GROUNDWATER USE PERMIT

PERMITTEE

Applicant/Water User
Address: E.L.C. FOUNDATION
P.O. BOX 240367
HONOLULU, HI 96824

Landowner of Source
Address: ELAINE L. CHANG TRUST
P.O. BOX 240367
HONOLULU, HI 96824

PERMITTED SOURCE INFORMATION

Island
Water Management Area
Aquifer Sector
Aquifer System
System Sustainable Yield
Well Name
State Well No.

OAHU
KOOLAULOA
WINDWARD
KOOLAULOA
35 mgd
HAUULA
3755-03

PERMITTED USE INFORMATION

Reasonable beneficial use
Withdrawal (12 month moving ave.)
% of Sustainable Yield
Location of water use
TMK #
Address
State land use classification
County zoning classification

DOMESTIC; LANDSCAPE AND NURSERY IRRIGATION
0.019 mgd (for 8-unit facility; 2-acre nursery, landscape)
< 1%
5-4-4:2
54-230 KAMEHAMEHA HWY
AGRICULTURE
AG-2

Pursuant to Hawaii’s State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the applicant is hereby authorized to use groundwater from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described, used for the reasonable beneficial use described, and 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 groundwater is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49 (1992), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and 174C-101(a), HRS.

4. The groundwater use here must not interfere with surface or other groundwater rights or reservations.

5. The groundwater 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 **January 25, 1995** meeting are incorporated into this permit by reference.

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

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. protect the water sources (quantity or quality);
   b. meet other legal obligations including other correlative rights;
   c. insure adequate conservation measures;
   d. require efficiency of water uses;
   e. reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. carry out such other necessary and proper exercise of the State’s and the Commission’s police powers under law as may be required.
Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

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

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

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

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

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

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

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

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

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

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

20. This permit is subject to the special conditions attached as Exhibit A which are incorporated herein by reference.
21. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

22. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on January 25, 1995.

Michael D. Wilson, Chairperson
Commission on Water Resource Management

Date of Permit Issuance: APR 13 1995

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed.

Applicant's Signature: Date: OCT 5, 95

Printed Name: ELAINE CHANG
Firm or Title: E.L.C. FOUNDATION

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

Water Use Permit
Groundwater

SPECIAL CONDITIONS

A. The applicant shall consult with the Department of Health if the source is used for domestic supply to ensure compliance with safe drinking water standards.
MEMORANDUM

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

FROM: Cecil Santos, Oahu District Land Agent
Land Management Division

SUBJECT: Water Use Permit Application for E.L.C. Foundation
for Well No. 3755-03, Koolauloa Groundwater Management Area, Oahu

The Department of Land and Natural Resource (DLNR) Land Management Division (LMD) Oahu District has reviewed the subject application.

The proposed project does not affect or significantly impact on State-owned land, managed by DLNR Land Management Division.

Thank you for allowing us the opportunity to review and comment on the proposed project. Should you have any questions, please contact Nicholas Vaccaro at [redacted].
TO: Mr. Edwin Watson, Acting Supervisor
Division of Land/Transportation
Office of the Attorney General

ATTN: Mr. William Tam, Deputy Attorney General

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

SUBJECT: Issuance of Water Use Permit

Transmitted for your review and signature are two (2) copies of a water use permit for Well No. 3755-03. We request your approval as to the form of the permit document. Please return the permits with your signature to the Commission on Water Resource Management.

LN:ss

Attachment
TO: Mr. Edwin Watson, Acting Supervisor  
Division of Land/Transportation  
Office of the Attorney General

ATTN: Mr. William Tam, Deputy Attorney General

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

SUBJECT: Issuance of Water Use Permit

Transmitted for your review and signature are two (2) copies of a water use permit for Well No. 3755-03. We request your approval as to the form of the permit document. Please return the permits with your signature to the Commission on Water Resource Management.

LN:ss
Attachment
Ms. Elaine Chang  
E.L.C. Foundation  
P.O. Box 240367  
Honolulu, HI  96824

Dear Ms. Chang:

Approval of Water Use Permit for Well No. 3755-03  
Koolauloa Groundwater Management Area, Oahu

On January 25, 1995, the Commission on Water Resource Management (Commission) approved your application for a water use permit for the Hauula Well (Well No. 3755-03) for use of 19,400 gallons per day (gpd) of water on a 12-month moving average basis.

Enclosed with this letter of approval are the following:

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

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

Be aware that you are required to keep a record of your monthly total pumpage. This information must be submitted to the Commission on a regular yearly basis using the enclosed water use report form. You should make copies of the enclosed report form as needed.

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

If you have any questions, please contact Lenore Nakama at 587-0218.

Sincerely,

[Signature]

RAE M. LOUI  
Deputy Director

LN:ss  
Attachments
<table>
<thead>
<tr>
<th>Date Measurement Taken</th>
<th>State Well No.</th>
<th>Well Name</th>
<th>Quantity Pumped (gallons)</th>
<th>Method of Measurement</th>
<th>Chloride (mg/l)</th>
<th>Temp. (°F.)</th>
<th>Water Level (ft. above mean)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3755-03</td>
<td>HAUULA</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other comments or additional information:

Submitted by (print) __________________________ Title __________________________
Signature __________________________ Date __________________________
GROUNDWATER USE PERMIT

PERMITTEE

| Applicant/Water User          | 1.0 E.L.C. FOUNDATION                          
|------------------------------|-----------------------------------------------
| Address                      | P.O. BOX 240367 HONOLULU, HI 96824            

| Landowner of Source          | 1.0 ELAINE L. CHANG TRUST                       
|------------------------------|-----------------------------------------------
| Address                      | P.O. BOX 240367 HONOLULU, HI 96824            

PERMITTED SOURCE INFORMATION

| Island                       | OAHU                                          
|------------------------------|-----------------------------------------------
| Water Management Area       | KOOLAULOA                                     
| Aquifer Sector              | WINDWARD                                      
| Aquifer System              | KOOLAULOA                                     
| System Sustainable Yield    | 35 mgd                                        
| Well Name                   | HAUULA                                        
| State Well No.              | 3755-03                                       

PERMITTED USE INFORMATION

| Reasonable beneficial use   | DOMESTIC; LANDSCAPE AND NURSERY IRRIGATION    
|------------------------------|-----------------------------------------------
| Withdrawal (12 month moving ave.) | 0.019 mgd (for 8-unit facility; 2-acre nursery, landscape) 
| % of Sustainable Yield       | < 1%                                          
| Location of water use        | 5-4-4:2                                       
| TMK #                        | 54-230 KAMEHAMEHA HWY.                        
| Address                      | AG-2                                          
| State land use classification| AGRICULTURE                                   
| County zoning classification | AG-2                                          

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the applicant is hereby authorized to use groundwater from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described, used for the reasonable beneficial use described, and 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 groundwater is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49 (1992), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and 174C-101(a), HRS.

4. The groundwater use here must not interfere with surface or other groundwater rights or reservations.

5. The groundwater 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 January 25, 1995 meeting are incorporated into this permit by reference.

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

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. protect the water sources (quantity or quality);
   b. meet other legal obligations including other correlative rights;
   c. insure adequate conservation measures;
   d. require efficiency of water uses;
   e. reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.
Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

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

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

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

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

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

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

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

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

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

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

20. This permit is subject to the special conditions attached as Exhibit A which are incorporated herein by reference.
21. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

22. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on January 25, 1995.

MICHAEL D. WILSON, Chairperson
Commission on Water Resource Management

Date of Permit Issuance: APR 13 1995

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed.

Applicant's Signature: __________________________ Date: __________
Printed Name: __________________________________________________
Firm or Title: ____________________________________________________

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

A. The applicant shall consult with the Department of Health if the source is used for domestic supply to ensure compliance with safe drinking water standards.
Chairperson and Members  
Commission on Water Resource Management  
State of Hawaii  
Honolulu, Hawaii  

Gentlemen:

E.L.C. Foundation  
Application for a Water Use Permit  
Hauula Well (Well No. 3755-03)  
Koolauloa Groundwater Management Area, Oahu

**Applicant:**  
E.L.C. Foundation  
P.O. Box 240367  
Honolulu, HI 96824

**Landowner:**  
Elaine L. Chang Trust  
P.O. Box 240367  
Honolulu, HI 96824

**Background**

On November 1, 1994, E.L.C. Foundation (ELC) filed a completed water use permit application to use 19,400 gallons per day (gpd) of fresh water from Hauula Well (Well No. 3755-03) for irrigation supply for a 2-acre nursery and landscaped areas for a proposed 8-unit group living facility in an adjacent lot, and may be used for the facility's domestic supply. Should the well be used for domestic use, the Department of Health has recommended routine testing to meet safe drinking water standards.

Very little information is available on this artesian well, which is very old and has not been used for some time. A preliminary evaluation of the water supply reported that the well is suitable for the proposed uses. Additional information on the source, use, notification, objections, and field investigation(s) are described in Attachment A and the attached exhibits.

**Analysis & Issues**

The proposed permit is in compliance with the conditions for a water use permit specified in Section 174C-49(a) HRS. This is established as follows:

1. **Water availability** - The sustainable yield of the Koolauloa Aquifer System is 35 million gallons per day (mgd). A summary of the current ground water conditions in Koolauloa is provided in Table 1:
Table 1. Koolauloa Aquifer System

<table>
<thead>
<tr>
<th>ITEM</th>
<th>Koolauloa Aquifer System (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sustainable Yield</td>
<td>35</td>
</tr>
<tr>
<td>Less: Other Existing Permits*</td>
<td>-16.136</td>
</tr>
<tr>
<td>Subtotal</td>
<td>18.864</td>
</tr>
<tr>
<td>Less: Pending Applications (Existing Uses)</td>
<td>-3.558</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Less: Pending Applications (New Uses)</td>
<td>2.500</td>
</tr>
<tr>
<td>Available Allocation</td>
<td>16.364</td>
</tr>
</tbody>
</table>

* Shown in Exhibit 2.

The analysis above shows that all pending applications for both existing and new uses may be accommodated with the available sustainable yield. Applications for existing uses by Hawaii Reserves, Inc. and its subsidiaries have not been established through the permitting process. Disputes regarding these applications are currently being mediated. The three pending applications for new uses were submitted by Honolulu Board of Water Supply. Exploratory drilling and testing will be conducted prior to activation of the applications.

(2) Reasonable-beneficial - The requested quantity is consistent with State and County guidelines for irrigation and domestic demand projections. The other tests for reasonable-beneficial use are discussed in the following sections.

(3) Interference with other existing legal uses - The quantity of water requested is very small and average withdrawals at the rate of 19,400 gpd are not expected to adversely affect other legal uses of water in the Koolauloa area.

(4) Public interest - The proposed use should not result in any harm to existing legal uses or interfere with future established rights to water and is considered to be in the interest of the public. Review of this application by the various divisions of the Department of Land and Natural Resources has not prompted any statements of objections or concerns.

(5) State & county general plans and land use designations - The Office of Conservation and Environmental Affairs has reviewed this application, and has found no inconsistencies with conservation land use designations. The Department of Land Utilization (DLU) has verified the consistency of this proposed use with the county land use designation. Although the proposed facility is in an agriculture district, a special use permit has been obtained from DLU.

(6) County land use plans and policies - The Office of the Mayor has not raised any objections to the granting of this proposed use, which has been verified for consistency with the county land use plans and policies.

(7) Interference with Hawaiian home lands rights - Interference with the rights of Hawaiian home lands is not expected. There are no homestead areas in the vicinity, and a request by the Department of Hawaiian Homelands for reservation of water from the Waimanalo aquifer sector was granted in 1994.
Chairperson and Members  
Commission on Water Resource Management  
January 25, 1995

RECOMMENDATION:

Staff recommends:

That the Commission approve the issuance of an interim water use permit to the E.L.C. Foundation for the reasonable and beneficial use of 19,400 gallons per day of fresh water from Hauula Well (Well No. 3755-03) for irrigation supply for a 2-acre nursery and adjacent landscaped areas and for domestic use for an 8-unit group living facility, subject to the standard water use permit conditions listed in Attachment B and the following special condition:

1. The applicant shall consult with the Department of Health if the source is used for domestic supply to ensure compliance with safe drinking water standards.

Respectfully submitted,

RAE M. LOUI  
Deputy Director

APPROVED FOR SUBMITTAL:

MICHAEL D. WILSON, Chairperson

Jim Anthony: need to look @ cumulative impacts.  
Sect. 303 & 305
607
319 H Fed. Clean Water Act

Name: probably no sw impacts.
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER:
Koolauloa System, Windward Sector, Oahu
Sustainable Yield: 35 mgd
Existing Water Use Permits: 16.136 mgd
Available Allocation: 18.864 mgd
Total of other pending allocations: 2.500 mgd

WELL:
Hauula Well (well No. 3755-03)
Location: 54-230 Kamehameha Hwy., Oahu, TMk:5-4-4:2
Year Drilled: NA
Casing Diameter: 10 in.
Elevations (msl = 0 ft.)
Water Level: NA ft.
Ground: 14 ft.
Bottom of Solid Casing: NA ft.
Bottom of Perforated: NA ft.
Bottom of Open Hole: NA ft.

Total Depth: NA ft.
Grouted Annulus Depth: NA ft.
Pump Capacity
(artesian well)

Use Information

Water Source: Hauula Well (Well No. 3755-03)
Quantity Requested: 19,400 gallons per day.
Proposed Type of Water Use: Irrigation and domestic
Place of Water Use: 54-230 Kamehameha Hwy. at TMK: 5-4-4:2

Reported Water Usage: NA gpd
Nearby Similar Water Usage: NA gpd
Koolauloa Aquifer System Current 12-Month Moving Average Withdrawal: 10.635 gpd (30% of SY)

ATTACHMENT A
Chairperson and Members
Commission on Water Resource Management

January 25, 1995

Nearby Surrounding Wells and Other Registered Ground Water Use

There are 8 other wells within a mile of the well (see Exhibit 1). Six of these wells are currently in use. Information from the registration program indicates there are possibly 84 existing wells in the Koolauloa Aquifer System. Several are not in use or are rights claims. The 1992 Oahu Water Management Plan estimated that the existing withdrawal from the Koolauloa Aquifer System is 13.6 mgd as of 1990.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star-Bulletin on December 21 and 28, 1994 and copies of the notice were sent to the Mayor’s office and the Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by January 12, 1995.

Objections

The public notice specifies that an objector meet the following requirements: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; (3) state all grounds for objections to the proposed permits, (4) provide a copy of the objection letter(s) to the applicant, and (5) submit objections meeting the previous requirements to the Commission by January 12, 1995. No objections to this proposed permit have been received.

Briefs in Support

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

Field Investigation

No field investigation was conducted since this is use is not in existence.

ATTACHMENT A
STANDARD WATER USE PERMIT CONDITIONS

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

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

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

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

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

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

7. The water use permit application and staff submittal approved by the Commission at its January 25, 1995 meeting are incorporated into the permit by reference.

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

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

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

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

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

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

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

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

15. The permittee shall comply with all applicable laws, rules, ordinances, and other agencies’ permits and conditions pertaining to water use or the water resource.

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

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

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

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

ATTACHMENT B
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40 Permits Totaling 15,848
Unanimously approved as amended to correct the permitted use quantity in staff recommendation No. 1 from 45,900 gpd to 22,100 gpd.
(Miike/Nakata).

ITEM 10  
E.L.C. FOUNDATION, APPLICATION FOR WATER USE PERMIT, HAUUOLA WELL (WELL NO. 3755-03), KOOLAULOA GROUNDWATER MANAGEMENT AREA, OAHU

Dr. Anthony testified against the proposed permit. He suggested deferral and that staff needed to look at cumulative impacts.

Mr. Nance was in support of staff's recommendation and said that there is probably no surface water impacts.

Unanimously approved (Ing/Nakata).

ITEM 11  
EXTENSION: PAUL AND SUSAN FISCHER, WELL CONSTRUCTION/PUMP INSTALLATION PERMIT, WAIKA-FISCHER WELL (WELL NO. 6450-04), KAWAIHAE, NORTH KOHALA, HAWAII

Under the Standard Well Construction Permit Conditions, the wording for No. 6 should be replaced by:

The permit may be revoked if work is not started within six (6) months after the date of issuance or if work is suspended or abandoned for six (6) months, unless otherwise specified. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Commission upon showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Commission no later than three (3) months prior to the date the permit expires. If the commencement or completion date is not met, the Commission may revoke the permit after giving the permittee notice of the proposed action and an opportunity to be heard.

Unanimously approved as amended to add standard Condition No. 7 in Item 12 of staff's submittal to replace Condition No. 6 (Nakata/Ing).

ITEM 12  
KAUAI DEPARTMENT OF WATER, APPLICATION FOR A WELL CONSTRUCTION PERMIT, PUHI S WELL (WELL NO. 5824-08), PUHI, KAUAI

Unanimously approved (Nakata/Ing).

ITEM 13  
WELL CONSTRUCTION PERMIT, DEPARTMENT OF WATER SUPPLY, OOKALA EXPLORATORY WELL (WELL NO. 6017-05), OOKALA, NORTH HILO, HAWAII

Unanimously approved (Nakata/Ing).

ITEM 14  
NEILL SAMS, APPLICATION FOR A WELL CONSTRUCTION/PUMP INSTALLATION PERMIT, KAPAA-SAMS WELL (WELL NO. 0519-02), KAPAA, KAUAI

Unanimously approved (Nakata/Ing).
January 12, 1995

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

Dear Mr. Wilson:

Water Use Permit Application
for ELC Foundation, Well No. 3755-03

This is in response to your memorandum dated December 20, 1994. We have reviewed the subject application and have the following comments to offer:

The parcel identified as Tax Map Key 5-4-04: 02 is designated Residential on the Koolauloa Development Plan Land Use Map (DPLUM). Although the adjacent nursery operation is not consistent with this designation, it is permissible under agricultural district zoning.

The Board of Water Supply has advised us that the existing well may be in poor condition and lacks the proper sanitary seals. Accordingly, we recommend that the Commission require the applicant to either drill a new properly constructed well or connect to the BWS municipal water system. A copy of their comments are attached.
Honorable Michael D. Wilson, Chairperson
Commission on Water Resource Management
January 12, 1995
Page 2

Should you have any questions, please call Eugene Takahashi of our staff at [Redacted]

Sincerely,

Cheryl Soon
Acting Chief Planning Officer

CDS:lh

Attachment

cc: The Honorable Jeremy Harris, Mayor (Mayor’s Control No. 21263)
January 6, 1995

TO: CHERYL D. SOON, CHIEF PLANNING OFFICER
   PLANNING DEPARTMENT
   Ray 

FROM: RAYMOND H. SATO, ACTING MANAGER AND CHIEF ENGINEER
   BOARD OF WATER SUPPLY

SUBJECT: WATER USE PERMIT FOR E. L. C. FOUNDATION FOR WELL NO. 3755-03,
   HAUULA

Thank you for the opportunity to comment on the permit. Although we have no objections to a
water use permit for this well, it should be noted that the well is an old plantation well and had
leaky appurtenances above ground when last visited in March 1979. The age of the well
probably exceeds 60 years and the well does not have a proper sanitary seal around the casing.
Because the well will be used for a group living facility with perhaps more than 50 residents,
the risk is greater should contamination reach the well from the many cesspools of the area,
especially from the homes above the No-Pass line on Hauula Homestead Road. We recommend
that they should either drill a new properly constructed well or to connect to the Board of
Water Supply municipal system.

If you have any questions, please call Herbert H. Minakami at

cc: Mayor Jeremy Harris
Mr. Michael Wilson, Chairperson  
Commission on Water Resource Management  
Department of Land and Natural Resources  
State of Hawaii  
P. O. Box 621  
Honolulu, Hawaii 96809

Dear Mr. Wilson:

Subject: Your Letter of December 28, 1994 on the Water Use Permit for E. L. C. Foundation for Well No. 3755-03, Hauula

Thank you for the opportunity to comment on the permit. Although we have no objections to a water use permit for this well, it should be noted that the well is an old plantation well and had leaky appurtenances above ground when last visited in March 1979. The age of the well probably exceeds 60 years and the well does not have a proper sanitary seal around the casing. Because the well will be used for a group living facility with perhaps more than 50 residents, the risk is greater should contamination reach the well from the many cesspools of the area, especially from the homes above the No-Pass line on Hauula Homestead Road. We recommend that they should either drill a new properly constructed well or to connect to the Board of Water Supply municipal system.

Enclosed is your cover memo accordingly marked. If you have any questions, please call Herbert H. Minakami at

Very truly yours,

RAYMOND H. SATO  
Acting Manager and Chief Engineer

Enclosures
TO: Honorable Hoaliku L. Drake, Director  
Department of Hawaiian Home Lands  
Dr. Peter A. Sybinsky, M.D., Director  
Department of Health  
Mr. Clayton H. W. Hee, Chairperson  
Office of Hawaiian Affairs  
Mr. Kazu Hayashida, Manager & Chief Engineer  
Honolulu Board of Water Supply  
Mr. Donald A. Clegg, Director  
Department of Land Utilization  
Ms. Cheryl Soon, Chief Planning Officer  
Planning Department  

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

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

Transmitted for your review and comment is a copy of a water use permit application for the  
E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the  

We would appreciate your review of the attached application for any conflicts or inconsistencies  
with the programs, plans, or objectives specific to your organization or department only. Please return  
this cover memo form by January 12, 1995.  

If you have any questions regarding this application, please contact Lenore Nakama at [Contact Information]  

Attachment(s)  

Response:  

( ) We have no comments  
( ) We have no objections  
( ) Comments attached (BWS letter dated 1/5/95)  
( ) Additional information requested  
( ) Extended review period requested  

Contact person: Herbert H. Minakami  
Phone: [Contact Information]  

Signed: Raymond Sato  
Acting Manager and Chief Engineer  
Date: 1/6/95
TO: Aquatic Resources
   Forestry and Wildlife/Natural Area Reserve System
   Historic Preservation
   Land Management
   Office of Conservation and Environmental Affairs
   State Parks
   Water and Land Development

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

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at [redacted].

Attachment(s)

Response:

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

Contact person: [redacted] Phone: [redacted]
Signed: [redacted] Date: 1-10-95

The subject well site is not located within the State Conservation District.
TO: Honorable Hoaliku L. Drake, Director
Department of Hawaiian Home Lands

Dr. Peter A. Sybinsky, M.D., Director
Department of Health

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

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

Mr. Donald A. Clegg, Director
Department of Land Utilization

Ms. Cheryl Soon, Chief Planning Officer
Planning Department

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

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

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We would appreciate your review of the attached application for any conflicts or inconsistencies
with the programs, plans, or objectives specific to your organization or department only. Please return
this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at

Attachment(s)

Response:

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

Contact person: LUIS A. MANRIQUE
Signed: ____________

Phone: ____________
Date: 01/05/95
TO: Rae M. Loui, Deputy Director
   Commission on Water Resource Management
FROM: Manabu Tagomori, Manager-Chief Engineer, DOWALD
SUBJECT: Request for Comments
   Water Use Permit Application 3165-03
   Koolauloa Ground Water Management Area, Oahu

The pump test report prepared by Tom Nance for this project has been reviewed by our staff. We have no objections to this water use permit application.

ME:ek
Ms. Elaine Chang  
E.L.C. Foundation  
P.O. Box 240367  
Honolulu, HI 96824

Dear Ms. Chang:

Application for Water Use Permit  
Hauula Well (Well No. 3755-03)  
Koolauloa Groundwater Management Area, Oahu

Please find attached a copy of the review comments from the Department of Health (DOH) on your pending application for water use permit for Well No. 3755-03.

DOH has recommended that use of Well No. 3755-03 be limited to irrigation and that the City water system be used to supply drinking water needs. Because the presence of wastewater systems in the vicinity of the well are a potential source of contamination, routine testing and monitoring by DOH are recommended should the well be used for domestic purposes.

We have tentatively scheduled action on your water use permit application at the January 25, 1995 meeting of the Commission on Water Resource Management. We request that any response to the comments from DOH be submitted to our office prior to this date.

If you have any questions, please contact Lenore Nakama at [redacted]

Sincerely,

[Signature]

RAE M. LOUI  
Deputy Director
Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at [redacted].
MEMORANDUM

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

FROM: Don Hibbard, Administrator
Historic Preservation Division

SUBJECT: Application for Water Use Permit for E. L. C. Foundation for Well No. 3755-03
Koolauloa Ground Water Management Area, Oahu
Hauula, Ko‘olauloa, O‘ahu
TMK: 5-4-04:002

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

EJ:jk
TO: Honorable Hoaliku L. Drake, Director Department of Hawaiian Home Lands
Dr. Peter A. Sybinsky, M.D., Director Department of Health
Mr. Clayton H. W. Hee, Chairperson Office of Hawaiian Affairs
Mr. Kazu Hayashida, Manager & Chief Engineer Honolulu Board of Water Supply
Mr. Donald A. Clegg, Director Department of Land Utilization
Ms. Cheryl Soon, Chief Planning Officer Planning Department

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

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, or objectives specific to your organization or department only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at [redacted].

Response:

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

Contact person: Bill Wong Phone: [redacted]
Signed: Bill Wong Date: 12/21/94

27445
State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Commission on Water Resource Management
Honolulu, Hawaii
DEC 20 1994

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

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

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at ____________

LN:ss
Attachment(s)

Response:

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

Contact person: ____________
Phone: ____________
Signed: ____________
Date: ____________
State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Commission on Water Resource Management
Honolulu, Hawaii

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

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

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at [redacted].

LN:ss
Attachment(s)

Response:

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

Contact person: ______________________________________ Phone: ______________________

Signed: ____________________________ Date: 12/21/94
MEMORANDUM

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

FROM: Henry Sakuda, Administrator  
Division of Aquatic Resources

SUBJECT: Comments on Water Use Permit Application for the E. L. C. Foundation for Well No. 3755-03 in the Koolauloa Ground Water Management Area, Oahu

The application involves pumping approximately 19,400 gallons of potable water per day from an existing well, located near sea level adjacent to the mouth of Kaipapau Stream, for domestic and irrigation use in support of a facility that provides residential care for autistic clients. Given the relatively small volumes involved, we have no objections from the aquatic biological resources standpoint. We note, however, that Kaipapau Stream is one of the most significant biologically on Oahu.
Ms. Elaine Chang  
E.L.C. Foundation  
P.O. Box 240367  
Honolulu, HI 96824  

Dear Ms. Chang:

We acknowledge receipt, on November 1, 1994, of your completed application for a water use permit for the Hauula Well (Well No. 3755-03). Enclosed is a copy of the public notice which will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

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

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

If you have any questions, please contact Lenore Nakama at [REDACTED].

Sincerely,

[Signature]

RAE M. LOUI  
Deputy Director

LN:ss  
Encl.
TO: Aquatic Resources  
Forestry and Wildlife/Natural Area Reserve System  
Historic Preservation  
Land Management  
Office of Conservation and Environmental Affairs  
State Parks  
Water and Land Development

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

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please return this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at [Redacted]

LN:ss  
Attachment(s)

Response:

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

Contact person: [Redacted]  
Phone: [Redacted]  
Signed: [Redacted]  
Date: [Redacted]
TO: Other Interested Parties

FROM: Rae M. Loui, Deputy Director

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

Transmitted for your review and comment is a copy of a water use permit application for the E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the Honolulu Star Bulletin issues of December 21, 1994 and December 28, 1994.

We would appreciate your review of the attached application for any conflicts or interferences with the programs, plans, and objectives of the organization or agency that you represent. Written objections should be made in accordance with Section 13-171-18 of our Administrative Rules and must be filed by the January 12, 1995 deadline.

If you have any questions regarding this application, please contact Lenore Nakama at ____________.

LN:ss
Attachment(s)

Response:

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

Contact person: ______________________________ Phone: __________________

Signed: ______________________________ Date: __________________
TO:        Honorable Hoaliku L. Drake, Director
           Department of Hawaiian Home Lands

           Dr. Peter A. Sybinsky, M.D., Director
           Department of Health

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

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

           Mr. Donald A. Clegg, Director
           Department of Land Utilization

           Ms. Cheryl Soon, Chief Planning Officer
           Planning Department

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

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

Ref: WRM:SS

Honolulu, Hawaii 96809
DEC 20 1994

Transmitted for your review and comment is a copy of a water use permit application for the
E.L.C. Foundation for Well No. 3755-03. Public notice of this application will be published in the

We would appreciate your review of the attached application for any conflicts or inconsistencies
with the programs, plans, or objectives specific to your organization or department only. Please return
this cover memo form by January 12, 1995.

If you have any questions regarding this application, please contact Lenore Nakama at

Attachment(s)

Response:

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

Contact person: ___________________________ Phone: ___________

Signed: ___________________________ Date: ___________
Honorable Jeremy Harris, Mayor  
City & County of Honolulu  
City Hall  
Honolulu, HI 96813  

Dear Mayor Harris:

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

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-171-17(a), we are sending you a copy of the public notice for the water use permit application for the E.L.C. Foundation for Well No. 3755-03, which will be published in the Honolulu Star Bulletin.

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

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

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

Very truly yours,

KEITH W. AHUE

Enclosures
PUBLIC NOTICE

Applications for Water Use Permit
Ground Water Management Areas, Oahu

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

EP 10 (Well Nos. 2006-01 to 11)
Applicant: West Beach Estates
91-100 Kamoana Place
Ewa Beach, HI 96707
Date Completed Application Received: November 2, 1994
Aquifer: Ewa-Kunia System, Pearl Harbor Sector, Oahu
Water Source: EP 10 Battery (Well Nos. 2006-01 to 11) at Pump 10 Road, Ewa, Oahu, Tax Map Key 9-1-15:4
Quantity Requested: 1,636,000 gallons per day.
New Water Use: Irrigation of Phase II golf course and landscape
Place of Water Use: Ko Olina Resort at Tax Map Key: 9-1-15, 56, 57

HAUULA (Well No. 3755-03)
Applicant: E.L.C. Foundation
P.O. Box 240367
Honolulu, HI 96824
Date Completed Application Received: November 1, 1994
Aquifer: Koolauloa System, Windward Sector, Oahu
Water Source: Hauula Well (Well No. 3755-03) at 54-230 Kamehameha Hwy., Oahu, Tax Map Key 5-4-4:2
Quantity Requested: 19,400 gallons per day.
New Water Use: Irrigation of 2-acre nursery and landscape
Place of Water Use: 54-230 Kamehameha Hwy. at Tax Map Key: 5-4-4:2

Written objections or comments on the above applications may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water use, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by January 12, 1995. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

[Signature]
RAE M. LOUI for
KEITH W. AHUE
Chairperson

Dated: 12/24/94

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

   Attention: Ed Sakoda

SUBJECT: Hauula Well, No. 3755-03

We herewith transmit the following:

1 original Water Use Permit Application for Hauula Well, No. 3755-03
   (with required enclosures)

Comments: As discussed on Friday, October 28, 1994.

Signed:

Tom Nance
May 18, 1994
94TN-103 (94-28)

Mrs. Elaine Chang
P. O. Box 240367
Honolulu, Hawaii 96824

Dear Mrs. Chang:

Preliminary Evaluation of the Existing Well (State No. 3755-03) TMK 5-4-04:02 in Hauula, Oahu, Hawaii

This letter presents the results of my preliminary evaluation of a property identified by Tax Map Key 5-4-04:02. These results complement the Preliminary Evaluation, in my April 28, 1994 proposal letter. The well is located and in near proximity to the proposed 8-unit group living facility (Fig. 1) and the well is available. It is listed in a 1938 Territory of Hawaii public records (No. 393; see Figure 2) and it also appears on the 1939 geologic map. The piezometric head was measured at 18 feet above sea level for a 1938 (1894). However, no other information on the well's dimensions, water levels, or other observations was found in the files of the USGS or the State Water Commission.

Preliminary Reconnaissance

A small, square-shaped concrete pad and a projecting 2-foot long, 3-inch galvanized iron riser pipe were recently installed at the well head. This was apparently done to stop the well from leaking. Groundwater tapped by the well is confined and its piezometric head is four to five feet above ground, meaning that water will naturally flow (or leak) from the well unless it is securely capped. A gate valve and 5/8-inch hose bib are installed on the top of the riser pipe. The aquifer's piezometric head was above 2.3 feet above the gate valve during the period of field work for this evaluation.

Salinity and Temperature Profile

On May 6, 1994, a CTD instrument was run down the well to its bottom to determine the well's depth and its salinity and temperature profiles. Results of the CTD run are plotted on Figure 3. Salinity and temperature variations in the upper 60 feet suggest that this is water trapped in the uppermost, solid casing portion of the well. Below this depth, the well may have perforated casing or it may simply be an open borehole. From 60 feet to the bottom at 315 feet, salinity and temperature are virtually constant. The salinity level of 0.17 parts per thousand (PPT) is extremely fresh. Corresponding chloride concentrations, based on grab samples, are from 25 to 30 milligrams per liter (MG/L). Although no other chemical constituents of the water were tested, it is very likely that the water will meet all Department of Health (DOH) requirements for a potable supply. The quality of water from this well is as good as better than most wells in the Board of Water Supply (BWS) system. In other words, the well is a potential source of drinking water for the proposed group living facility if you elect to use it for that purpose.
Indicated Hydraulic Capacity

On May 10th, a test of the well's hydraulic performance was made using the setup depicted on Figure 4. All discharge was driven by the well's natural artesian head; no pumps were used. Results of the test are compiled on Table 1 and plotted on Figure 5. Restrictions imposed by the 3-inch pipe and fittings limited the maximum discharge to 95 gallons per minute (GPM). The upper curve on Figure 5 is the measured results. The lower curve is the response of the well itself, derived by removing computed friction losses for flow through the 3-inch pipe and fittings.

Substantially higher production rates than shown on Figure 5 could be achieved by pumping. Extrapolated performance at higher rates is depicted on Figure 6. The lower curve represents the well's expected performance. For example, it is likely to be able to produce 700 GPM with an 11-foot drawdown and 1000 GPM with a 21-foot drawdown. Drawdown at rates greater than this would not be desirable. Also, the casing diameter, although not known, is likely to be another limiting factor. Based on early drilling practices in Hawaii and the Kahuku area in particular, the well casing is probably 10- or 12-inches in diameter. The largest pump bowl assembly which could fit into such a casing would have a practical maximum delivery rate of 800 to 1000 GPM. If an above ground, end suction pump were used instead of a bowl assembly inside the well, a capacity limitation of a different sort would still apply. In this case, excessive drawdown would cause cavitation and/or break suction at a rate of not more than 1000 GPM.

Alternate Uses For the Well to Consider

Comments to the project's conditional use permit application made by BWS in June 1993 were: (1) that its standards require a fire flowrate of 2000 GPM; (2) that its existing system could only provide 700 GPM; and (3) that storage would have to be constructed to meet the fire flow criteria. Although I have not seen plans the project's proposed structures, an argument might be made that a 1500 GPM rate would be more appropriate than 2000 GPM (refer to the portion of BWS' standards reproduced as Figure 7). With the lower rate would also come a shorter duration (one versus two hours), an important consideration if storage volume is used to provide fire protection.

Since both the 1500 and 2000 GPM rates are beyond the well's estimated maximum capacity, it would not be possible to provide fire protection by pumping alone; some combination of pumping and storage would be necessary. Talled below are combinations of storage and pumping to meet the 1500 GPM, 1-hour and 2000 GPM, 2-hour design criteria. I have assumed a 40,000 GPD (28 GPM) coincident maximum day flowrate for these calculations. Since this use rate is small compared to the fireflow, computed storage volumes are not very sensitive to the assumed use rate. The benefit of lesser tank storage if the 1500 GPM, 1-hour criterion governs should be obvious, however.
If pumping is used to provide a part of the fire flow, backup pumping capacity and possibly even a back-up power supply would be required. Backup pumping capacity could easily be achieved by installing identical, above ground, end suction pumps manifolded to a common intake pipe from the well. The 750 GPM pumping rate used in the tally above is a reasonable maximum rate for end suction pumping in this configuration. Backup power, if it were required, would mean installing a standby, engine-driven generator. Identical end suction pumps able to produce 750 GPM at the appropriate pressure would need 50 horsepower motors. A 75 or 100 KW generator would be needed for standby power.

Summary Results and Recommendations

1. The well taps into the basal aquifer in the Hauula area. Near the shoreline, the aquifer is confined by the overlying alluvium and weathered volcanics. The aquifer's artesian head is four to five feet above ground at the well.

2. The well produces potable quality water. It would be suitable as a source of drinking water for the project if you elect to use it for this purpose.

3. The well's practical maximum delivery rate is established by its hydraulic performance and its presumed casing diameter. This rate is estimated to be about 1000 GPM. Since this is significantly less than the 1500 to 2000 GPM required fire flowrate, storage must also be constructed to meet this criterion.

4. The decision on whether or not to use the well instead of BWS' system should be based on comparative construction and operating costs among the several options available. Three such options are:

   (i) Complete BWS System. This would entail connecting to BWS' 16-inch main in Kamehameha Highway and constructing a concrete tank, interconnecting pipeline, and booster pumps on the property. All improvements would be built to BWS standards and dedicated to that agency. High initial costs and providing easements and fee property for these improvements makes this option unattractive.
(ii) Supply From BWS Through a Master Meter. A master meter would be installed at the connection point to BWS' 16-inch main in the highway. All improvements within the property, consisting of pipelines, pumps, and a tank, would be privately owned. Since these improvements would not have to be constructed to BWS standards, significant cost savings could be achieved.

(iii) Entirely Private. For this option, Well 3755-03 would be outfitted with identical end suction pumps which would deliver water through a pipeline to a tank above the project. Initial costs would be comparable to option (ii). Permitting requirements would be greater since water use and pump installation permits would need to be obtained from the State Water Commission and the well would have to be certified by DOH as a new drinking water source. Ongoing operation and maintenance would also be necessary. However, this system would produce water far less expensively than it can be purchased from BWS.

5. If you elect not to use the well as a substitute for supply from BWS for potable use and/or fire protection, it still could be used for landscape irrigation. A small hydro-pneumatic tank system could be inexpensively installed for this purpose. The Water Commission permits noted above would also be necessary for this use.

Please feel free to call me if you have any questions on the information presented above. You might consider, as a next step, undertaking the work described as Step 2 in my April 28th letter. This effort would be a comparative cost evaluation of Options 4(ii) and 4(iii) described above to determine the most cost effective way to provide drinking water and fire protection for the project.

Sincerely,

[Tom Nance signature]

Tom Nance

Enclosures

cc: Edward Resh
Lester Fukuda - HPE
Figure 1
Location of Well 3755-03 in Hauula

392 (old 322). Pump 26 (formerly pump 6) on R. R. spur 0.2 mile from highway and 1.1 miles northwest of Hauula. Owner, Kahuku Plantation Co. Drilled, 1903. Altitude, 16 ft. Use, irrigation.

Observations

<table>
<thead>
<tr>
<th>Date</th>
<th>Chloride (p.p.m.)</th>
<th>Date</th>
<th>Chloride (p.p.m.)</th>
<th>Date</th>
<th>Chloride (p.p.m.)</th>
<th>Date</th>
<th>Chloride (p.p.m.)</th>
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<td>Aug. 7, 1932</td>
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<td>June 1933</td>
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<td>Sept 28</td>
<td>33.5</td>
<td>Feb. 7, 1931</td>
<td>55.2</td>
<td>Feb. 7, 1933</td>
<td>49</td>
<td>Sept 20</td>
<td>42</td>
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<tr>
<td>Feb 12, 1930</td>
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<td>May 27, 1925</td>
<td>46</td>
<td>Mar. 20</td>
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<td>Nov. 1934</td>
<td>42</td>
</tr>
<tr>
<td>June 4</td>
<td>58.2</td>
<td>June 20</td>
<td>41</td>
<td>Apr. 28</td>
<td>45</td>
<td></td>
<td></td>
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</tbody>
</table>

393 (old 323). At end of flume 0.9 mile northwest of Hauula and 100 yd. southwest of highway. Owner, Kahuku Plantation Co. Altitude, about 15 ft. Use, irrigation.

394 (old 324). At small pump house ½ mile northwest of Hauula and 300 yd. southwest of highway. Owner, City and County of Honolulu. Altitude, about 20 ft. Use, domestic.

395 (old 325). At west corner of school yard at Hauula. Altitude, about 8 ft. Use, domestic.


Observations

<table>
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<tr>
<th>Date</th>
<th>Head (ft.)</th>
<th>Chloride (p.p.m.)</th>
<th>Date</th>
<th>Head (ft.)</th>
<th>Chloride (p.p.m.)</th>
<th>Date</th>
<th>Head (ft.)</th>
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<td>21.26</td>
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<td>Oct. 1915  19.98</td>
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<td>Nov. 1915  22.01</td>
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<td>20.98</td>
<td>Nov. 1913 21.00</td>
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<td>Nov. 1917 25.14</td>
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<td>Apr. 1918 25.14</td>
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<tr>
<td>Oct. 1912</td>
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</table>

Figure 2
Excerpt From Bulletin 4,
Records of Drilled Wells on the Island of Oahu
Figure 3
Salinity and Temperature Profiles
Hauula Well 3755-03
May 6, 1994
Figure 4
Test Set-Up to Measure Hydraulic Performance
Table 1

Measured and Computed Hydraulic Performance of Well 3755-03 on TMK 5-4-04:2 in Hauula, Oahu

<table>
<thead>
<tr>
<th>Flowrate (GPM)</th>
<th>Measured Drawdown (Feet)</th>
<th>Computed Pipe Flow Friction Losses (Feet)</th>
<th>Net Drawdown in the Well (Feet)</th>
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<tr>
<td>23</td>
<td>0.073</td>
<td>0.018</td>
<td>0.055</td>
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<tr>
<td>36</td>
<td>0.135</td>
<td>0.042</td>
<td>0.093</td>
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<td>48</td>
<td>0.219</td>
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<td>60</td>
<td>0.294</td>
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<td>95</td>
<td>0.641</td>
<td>0.274</td>
<td>0.367</td>
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</tbody>
</table>

Notes: 1. Based on the assumption that drawdown is the sum of laminar (linear) and turbulent (second power) components, the two variables are related as follows:

\[ D = AQ + BQ^2 \]

\[ D = \text{drawdown in feet} \]
\[ Q = \text{flowrate in GPM} \]

2. Linear regression of the measured and computed drawdown with flowrate results in the following values for the A and B coefficients:

<table>
<thead>
<tr>
<th></th>
<th>A</th>
<th>B</th>
<th>Correlation Coefficient ( r^2 )</th>
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<tr>
<td>Measured Drawdown</td>
<td>2.76 x 10^{-3}</td>
<td>3.92 x 10^{-5}</td>
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<td>Computed Drawdown</td>
<td>1.93 x 10^{-3}</td>
<td>1.96 x 10^{-5}</td>
<td>0.96</td>
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</table>
Figure 5
Measured Hydraulic Performance of Well 3755-03
May 10, 1994
Figure 6
Extrapolated Hydraulic Performance of Well 3755-03
### TABLE 16

**FIRE FLOW REQUIREMENT**

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>FLOW (GPM)</th>
<th>DURATION (HRS)</th>
<th>SPACING (FT.)</th>
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<td><strong>HAWAII</strong></td>
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<tr>
<td>Agriculture</td>
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<td>Duplex</td>
<td>1500/1/300</td>
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<td>1250/2/350</td>
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<td>(5)</td>
</tr>
<tr>
<td>Schools, Neighborhood Business, Small Shopping Centers, Hotels (except Maui), and High Rise Apartment</td>
<td>2000/2/300</td>
<td>2000/2/350</td>
<td>2000/2/250</td>
</tr>
<tr>
<td>Light Industry, Downtown Business, and Large Shopping Center</td>
<td>(3)</td>
<td>3000/3/350</td>
<td>2000/2/250</td>
</tr>
<tr>
<td>Heavy Industry, Hotels</td>
<td></td>
<td></td>
<td>2500/2/500</td>
</tr>
<tr>
<td><strong>KAUAI</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>MAUI</strong></td>
<td></td>
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<tr>
<td><strong>OAHU</strong></td>
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<td></td>
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</tr>
</tbody>
</table>

(1) Applies to one acre lot size or less
(2) Larger than 10,000 sq. ft. lot size = 500/2/600  10,000 sq. ft. lot size or less = 1000/1/600
(3) Subject to special review and control by Manager.
(4) R-2 = 500/1/600  R-4 = 750/2/500  R-6 = 1000/2/500  R-10 = 1250/2/350  R-20 = 1500/2/350  RR-10 = 1500/2/350  RR-20 = 2000/2/350
(5) A-1 = 1500/2/250  A-2 = 2000/2/250

On dead end streets where further extensions are unlikely due to topography or other limitations, the last F.H. shall be located at one half the spacing distance for F.H.'s from the last house/unit.

---

**Figure 7**

BWS Standards
For Fire Protection
APPLICATION FOR WATER USE PERMIT

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

APPLICATION FOR WATER USE PERMIT

10-28-94

[Ground Water or] [Surface Water]

94-28

PERMITTEE INFORMATION

1. (a) APPLICANT
   Firm/Name: E.L.C. Foundation
   Contact Person: Elaine Chang Ph: ___
   Address: P. O. Box 240367
   Honolulu, Hawaii 96824

(b) LANDOWNER OF SOURCE
   Firm/Name: Elaine L. Chang Trust
   Contact Person: Elaine Chang Ph: ___
   Address: P. O. Box 240367
   Honolulu, Hawaii 96824

SOURCE INFORMATION

2. WATER MANAGEMENT AREA: Koolauloa, Windward Oahu
   ISLAND: Oahu

3. (a) EXISTING WELL/DIVERSION NAME AND STATE NUMBER:
   Hauula Well, No. 3755-03

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

(c) LOCATION: Address 54-230 Kamehameha Highway
   Tex Map Key 5-4-04:02
   (Attach a USGS map, scale 1" = 2000', and a property tax map showing source location referenced to established property boundaries.)

4. SOURCE TYPE (check one):
   [D] Caprock

5. METHOD OF TAKING WATER (check one):
   Artesian [D] Well & Pump [D] Diverted Surface [I] Other (explain)

USE INFORMATION

6. LOCATION OF PROPOSED WATER USE: (if possible, show on same maps as source location. Otherwise, attach similar maps)
   (a) Proposed use of water is: [D] Existing [I] New
   (b) Tex Map Key: 5-4-04:02
   (c) Address: 54-230 Kamehameha Highway

7. QUANTITY OF WATER REQUESTED:
   19,400 gallons per day

8. METHOD OF MEASUREMENT:

9. QUALITY OF WATER REQUESTED:
   [D] Landscape [D] Irrigation [I] Other (explain)

10. PROPOSED USE:
    [D] Municipal (including hotels, stores, etc.)[D] Individual Domestic
    [I] Industrial [D] Military [I]

For questions 12 & 13: If multiple TMKs are involved, please complete Table 1 on back of application.

11. TOTAL NUMBER OF RESIDENCES TO BE SERVED: 9 dwelling units (including caretaker's house)

12. TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP:
    (acres) (crop)
    2 plant nursery

13. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:
    All hours of the day and night
    (daytime hours of operation, ex. 7 a.m. to 2 p.m.)

14. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE:
    (a) Impact on Sustainable yield (?)
    No
    (b) Instream Flow Standards affected (?)
    No
    (c) Hawaiian Home Lands use affected (?)
    No
    (d) Other existing legal uses affected (?)
    No
    (e) Other (pending permits, EIS, etc.)
    No

15. REMARKS, EXPLANATIONS:

   (Back Side)

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

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

Applicant (print)
Signature
Date

Landowner (print)
Signature
Date

For Official Use Only:
Date Received
Hydrologic Unit No.

Date Accepted
Diversion Works No.

Date Accepted
State Well No.

4/13/93 WUPA Form
Available information on the well is summarized in the attached May 18, 1994 letter from Tom Nance to Elaine Chang. Its water will be used to irrigate an adjacent nursery, landscaping for the proposed 8-unit Group Living Facility which would provide residential care for autistic clients, and possibly drinking water for the facility. A Conditional Use Permit, Type 2, has been obtained from the City Department of Land Utilization to construct the facility with the parcel's AG-2 (General Agricultural District) zoning.

---

**TABLE 1. MULTIPLE TMKs TO USE REQUESTED WATER**

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>TMK</th>
<th>CURRENT COUNTY ZONING CODE</th>
<th>NET ACRES</th>
<th>GPD/ACRE</th>
<th>TOTAL GPD</th>
<th>% OF TOTAL TO BE USED OVER NEXT 4 YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Payee: Twenty-five and 00/100 ** DOLLARS $25.00**

Pay to the order of Department of Land & Natural Resources

DETACH AND RETAIN THIS STATEMENT. THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. THIS RECEIPT DESCRIBED.

<table>
<thead>
<tr>
<th>DATE</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-31-94</td>
<td>Filing Fee: ELC Foundation - Water Use Permit</td>
<td>$25.00</td>
</tr>
<tr>
<td></td>
<td>Job No. 94-28</td>
<td></td>
</tr>
</tbody>
</table>

Handwritten note: Save to faith for deposit 1/2/94.
WATER USE PERMIT NO. 356

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: E.L.C. Foundation
P.O. Box 240367
Honolulu, HI 96824

Landowner of Source: E.L.C. Foundation
P.O. Box 240367
Honolulu, HI 96824

Permitted Withdrawal Rate: 0.019 mgd (Based upon a 12-month moving average)

Water Management Area: Koolauloa

Island: Oahu

Aquifer Sector/System: Windward/Koolauloa

System Sustainable Yield: 99 mgd

Water Type: Fresh, Potable

Original CWRM Date: April 13th, 1995

Standard Conditions: 1-11, 13-22, 25

Special Conditions: 64

Water Source

State Well Number(s): 3755-03

Well Name: Hauula

Water Source TMK Number(s): 1st Division, 5-4-004:002

State Land Use Classification(s): Urban

County Zoning Classification(s): AG-2

Geographical Coordinates: Well Not Found

End Use

End Use TMK Number(s): 1st Division, 5-4-004:002

State Land Use Classification(s): Urban

County Zoning Classification(s): AG-2
Beneficial Use Explanation: Domestic (8 units); Landscape & 2 acres of nursery

Background Information

Water Use Permit 356 was approved during the April 13th, 1995 Commission on Water Resource Management meeting. There are no monthly water use or chloride level records on file for State Well No. 3755-03. Standard conditions 1-11, 13-22, & 25 and special condition 64 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the project file.

Field Investigation Information

Contact: Sateki Mahe
Site Address: 54-230 Kamehameha Hwy
Hauula, HI 96717

Brown and Caldwell conducted a field investigation on May 15th, 2008 from 3:00 p.m. until 4:00 p.m. with Mr. Sateki Mahe. During this time, type of water usage was verified, and property TMK information was verified. The water usage area was visually inspected to assess compliance with permit conditions. 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. 356

According to existing data, State Well No. 3755-03 is believed to be located on TMK parcel 5-4-004:002. Brown and Caldwell attempted to locate the well but was unsuccessful due to the heavy vegetation surrounding the suspected well site. As such, an approximate GPS reading could not be obtained. Reference the Appendix for photograph of the area where the well is suspected to have been located.

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

(10) An approved flowmeter must be installed to measure monthly withdrawals and a month record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis.
Although the well is not in use, the permittee is still required to report zero usage to maintain permit compliance. Chloride levels are also still required. Since the permittee has not been reporting either, they are in violation of Standard Condition (10).

Recommendations

- Address the following discrepancies between the Commission's electronic database and actual field investigation findings:
  - Change permittee contact to Sateki Mahe at [redacted]
- Address violation of Standard Condition (10) regarding non-reporting of water use and chloride levels.
20-Year Water Use Permit Review
Water Use Permit No. 356

APPENDIX

Field Investigation Photographs
Figure 1 – Approximate Location of State Well No. 3755-03
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 use means “the use of water in such a quantity as is necessary for economic and efficient utilization, which is both reasonable and consistent with State and County land use plans and the public interest.” (HRS § 174C-3)

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

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

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

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

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

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

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

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

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

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

**Variations of Standard Condition (10) are as follows:**

i. The applicant shall keep monthly pumpage estimates to be submitted
   annually to the Commission.

ii. An approved flowmeter(s) **need not** be installed to measure monthly
    withdrawals and a monthly record of withdrawals, salinity, temperature, and
    pumping times **must** be kept and reported to the Commission on Water
    Resource Management on forms provided by the Commission on a **yearly**
    basis (attached).

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

iv. Approved flowmeters **must be** installed to measure monthly withdrawals
    and a monthly record of withdrawals **must be** kept and reported to the
    Commission on Water Resource Management on a **monthly** basis.

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

vi. An approved flowmeter shall be installed to measure water withdrawals

vii. An approved flowmeter(s) **must be** installed to measure withdrawals; and a
    record of the withdrawals **must be** kept and reported to the Department of
Land and Natural Resources, Division of Water and Land Development, P.O. Box 373, Honolulu, HI 96809, on a **monthly** basis.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. The applicant shall contact the Environmental Management Division, State Department of Health, at [contact information] 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 (Honolulu).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119. Standard Conditions 10 & 18 shall not apply.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

143. Proposed other uses will be considered at a later date.
**Water Use Permit Survey**

(Please complete one survey form for each WUP)

WUP Number: 3560

Well Number(s): 3755-03

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

Name: SATERI MAIHE

Phone (for phone interview): [Redacted] Fax: ____________________________

Email: ______________________________

Best time to reach for phone interview: 9:00 am to 12:00 pm

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

Address: 87230 Kamehameha Hwy

City: Hauula Hawaii Zip: 96717

Well Location TMK (list all if multiple wells present): _____________________________

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

**Water Use/Well Information:**

Is the water source currently in use? Yes ☑ No ☐

If no, please explain: ___________________________________________________________________

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

Is a flow meter installed and working properly? Yes ☑ No ☐

If no, please explain: ___________________________________________________________________

Do you submit monthly water use reports to the State? Yes ☑ No ☐

If no, please explain: _____________________________________________________________________

**Field Investigations:**

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

Option #1 Date (M-F): ___________ Time: 9:00 am ☑ 12:00 pm ☐ 3:00 pm ☐

Option #2 Date (M-F): ___________ Time: 9:00 am ☐ 12:00 pm ☑ 3:00 pm ☐

Option #3 Date (M-F): ___________________ Time: 9:00 am ☐ 12:00 pm ☐ 3:00 pm ☑

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

1099 Alakea Street, Suite #2400
Honolulu, HI 96813

Tel: (808) [Redacted] Fax: (808) [Redacted]
mcsmith@brwncald.com

For Official Use Only

Received: 2/29/08 Information Updated: 3/11/08 Phone Interview Complete: ____________

Notes/Comments: __________________________________________________________________
**Phone Interview**

<table>
<thead>
<tr>
<th>WUP Number:</th>
<th>356</th>
<th>Well Number(s):</th>
<th>3755.03</th>
</tr>
</thead>
</table>

**Contact Name:** Sateri Mane  
**Phone Number:** [Redacted]

**Attempt #1:**  
Date/Time:  
Result: 

**Attempt #2:**  
Date/Time:  
Result: 

**Well Location TMK(s):** S-4-004.002  
**Water Use TMK(s):** S-4-004.002

**Water Source Address:** 54-230 Kamehameha Hwy.

**City:** Waialua  
**Zip Code:** 96717

**Currently using water source?**  
Yes ☐  No ☑

**Notes/Comments:** Use for agriculture, well not in use

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

**Notes/Comments:** Not in use

**How long have you been using this water source?:**  
☐

**Has there been any rezoning of the water source/water use properties?**  
Yes ☐  No ☑

**Have you reported the rezoning to the State?**  
Yes ☐  No ☑  N/A ☑

**If no, explain:** ______________________________________

**Scheduled field investigation day/time:**  
9/15/08 3:30 pm

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

<table>
<thead>
<tr>
<th>Comments To Make:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- 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.</td>
</tr>
<tr>
<td>- A representative from Brown &amp; Caldwell will be making a reminder phone call to you sometime during the week prior to your scheduled field investigation.</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
</tbody>
</table>

**Interviewed By:**  
Date: 5/6/08  
Time: 9:30 am
### Field Investigation Checklist

**WUP Number:** 356  
**Well Number(s):** 3755-03

#### Water Source

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>WUP Number</td>
<td>356</td>
</tr>
<tr>
<td>Well Number(s)</td>
<td>3755-03</td>
</tr>
<tr>
<td>Well Location TMK(s)</td>
<td>5-4-004:002</td>
</tr>
<tr>
<td>Well Head GPS Coordinates</td>
<td>Latitude: ?, Longitude: ?</td>
</tr>
<tr>
<td>Well Type</td>
<td>?</td>
</tr>
<tr>
<td>Currently using water source?</td>
<td>No</td>
</tr>
<tr>
<td>Notes/Comments:</td>
<td>Well location could not be determined</td>
</tr>
</tbody>
</table>

#### Water Use

<table>
<thead>
<tr>
<th>Field</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Use TMK(s)</td>
<td>5-4-004:002</td>
</tr>
<tr>
<td>What is the water being used for?</td>
<td>Not in use</td>
</tr>
</tbody>
</table>

#### 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 ☒  | Usage Area ☒ |
| Water Meter | ☐  | Pump/Motor | ☐ |

**General Notes/Comments:**

---

**Investigated By:** PT  
**Date:** 5/15/08  
**Time:** 3:20
# GROUNDWATER USE PERMIT

**PERMITTEE**

<table>
<thead>
<tr>
<th>Applicant/Water User</th>
<th>Landowner of Source</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant/Water User</strong></td>
<td><strong>Landowner of Source</strong></td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td><strong>Address</strong></td>
</tr>
<tr>
<td>E.L.C. FOUNDATION</td>
<td>ELAINE L. CHANG TRUST</td>
</tr>
<tr>
<td>P.O. BOX 240367</td>
<td>P.O. BOX 240367</td>
</tr>
<tr>
<td>HONOLULU, HI 96824</td>
<td>HONOLULU, HI 96824</td>
</tr>
</tbody>
</table>

**PERMITTED SOURCE INFORMATION**

<table>
<thead>
<tr>
<th>Island</th>
<th>Water Management Area</th>
<th>Aquifer Sector</th>
<th>Aquifer System</th>
<th>System Sustainable Yield</th>
</tr>
</thead>
<tbody>
<tr>
<td>OAHU</td>
<td>KOOLAULOA</td>
<td>WINDWARD</td>
<td>KOOLAULOA</td>
<td>35 mgd</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>HAUULA</td>
<td>0.019 mgd</td>
</tr>
</tbody>
</table>

**PERMITTED USE INFORMATION**

<table>
<thead>
<tr>
<th>Reasonable beneficial use</th>
<th>Withdrawal (12 month moving ave.)</th>
<th>Location of water use</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOMESTIC; LANDSCAPE AND NURSERY IRRIGATION</td>
<td>0.019 mgd (for 8-unit facility; 2-acre nursery, landscape)</td>
<td>TMK # 54-4-2</td>
</tr>
<tr>
<td></td>
<td>&lt; 1%</td>
<td>Address 54-230 KAMEHAMEHA HWY.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>State land use classification AGRICULTURE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>County zoning classification AG-2</td>
</tr>
</tbody>
</table>

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the applicant is hereby authorized to use groundwater from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described, used for the reasonable beneficial use described, and 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 groundwater is a shared use right.

3. The water use must at all times meet the requirements set forth in HRS § 174C-49 (1992), which means that it:
   a. Can be accommodated with the available water source;
   b. Is a reasonable-beneficial use as defined in HRS § 174C-3;
   c. Will not interfere with any existing legal use of water;
   d. Is consistent with the public interest;
   e. Is consistent with State and County general plans and land use designations;
   f. Is consistent with County land use plans and policies; and
   g. Will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act and 174C-101(a), HRS.

4. The groundwater use here must not interfere with surface or other groundwater rights or reservations.

5. The groundwater 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 January 25, 1995 meeting are incorporated into this permit by reference.

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

9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:
   a. protect the water sources (quantity or quality);
   b. meet other legal obligations including other correlative rights;
   c. insure adequate conservation measures;
   d. require efficiency of water uses;
   e. reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   f. meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   g. carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.
Prior to any reduction, the Commission shall give notice of its proposed action to the permittee and provide the permittee an opportunity to be heard.

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

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

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

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

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

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

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

17. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(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 KOOLAULOA Groundwater Management Area.

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

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

20. This permit is subject to the special conditions attached as Exhibit A which are incorporated herein by reference.
21. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS 174C or HAR § 13-171 may result in the suspension or revocation of this permit.

22. The issuance of this permit was approved by the Commission on Water Resource Management at its meeting on January 25, 1995.

MICHAEL D. WILSON, Chairperson
Commission on Water Resource Management
Date of Permit Issuance: APR 13 1995

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed.

Applicant's Signature: Date: OCT 5, '95
Printed Name: E. L. C. FOUNDATION

PLEASE SIGN AND RETURN ONE COPY OF THIS PERMIT TO THE COMMISSION AND RETAIN A COPY FOR YOUR RECORD.
A. The applicant shall consult with the Department of Health if the source is used for domestic supply to ensure compliance with safe drinking water standards.
APPLICATION FOR WATER USE PERMIT

1. (a) APPLICANT
   Firm/Name: E.L.C. Foundation
   Contact Person: Elaine Chang
   Address: P.O. Box 240367
   Honolulu, Hawaii 96824

   (b) LANDOWNER OF SOURCE
   Firm/Name: Elaine L. Chang Trust
   Contact Person: Elaine Chang
   Address: P.O. Box 240367
   Honolulu, Hawaii 96824

SOURCE INFORMATION

2. WATER MANAGEMENT AREA: Koolauloa, Windward Oahu
   ISLAND: Oahu

3. (a) EXISTING WELL/DIVERSION NAME AND STATE NUMBER: Hauula Well, No. 3755-03
   (b) PROPOSED (NEW) WELL/DIVERSION NAME:
   (c) LOCATION: Address 54-230 Kamehameha Highway
   Tax Map Key 5-4-04:02
   (Attach a USGS map, scale 1" = 2000", and a property tax map showing source location referenced to established property boundaries.)

USE INFORMATION

4. SOURCE TYPE (check one): Water Use Permit Type 2
   METHOD OF TAKING WATER (check one): Stream

5. LOCATION OF PROPOSED WATER USE: If possible, show on same maps as source location. Otherwise, attach similar maps
   USE: Irrigation
   USE: Municipal (including hotels, stores, etc.)
   USE: Non-Potable Landscaping
   USE: Warter Management Area
   USE: Other (explain)
   NUMBER OF MEASUREMENT:
   METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:
   PROPOSED USE:
   QUANTITY OF WATER REQUESTED:
   METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:

6. LOCATION OF PROPOSED WATER USE: If possible, show on same maps as source location. Otherwise, attach similar maps
   (d) Current Land Use District (check one):
   (e) Current County Zoning Code: AG-2 (With DLU Conditional Use Permit Type 2)
   (f) Current Use:

7. QUANTITY OF WATER REQUESTED: 19,400 gallons per day
8. METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:
   PROPOSED USE:
   QUANTITY OF WATER REQUESTED:
   METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:

9. LOCATION OF PROPOSED WATER USE: If possible, show on same maps as source location. Otherwise, attach similar maps
   USE: Municipal (including hotels, stores, etc.)
   USE: Non-Potable
   USE: Warter Management Area
   USE: Other (explain)
   NUMBER OF MEASUREMENT:
   METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:
   PROPOSED USE:
   QUANTITY OF WATER REQUESTED:
   METHOD OF MEASUREMENT:
   QUALITY OF WATER REQUESTED:

10. TOTAL NUMBER OF RESIDENCES TO BE SERVED:
    TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP:
    PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:
    TIME OF WATER WITHDRAWAL OR DIVERSION:
    (Daytime hours of operation, ex. 7 a.m. to 2 p.m.)

11. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE:
    (a) Impact on Sustainable yield (lb): No
    (b) Instream Flow Standards affected (lb): No
    (c) Hawaiian Home Lands use affected (lb): No
    (d) Other existing legal uses affected (lb): No
    (e) Other (pending permits, EIS, etc.): No

12. REMARKS, EXPLANATIONS:

   (Back Side)

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

   For questions 12 & 13: If multiple TMKs are involved, please complete Table 1 on back of application.

   TOTAL NUMBER OF RESIDENCES TO BE SERVED: 9 dwelling units (including caretaker's house)

   TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP: 2 plant nursery

   PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION: All hours of the day and night

   (Daytime hours of operation, ex. 7 a.m. to 2 p.m.)

   APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE:

   (a) Impact on Sustainable yield (lb): No
   (b) Instream Flow Standards affected (lb): No
   (c) Hawaiian Home Lands use affected (lb): No
   (d) Other existing legal uses affected (lb): No
   (e) Other (pending permits, EIS, etc.): No

   REMARKS, EXPLANATIONS:

   (Back Side)

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

   For questions 12 & 13: If multiple TMKs are involved, please complete Table 1 on back of application.

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   (a) Impact on Sustainable yield (lb): No
   (b) Instream Flow Standards affected (lb): No
   (c) Hawaiian Home Lands use affected (lb): No
   (d) Other existing legal uses affected (lb): No
   (e) Other (pending permits, EIS, etc.): No

   REMARKS, EXPLANATIONS:

   (Back Side)

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

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   (d) Other existing legal uses affected (lb): No
   (e) Other (pending permits, EIS, etc.): No

   REMARKS, EXPLANATIONS:

   (Back Side)

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

   For questions 12 & 13: If multiple TMKs are involved, please complete Table 1 on back of application.
Available information on the well is summarized in the attached May 18, 1994 letter from Tom Nance to Elaine Chang. Its water will be used to irrigate an adjacent nursery, landscaping for the proposed 8-unit Group Living Facility which would provide residential care for autistic clients, and possibly drinking water for the facility. A Conditional Use Permit, Type 2, has been obtained from the City Department of Land Utilization to construct the facility with the parcel's AG-2 (General Agricultural District) zoning.

### TABLE 1. MULTIPLE TMKs TO USE REQUESTED WATER

<table>
<thead>
<tr>
<th>PROJECT NAME</th>
<th>TMK</th>
<th>CURRENT COUNTY ZONING CODE</th>
<th>NET ACRES</th>
<th>GPD/ACRE</th>
<th>TOTAL GPD</th>
<th>% OF TOTAL TO BE USED OVER NEXT 4 YEARS</th>
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