells, as required by the Administrative Rules of the Water Commission (HAR 13-168-7(b)). There been no transfer of the water use permits nor application to modify them according to your needs.

The Water Code provides that “No person shall make any withdrawal, diversion, impoundment, or consumptive use of water in any designated water management area without first obtaining a permit from the commission” (HRS 174C-48(a)). Moreover, unused water that has been previously allocated is subject to suspension or revocation in accordance with Hawaii Revised Statutes §174C-58(4), for partial or total nonuse of the water allowed by the permit for a period of four continuous years or more, after a hearing.

Please file your application for new water use permits for your foreseeable use over the coming four years.

Please respond in writing no later than 30 days from the date of this letter.

If you have any questions, please contact Charley Ice of our staff at (808) 587-0218.

Sincerely,

WILLIAM M. TAM
Deputy Director
### Name:
Gary Paracuelles

### Company:
Dole Food Company, Inc.

### Address:
1116 Whitmore Avenue
Wahiawa HI 96786
gary.paracuelles@dole.com

### Telephone No.:
621-3206

### INSTRUCTIONS:
Please TYPE or PRINT CLEARLY. Complete this form to report total monthly ground water use, and, if required, other information from each of your well sources.

**For electronic submissions:** Complete and digitally sign (checkbox) this form, then send file via e-mail to: dlnr.cwrm@hawaii.gov

**For hardcopy submissions:** Complete, print and sign this form, then send printed report via mail to: Commission on Water Resource Management, P.O. Box 621, Honolulu, HI 96809. For fax submissions, send to (808) 587-0219.

**For assistance:** Please contact the Ground Water Regulation Branch at (808) 587-0225.

### Tables:

<table>
<thead>
<tr>
<th>Well Number</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>3307-01 to 10</td>
<td>Pump 2 Battery</td>
</tr>
<tr>
<td>3307-11 to 14</td>
<td>Pump 2A Battery</td>
</tr>
<tr>
<td>3404-01</td>
<td>Pump 17</td>
</tr>
<tr>
<td>3407-04 to 06</td>
<td>Pump 1 Battery</td>
</tr>
<tr>
<td>3407-18 &amp; 19</td>
<td>Pump 7E Battery (camp houses)</td>
</tr>
<tr>
<td>3407-11 &amp; 12</td>
<td>Pump 7C Battery (irrigation, diversified ag)</td>
</tr>
</tbody>
</table>

* Flow meter, electrical consumption, weir or flume, not metered (estimated).
** Measurement should be taken while pump is NOT running just prior to a pumping cycle; if measurement is taken while pump is running, please indicate so.

### Other comments or additional information (e.g., date and method of chloride measurement, how pumpage amounts are estimated, etc.):

Submitted by (print):

For electronic submissions:

☐ By checking this box, I understand and affirm herein is accurate and true to the best of t
correct version of

Date: __________

For hardcopy submissions:

Signature: __________

By signing here, I understand and affirm that the information provided herein is accurate and true to the best of their knowledge.

GWUR-MON FORM (08/03/2010)
<table>
<thead>
<tr>
<th>Well ID:</th>
<th>Well Name</th>
<th>WUP MGD</th>
<th>Beginning:</th>
<th>Ending:</th>
</tr>
</thead>
</table>

12 Month Moving Average

![Diagram showing 12 Month Moving Average](image-url)

Tuesday, January 04, 2011
April 22, 2010

Mr. Gary Paracuelles
Dole Food Company, Inc.
1116 Whitmore Avenue
Wahiawa, HI 96786

Dear Mr. Paracuelles:

Current Use of Ground Water from Waialua Aquifer System
Water Use Permits Issued to Waialua Sugar Company

We understand that ownership of wells formerly operated by Waialua Sugar Company have been transferred to Dole Food Company. There is also a need to transfer the water use permits (WUP) associated with these wells.

Additionally, because the Water Code provides that four years of non-use is grounds for revocation of the allocation in the water use permit, we request your assistance in determining the proper disposition of these allocations. These are the WUPs and respective well numbers and names:

<table>
<thead>
<tr>
<th>WUP No.</th>
<th>Well No.</th>
<th>Well Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>035</td>
<td>3307-01 to -10</td>
<td>Pump 2 battery</td>
</tr>
<tr>
<td>036</td>
<td>3307-11 to -14</td>
<td>Pump 2A battery</td>
</tr>
<tr>
<td>039</td>
<td>3404-01</td>
<td>Pump 17</td>
</tr>
<tr>
<td>046</td>
<td>3407-04 to -06, -14 &amp; -15</td>
<td>Pump 1 battery</td>
</tr>
<tr>
<td>048</td>
<td>3407-18 &amp; -19</td>
<td>Pump 7 battery</td>
</tr>
<tr>
<td>136</td>
<td>3407-11 &amp; 12</td>
<td>Pump 7 battery</td>
</tr>
</tbody>
</table>

If you have limited reasonable and beneficial use, please identify the amount and purpose of use, using our water use permit application form. Following the normal review, we will issue you new permits accordingly. We will ask the Commission to revoke allocations with no current or planned use, making them available for other users. Additional amounts that may be required in the future may be applied for at any time using the water use application form.

If you have any questions, please contact Charley Ice of our staff at (808) 587-0218.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
Honolulu, Hawaii

June 2, 1993

Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

Waialua Sugar Company

Voluntary Reduction of Permitted Water Use in the
Waialua Aquifer System, Waialua Ground Water Management Area
Waialua, Oahu

Background: Present authorized uses of ground water in the Waialua Aquifer System of the
Waialua Ground Water Management Area (GWMA) total 43.114 mgd. The sustainable yield for
the Waialua Aquifer System (formerly called the Waialua Subarea) was originally 60 mgd when
the Board of Land and Natural Resources adopted the sustainable yield in July 1981. The
Commission on Water Resource Management, in October 1991, accepted an updated table of
sustainable yields for Oahu. Under the updated table, the sustainable yield for the Waialua
Aquifer System was reduced from 60 mgd to 40 mgd. The new sustainable yield was formally
adopted by the Commission on March 17, 1993. Authorized uses now exceed the sustainable
yield by 3.114 mgd.

The Commission staff has reviewed the authorized uses versus the actual uses in the
entire Waialua GWMA. Allocations in the Waialua Aquifer System are as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Waialua Sugar Company</td>
<td>39.940 mgd</td>
</tr>
<tr>
<td>Honolulu BWS</td>
<td>2.730 mgd</td>
</tr>
<tr>
<td>Private Users</td>
<td>0.444 mgd</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>43.114 mgd</strong></td>
</tr>
</tbody>
</table>

Preliminary review of Waialua Sugar Company's pumpage data indicates that they have
used less than 30 mgd of their 40 mgd allocation over the last five years (see attached graph).
Water use by the Honolulu BWS and private users has not changed significantly.

Waialua Sugar Company calculated their irrigation requirements using the same
methodology that Oahu Sugar Company used to determine their irrigation requirements in the
Pearl Harbor area. Irrigation requirements were calculated for dry years (1983 - 1986) and wet
years (1988 - 1991). Pumping required was calculated to be about 46 to 48 mgd for dry years
and about 35 to 36 mgd for wet years.

Waialua Sugar Company has reviewed their water use over the past 20 years and, based
on historical water use, conversion to drip irrigation, and other factors, has voluntarily reduced
its permitted water use in the Waialua Aquifer System from 39.9 mgd to 36.0 mgd effective June
1, 1993. This voluntary reduction reduces the allocations in the Waialua Aquifer System to
39.174 mgd, which is less than the sustainable yield of 40 mgd, and allows an additional 0.826
mgd to be allocated.

In voluntarily reducing its allocation, Waialua Sugar Company states that they "want to
be on record that sugar production is highly dependent upon water; without adequate water,
yields will suffer. We cannot afford to short ourselves of water. As we understand, we can
exceed the permitted use during dry periods as may be required" (See attached letter).
RECOMMENDATION:

That the Commission accept Waialua Sugar Company's voluntary reduction of permitted use in the Waialua Aquifer System, from 39.940 to 36.0 mgd. The 3.94 mgd reduction will be taken from sources in the Waialua Aquifer System presently being determined by Waialua Sugar Company. Staff will be working with them to determine the source-by-source reductions and will bring the results to the Commission for approval.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL

KEITH W. AHUE, Chairperson
WAIALUA AQUIFER SYSTEM
WSCO. Use Vs. Allocation

WUP = 39.940 mgd
11.418 mgd

----- monthly use
---- 12-mon mov ave
May 12, 1993

Ms. Rae Loui
Deputy Director
State Water Commission
P. O. Box 621
Honolulu, Hawaii 96809

Dear Ms. Loui:

We have had several meetings over the past months to discuss Waialua Sugar Company's permitted water use from the Waialua aquifer. Waialua Sugar has a permitted use of 39.9 million gallons per day. When you add the permitted use of the City Water Department, you have a combined use which is higher than the sustainable yield.

<table>
<thead>
<tr>
<th>Waialua Sugar Company</th>
<th>39.9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Water Supply</td>
<td>3.2</td>
</tr>
<tr>
<td></td>
<td>43.1</td>
</tr>
</tbody>
</table>

Total Sustainable Yield 40.0
Over Permitted Use (3.1)

We have reviewed our water use over the past 20 years and while we have peaked at times over our permitted use, it appears we could reduce the permitted use given recent historical water use, conversion to drip irrigation and other factors.

Before going further, we want to be on record that sugar production is highly dependent upon water; without adequate water, yields will suffer. We cannot afford to short ourselves of water. As we understand, we can exceed the permitted use during dry periods as may be required.

Based on the above discussions and research into this matter, Waialua Sugar Company is voluntarily reducing its permitted water use in the Waialua aquifer from our current 39.9 million gallons per day to 36.0 million gallons per day effective June 1/93.

Sincerely,

Michael F. O'Brien
President
Dole Food Hawaii

cc: M. Agader
    J. A. Russell
    G. Yim
ITEM 1

MINUTES OF THE MAY 19, 1993 MEETING

Unanimously approved as submitted (Cox/Nakata).

ITEM 2

OLD BUSINESS/REPORTS

Ms. Loui reported on two follow up items:

1) Guidelines for modification of the water use permits

   Staff finds that Administrative Rules 171-23 are clear regarding changes that require modification. Therefore, it was felt that guidelines are not necessary.

2) Guidelines for Emergency permits

   Still being worked on. Eventually, amendments to the Administrative Rules will be made to more clearly address emergency permits.

ITEM 3

WAIALUA SUGAR COMPANY. VOLUNTARY REDUCTION OF PERMITTED WATER USE IN THE WAIALUA GROUND WATER MANAGEMENT AREA. WAIALUA, OAHU

Mr. Sakoda submitted amended recommendations for the Commission review and action (see attached).

Mr. Cox had the following questions:

1) Are the statements regarding "dry years and "wet years" correct for that area and time?

   Rainfall data provided by Climate Center was utilized, it was jointly determined that these were wet and dry years based on actual rainfall information.

2) In terms of the water level in the aquifer, what has happened during the periods noted?

   The water level data for the Waialua Aquifer is not that good. No problems have been expressed. USGS is drilling in that area to get more data.

3) What length of time is being discussed in Waialua Sugar Company's (Waialua Sugar) statement: "We cannot afford to short ourselves of water. As we understand, we can exceed the permitted use during dry periods as may be required."

   No specifics have been set, it would be on a case by case basis.

Mr. Nakata asked:

1) Why was there a discrepancy in the amount of pumpage?

   Mr. Sakoda replied that Waialua Sugar was still in the process of converting from furrow to drip. During that time, fields lie fallow longer than normal.

2) What percentage of the acreage was under drip irrigation?
Milton Agadar, Waialua Sugar Irrigation Superintendent stated that approximately 90% is fed by drip irrigation from the Waialua Aquifer.

Mr. Martin provided testimony (see Commission file) urging the Commission to review all data presently available and consider imposing further allocation reductions. He also felt specific quantitative guidelines and protocols for administering dry period extractions need to be part of the State Water Resource Protection Plan and water use permit conditions.

Mr. Cox commented that unless more information was available he would be uncomfortable in trying set a time for the dry period because it would vary considerably from aquifer to aquifer. Mr. Sakoda agreed that a generalized guideline would be difficult to make because every situation would be different.

In regards to the word "voluntary", Mrs. Black suggested "agreement" because if there is no water, how could it be a "voluntary reduction". Mr. Sakoda stated that it is voluntary because the Water Code provides that a water user can voluntarily give up or reduce their allocation without going through the public hearing process.

Mr. Ing asked how the data was obtained for the graph and if all the active pumps were metered. Mr. Sakoda said data was submitted monthly by Waialua Sugar. Mr. Agadar responded that all the pumps are metered.

Mr. Ing asked why the 12-month moving average of pumping was used and if this was an industry practice. In Hawaii, 12-month moving averages have been used by the water industry.

Unanimously approved as amended (Cox/Nakata).

**ITEM 4**

**HOUSING FINANCE AND DEVELOPMENT CORPORATION, APPLICATION FOR A WELL CONSTRUCTION PERMIT, KEOPU-HFDC WELL 1 (WELL NO. 3957-03), NORTH KONA, HAWAII**

The following items were discussed:

1) The nearby Haseko Well is not being pumped but is proposed to be pumped at 700 gallons per minute.

2) This well would be required to follow the CWRM's pump test protocol, which is a seven day test. The best data possible will be obtained for input into the Groundwater Model currently being developed jointly by USGS/CWRM.

3) If the HFDC wells interfere with the Haseko well, the Hawaii County BWS would not award the full amount of water commitments to the wells.

4) There have been mixed results of the testing of the high level wells. Some have stabilized quickly while others have not.

Mr. Martin expressed concerns regarding ceded lands, the effects on other wells due to a first come-first serve process, and requirements for a water license.

Mr. Tam said public lands are set aside by executive order for county and other state department uses. Setting aside or transferring water to a sub-agency of the state for public purposes is not a transfer to a private entity. Therefore, the use by the counties of state lands for providing municipal water supply does not require a license under the Land Board or the Commission.

Unanimously approved (Cox/Nakata).
State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Water and Land Development  
Honolulu, Hawaii  

September 11, 1981

Chairman and Members  
Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Gentlemen:

Certification of Ground Water Withdrawals and Uses,  
Waialua Ground Water Control Area, Oahu

The Waialua Ground Water Control Area was designated by the Board of Land and Natural Resources on February 27, 1981 under authority of Chapter 177, ERS, and Chapter 186 of Title 13, Administrative Rules entitled "Rules for the Control of Ground Water Use in the State of Hawaii". The Department's regulatory procedures provide for water users to declare their existing water uses within a ninety-day period which ended June 4, 1981 and allows the Board 180 days to certify the declared uses.

The recommended certification of total annual, average daily, and maximum daily withdrawals for individual wells and/or well fields is tabulated in the attached, "Certification of Ground Water Withdrawals and Uses, Waialua Ground Water Control Area", for the Waialua, Mokuleia, and Kawailoa Subareas. A comparison of the recommended quantity for certification and the sustainable yield adopted by the Board on July 24, 1981 is tabulated below:

<table>
<thead>
<tr>
<th>Subarea</th>
<th>Sustainable Yield (mpd)</th>
<th>Recommended Certification (mpd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waialua</td>
<td>60</td>
<td>51.812</td>
</tr>
<tr>
<td>Mokuleia</td>
<td>20</td>
<td>7.783</td>
</tr>
<tr>
<td>Kawailoa</td>
<td>10</td>
<td>5.380</td>
</tr>
</tbody>
</table>

The remaining ground water supplies may be withdrawn by obtaining permits from the Board of Land and Natural Resources.

RECOMMENDATION:

That the Board certify the existing withdrawals and uses for each well tabulated on the attached "Certification of Ground Water Withdrawals and Uses, Waialua Ground Water Control Area" dated September 11, 1981, subject to any special conditions and applicable laws, rules and regulations.

Respectfully submitted,

ROBERT T. CHUCK  
Manager-Chief Engineer

APPROVED FOR SUBMITTAL:

SUSUMU ONO, Chairman

Approved by the Board of Land & Natural Resources at the meeting held on  

ITEM 3-5

C8
### Waiaua Subarea

#### Waianae Sugar Co.

<table>
<thead>
<tr>
<th>User/Source</th>
<th>State Well No.</th>
<th>Total Wells</th>
<th>Use</th>
<th>Source Capacity (mgd)</th>
<th>5-yr. Ave Withdrawal (mgd)</th>
<th>Declared Existing Use</th>
<th>Preserved Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pump 1</td>
<td>3407-94, 95, 96</td>
<td>5</td>
<td>Agr.</td>
<td>6.0</td>
<td>2.33</td>
<td>Agr. 6.0</td>
<td>850.45</td>
</tr>
<tr>
<td>Pump 2</td>
<td>3307-01 to 06, 09 to 10</td>
<td>9</td>
<td>Agr./ Dom.</td>
<td>10.0</td>
<td>4.37</td>
<td>Agr./ Dom. 10.0</td>
<td>1,595.05</td>
</tr>
<tr>
<td>Pump 2A</td>
<td>3307-07, 11 to 14</td>
<td>5</td>
<td>Agr./ Dom.</td>
<td>7.0</td>
<td>4.45</td>
<td>Agr./ Dom. 7.0</td>
<td>1,208.89</td>
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<tr>
<td>Pump 3</td>
<td>35-5-01 to 10</td>
<td>20</td>
<td>Agr./ Dom.</td>
<td>7.0</td>
<td>3.16</td>
<td>Agr./ Dom. 7.0</td>
<td>1,112.50</td>
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<tr>
<td>Pump 7</td>
<td>3407-11, 12, 16, 19</td>
<td>4</td>
<td>Agr./ Dom.</td>
<td>5.5</td>
<td>3.93</td>
<td>Agr./ Dom. 5.5</td>
<td>1,368.75</td>
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<tr>
<td>Pump 8</td>
<td>3506-03, 04</td>
<td>2</td>
<td>Agr./ Dom.</td>
<td>3.0</td>
<td>1.66</td>
<td>Agr./ Dom. 3.0</td>
<td>605.90</td>
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<td>Mill Pumps</td>
<td>3407-07 to 10, 16, 17, 20, 21</td>
<td>8</td>
<td>Agr.</td>
<td>10.0</td>
<td>4.63</td>
<td>Agr. 10.0</td>
<td>1,689.05</td>
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<td>Pump 24</td>
<td>3102-02</td>
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<td>Agr.</td>
<td>4.50</td>
<td>2.58</td>
<td>Agr. 4.50</td>
<td>941.70</td>
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<tr>
<td>Pump 25</td>
<td>3306-03</td>
<td>1</td>
<td>Agr.</td>
<td>4.50</td>
<td>2.10</td>
<td>Agr. 4.50</td>
<td>1,131.50</td>
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<tr>
<td>Pump 26</td>
<td>3202-02</td>
<td>1</td>
<td>Agr.</td>
<td>4.50</td>
<td>2.76</td>
<td>Agr. 4.50</td>
<td>1,007.40</td>
</tr>
</tbody>
</table>

**Subtotal (Waianae Sugar Co.)**

<table>
<thead>
<tr>
<th>Use/Source</th>
<th>Total</th>
<th>5-yr. Ave Withdrawal (mgd)</th>
<th>Maximum Daily Use (mgd)</th>
<th>Total Annual Use (mgd)</th>
<th>Average Daily Use (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waianae Wells</td>
<td>70</td>
<td>89.75</td>
<td>48.38</td>
<td>89.75</td>
<td>48.38</td>
</tr>
<tr>
<td>Private Users</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kawaguchi, Howard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kawamata, Kenzo</td>
<td>3406-03</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kunihiro, Shizuo</td>
<td>3406-06, 3407-02</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oceanic Properties</td>
<td>3405-03, 04</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Polynesian Shores</td>
<td>3406-03</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Subtotal (Private Users)</strong></td>
<td>7</td>
<td>2.34</td>
<td>0.202</td>
<td>2.34</td>
<td>1.302</td>
</tr>
</tbody>
</table>

**Total - Waiaua Subarea**

<table>
<thead>
<tr>
<th>Use/Source</th>
<th>Total</th>
<th>5-yr. Ave Withdrawal (mgd)</th>
<th>Maximum Daily Use (mgd)</th>
<th>Total Annual Use (mgd)</th>
<th>Average Daily Use (mgd)</th>
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<td>96.41</td>
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<td><strong>89.75</strong></td>
<td><strong>48.38</strong></td>
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*For Agr./Dom. uses, specific quantities for each use are to be prorated when additional information becomes available.*
<table>
<thead>
<tr>
<th>User/Source</th>
<th>State Wall No.</th>
<th>Total Wells</th>
<th>Source Use</th>
<th>Source Capacity (mgd)</th>
<th>5-yr Ave. Withd. (mgd)</th>
<th>Declared Existing Use</th>
<th>Preserved Use</th>
<th>Withdrawal</th>
<th>Maximum Daily Use (mgd)</th>
<th>Total Annual Use (mgd)</th>
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<tr>
<td><strong>MOKULEIA Subarea</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Waialua Sugar Co.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Waialua Sugar Co.</td>
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<td>5.960</td>
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</table>

*For Agr./Dom. uses, specific quantities for each use are to be prorated when additional information becomes available.*
Yes. We are exploring the option that we use the application form as a guide to determining your foreseeable needs. Moreover, we have precedents where amounts required as a back-up in case of system failure (unavailability of surface water, in this case) are given a water use permit in the amount of 0.000, "for emergency purposes". So we are weighing the best way to do this.

You might also consider my suggestion that because we're not talking about completely interchangeable resources (from the resource point-of-view), that you look at the history or likelihood of system failures and project potential emergency use and annualize it (1 month using 300,000 gallons per day annualizes to 0.025 mgd, for example). This would get you closer to prospective use without locking up water for nothing. Remember that emergency use is always an expected possibility, and need not cause a violation of your permit.

With all the uncertainty involved in predicting the future expansion of agriculture, make a best guess as to how much acreage is likely to be added over a few years. The form is designed to lay it out for you with some precision, once you make your assumptions clear. If reality doesn't meet expectations, at least you want to have made a reasonable estimate based on real possibility, better than a "shoot from the hip" generally unconfined guesstimate.

It would still be useful to meet and go over these things, once you feel you understand the principles we're using. Want to set up a date and time?

Gary.Paracuelles@dole.com

Hi Charley-

Did you get a chance to review the WUP applications delivered to you on Thursday, 2/23/12? Let me know.

Thanks,
Gary
Ph. (808)-621-3206
reproduction of this message by unintended recipients is not authorized and may be unlawful.
WATER USE PERMIT NO. 035

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: Dole Food Company, Inc.
1116 Whitmore Ave.
Wahiawa, HI 96786

Landowner of Source: Dole Food Company, Inc.
1116 Whitmore Ave.
Wahiawa, HI 96786

Permitted Withdrawal Rate: 4.370 mgd (Based upon a 12-month moving average)

Water Management Area: Waialua
Island: Oahu
Aquifer Sector/System: North/Waialua
System Sustainable Yield: 40 mgd
Water Type: Fresh
Original CWRM Date: May 25th, 1981
Standard Conditions: N/A
Special Conditions: N/A

Water Source

State Well Number(s): 3307-01 thru 3307-06, 3307-08 thru 3307-10
Well Name: Pump 2 Battery
Water Source TMK Number(s): 1st Division, 6-7-003:019
State Land Use Classification(s): Agriculture
County Zoning Classification(s): AG-2
Geographical Coordinates: Latitude 21° 33' 34.0" North
Longitude 158° 07' 17.6" West

End Use

End Use TMK Number(s): 1st Division, 6-7-003:005, 6-7-001:005, 6-7-001:029
6-7-001:030, 6-7-013:007
State Land Use Classification(s): Agriculture/Urban
County Zoning Classification(s): AG-1/AG-2/I-2/P-2/R-5
Beneficial Use Explanation: Domestic supply for Mill Camp homes and the Millyard

Background Information

State Well Nos. 3307-01 thru 3307-06 and 3307-08 thru 3307-10 are governed by Water Use Permit 035, which was issued to Waialua Sugar Company. Although Waialua Sugar Company is no longer in existence, this permit, along with several others is still issued to the organization. Since Dole Food Company is now the landowner, Water Use Permit 035 should be transferred to reflect this change.

There is no application for a water use permit on file for this well. A declaration of existing water use was given to the Commission on May 25th, 1981. This water source has been in use for at least 60 years with Dole Food Company, Inc. using it for the past 14. Reports of water use and salinity levels are not available for the aforementioned State Well Battery. During the research phase of this project, standard and special conditions for Water Use Permit 035 were not available. As such, conditions are not included in this report. A complete list of all standard and special conditions is given in the permit file.

Field Investigation Information

Contact: Gary Paracuelles
Site Address: Pump 2
Waialua, HI 96791

Brown and Caldwell conducted a field investigation on July 28th, 2008 from with Mr. Gary Paracuelles in conjunction with several other water use permits that are issued to the same permittee. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. Reference the TMK and GIS maps in the permit file for a visual representation of the site.

Summary of Findings for Water Use Permit No. 035

The Pump 2 battery consisting of State Well Nos. 3307-01 thru 3307-06 and 3307-08 thru 3307-10 is located on TMK parcel 6-7-003:019 at 21° 33' 34.0" N, 158° 07' 17.6" W, with a real time accuracy of ±12 feet. The nine wells in this battery are connected sub-grade and have their water conveyed into a central chamber. The GPS coordinates given above are the location where the
water enters the pump chamber. Water is drawn from the well battery via horizontally mounted pump motors. The water is collected into a central distribution line, treated for domestic use, metered, and sent to various TMK parcels where it is used strictly for domestic purposes. Reference the Appendix for photographs of the previously described system components.

Since no conditions were available for this permit, it is difficult to ascertain whether or not the permittee is in compliance with their water use permit. Assuming that the typical standard conditions apply, permit compliance can be assessed. However, before taking action on this permit, verification of permit conditions should be conducted to ensure that the permittee is not being held accountable for conditions not associated with Water Use Permit 035. With that being said, the following are a list of potential standard condition(s) that the permittee could be in non-compliance with:

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

After inspection, it was found that the permittee is not submitting monthly water use and salinity level reports to the Commission for the aforementioned State Well Battery.

Recommendations

- Address the following discrepancies between the Commission’s electronic database and actual field investigation findings:
  - Permittee and landowner name and address information
  - Change permittee contact to Gary Paracuelles at (808) 621-3206
    (gary_m_paracuelles@na.dole.com)
  - Water source and end use TMK parcel numbers
  - Beneficial use description
  - State land use and county zoning classifications
- Address violation of Standard Condition (10) regarding non-reporting of water use and salinity levels.
- Determine the Standard and Special Conditions associated with Water Use Permit 035
- Address issue of the need for a permit transfer to change permittee from Waialua Sugar Company to Dole Foods, Inc.
20-Year Water Use Permit Review
Water Use Permit No. 035

APPENDIX

Field Investigation Photographs
Figure 1 – Pump 2 housing (right)

Figure 2 – Typical well pump
Figure 3 – System flowmeter

Figure 4 – Chlorination building
Figure 5 – Main distribution line
Water Use Permit Survey

WUP Number: 085                                  Well Number(s): 3301-01 to 08 to 10

Contact Information (of the person who will be present at site visit):
Name: Gary M. Paracuelles
Phone (for phone interview): 808-621-3206                        Fax: 808-621-5473
Email: gary.m.paracuelles@na.dole.com

Best time to reach for phone interview: Mon-Fri 8 am to 6 pm

Property Information (of the water use/well location):
Address:
City:                Zip:

Well Location TMK (list all if multiple wells present): 6-7-003-005
Water Use TMK (list all if used on multiple lots): 6-7-003-005, 6-7-01-01, 6-7-01-29, 6-7-13-07

Water Use/Well Information:
Is the water source currently in use? Yes [X] No [ ]
If no, please explain: Domestic water for "T" Camp houses & "T" Camps

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

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

Do you submit monthly water use reports to the State? Yes [X] 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.

Option #1  Date (04-20): ___________________________  Time: 9:00 am [ ] 12:00 pm [ ] 3:00 pm [ ]
Option #2  Date (04-20): ___________________________  Time: 9:00 am [ ] 12:00 pm [ ] 3:00 pm [ ]
Option #3  Date (04-20): ___________________________  Time: 9:00 am [ ] 12:00 pm [ ] 3:00 pm [ ]

Once this survey is returned, a Brown and Caldwell representative will be contacting you to conduct a phone interview and finalize the exact date and time of your field investigation. Please fax/mail completed surveys by December 12th, 2007 and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:
1099  Alaska Street, Suite #2400
Honolulu, HI 96813
Tel: (808) 203-3661
Fax: (808) 533-0226
mcsmith@brownandcaldwell.com

Received: 7/16/08     Information Updated: 7/16/08     Phone Interview Completed: 7/17/08
Note/Comments:
Phone Interview

WUP Number: 035 Well Number(s): 33 07-01 to -06, -08 to -10

Contact Name: Gary M. Paracuelles Phone Number: 808-621-3206

Attempt #1: Date/Time: 7/17/08 (10:00) Result: Reached
Attempt #2: Date/Time: N/A Result: N/A

Well Location TMK(s): 6-7-003-005
Water Use TMK(s): 6-7-003-005, 6-7-001, 05, 29, 30, 6-7-13-07

Water Source Address: ________________________________
City: __________________ Zip Code: ______________

Currently using water source? Yes ☒ No ☐
Notes/Comments: Domestic use for Stake Camp

How often is the water source being used? Daily ☒ Weekly ☐ Monthly ☐
Notes/Comments:

How long have you been using this water source?: N/A

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: 7/28/08 @ 9:00 a.m.
Notes (Special directions, site conditions, potential hazards, general notes, etc.):

Meet at Dale Headquarters on Whitmore Ave.

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: M.S. Date: 7/17/08 Time: 10:00 a.m.
# Field Investigation Checklist

**WUP Number:** 035  
**Well Number(s):** 3307-01 to -06, -08 to -10

## Water Source
- **Well Location TMK(s):** 6-7-003-05  
  6-7-003:01a
- **Well Head GPS Coordinates:**  
  - Latitude: 21° 33' 31.0" N  
  - Longitude: 158° 07' 17.6" W  
  (C 12P)
- **Well Type:** Drilled
- **Currently using water source?**  
  - Yes ☑  
  - No ☐
- **Is there a flow meter installed?**  
  - Yes ☑  
  - No ☐
- **Is the flow meter operational?**  
  - Yes ☑  
  - No ☐
- **Water Use TMK(s):** 6-7-003:05, 6-7-001:005, 029, 032, 6-7-013:057
- **What is the water being used for?** Domestic supply, for mill camp, homes
- **Is the water being used within the permitted boundaries?**  
  - Yes ☐  
  - No ☑
- **Is there any observed wasting of water or water loss?**  
  - Yes ☑  
  - No ☐
- **Are the permit conditions being complied with?**  
  - Yes ☐  
  - No ☑

## Other
- **Photographs of:**  
  - Water Source ☑  
  - Water Meter ☑  
  - Usage Area ☐  
  - Pump/Motor ☐
- **General Notes/Comments:**  
  - Domestic water only; water for irrigation purposes is from Wahiawa Reservoir  
  - Wells connected subgrade and fed into central chamber

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**Investigated By:** M.S  
**Date:** 7/20/10  
**Time:** 6:00 a.m.
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 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 Malackahana 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 Waikiki 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.