1993 October 4

Roy Hardy, Lenore Nakama, and Rae M. Loui
State of Hawaii Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

RE: COWRM LETTER OF 9/29/93
WATER USE PERMIT APPLICATIONS (ALBERTINA K. ROBERTS)
KOOLAULOA GROUND WATER MANAGEMENT AREA, OAHU

1. In the telephone conversation with COWRM staff on 9/16/93, I indicated that the unnamed spring sources are difficult to locate because the ground has been excavated to form impoundments, not "that this source cannot be located." Knowledge of the spring sources comes from Ms. Roberts, other kama`aina of the Lai`e area, and various historical and scientific documentation. We can verify that the unnamed spring source registered by Ms. Roberts is not a developed well. It is a natural spring discharge of ground water. Through continuing conversations with Ms. Roberts, it now appears that there may also be a capped well at TMK 5-5-8-50.

2. According to COWRM documents, Well 3956-04 is located at TMK 5-5-8-51, LAT 213903 LONG 1575615, elevation 10'. Was the October 7, 1992 field investigation conducted in the company of Zion Securities personnel? Does Zion Securities file monthly water use reports for this well?

3. In my telephone conversations with Richard Jinnai, he indicated that well no. 3856-07 is used by Mr. Roy Kido, not wells 3956-03 or -04.

4. The subject wells are existing, not proposed. What specifics about "the nature of the area" prevent COWRM from verifying that any of the existing wells reside on Ms. Roberts' property? According to our analysis, none of the active wells reside on Ms. Roberts' properties, but water from one or more of the active wells is used on Ms. Roberts' properties.

COWRM policy appears to be unclear or non-existent concerning issuance of water use permits among source-site owners, source-site operators, on-site users, off-site users of these sources, and associated off-site landowners. Because of this confusion, Ms. Roberts' filed her applications in order to seek protection for existing and continuing use of groundwater on her properties and to preserve her standing in all water matters pertaining to these properties.
Mr. Kido uses water on Ms. Roberts' properties through agreements with Zion Securities. Zion Securities pays Ms. Roberts' for use of the properties. Both Zion Securities and Mr. Kido have failed to respond to our requests for additional information concerning these uses and payments.

Since COWRM is charged with verifying existing water uses, we hope that the following information can be obtained as a result of the upcoming field investigation:

1) Source of water being used on Ms. Roberts' properties.
2) Amount of water being used on Ms. Roberts' properties.
3) Total area of Ms. Roberts' properties on which water use occurs.

If Mr. Kido and Mr. Shiroma can set a field investigation date sufficiently in advance (two weeks), I will arrange to be present.

Mahalo

David C. Penn, Hydro-technical Advisor
FIELD VERIFICATION OF DECLARED WATER SOURCES AND USES

Please take a few minutes to provide the information requested below and return this form to the Commission on Water Resource Management as soon as possible using the enclosed postage-paid envelope.

Who should we contact to arrange for a field inspection of your water source(s) and water use(s), and how can we contact them?

Name(s): DAVID C. PENN (FOR ALBERTINA K. ROBERTS)
Phone No. (Daytime): 956-7781  Phone No. (Evenings): 527-1748
Good time to call: BEFORE 6 AM OR AFTER 6 PM.

Thank you for your cooperation.
ALBERTINA K. ROBERTS
49-549 KAM HWY. 237-86647355
KANEHOE, HAWAII 96744

7/14/1993

Pay to the Order of Dept of Land & Natural Resources
Fifty & 00/100 Dollars

Territorial Savings
Kaneohe Branch
46-005 Kawa Street
Kaneohe, Hawaii 96744

For 2 groundwater applications

gave to Kay for deposit 10/1/93
Ms. Albertina K. Roberts  
c/o David Penn  
1088 Bishop St. #1204  
Honolulu, HI 96813  

Dear Mr. Penn:

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

We acknowledge receipt, on July 15, 1993, of your water use permit applications. However, we have been having difficulty in determining the completeness of your applications for the following reasons:

1. The unnamed springs source was registered by Ms. Roberts but no field investigation was conducted for this site. From a telephone conversation between my staff and you on 9/16/93, you indicated that this source cannot be located. Therefore, we cannot verify if this spring is a developed well or a natural surface water source.

2. The other well sources identified as possible sources, State Well Nos. 3956-03 & 04, are presently registered to Zions Security, Corp. From a field investigation conducted on October 7, 1992, Well No. 3956-03 was identified but Well No. 3956-04 could not be found.

3. Apparently, a Mr. Roy Kido is involved as either a well operator or user of one, or more of these sources who needs to be present to conduct this field investigation.

4. Due to the nature of the area, we cannot verify that any of the proposed wells reside on Ms. Roberts' property.
In order to resolve these issues, Mr. Yoshi Shiroma has been trying to arrange a field investigation date with you and Mr. Roy Kido but has had difficulty in setting a date. Therefore, please fill out the field investigation request form so that you and Mr. Kido will both be present on an agreeable date. Our staff is willing to conduct this investigation on Saturdays if necessary.

Until the field investigation is conducted we cannot determine the completeness of Ms. Roberts's applications. Once a field investigation is completed we will either continue to process the applications or return the $50.00 filing fee and incomplete application forms.

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

Sincerely,

RAE M. LOUI
Deputy Director

RH:fc
Attach.
FIELD VERIFICATION OF DECLARED WATER SOURCES AND USES

Please take a few minutes to provide the information requested below and return this form to the Commission on Water Resource Management as soon as possible using the enclosed postage-paid envelope.

Whom should we contact to arrange for a field inspection of your water source(s) and water use(s), and how can we contact them?

Name(s): __________________________________________________________

Phone No. (Daytime): ___________    Phone No. (Evenings): ___________

Good time to call: ________________________________________________

_________________________________________________________________

_________________________________________________________________

Thank you for your cooperation.
**APPLICATION FOR WATER USE PERMIT**

**PERMITTEE INFORMATION**

1. **(a) APPLICANT**
   - Name: ALBASTRA K. ROBERTS
   - Address: 1038 MAUNAKEA ST., HONOLULU, HI 96814

2. **(b) LANDOWNER OF SOURCE**
   - Name: SAME

**SOURCE INFORMATION**

1. **WATER MANAGEMENT AREA:** KOLOA
   **ISLAND:** OAHU

2. **EXISTING WELL/DIVERSION NAME AND STATE NUMBER:** UNNAMED SPRINGS

**USE INFORMATION**

6. **LOCATION OF PROPOSED WATER USE:**
   - If possible, show on same maps as source location. Otherwise, attach similar maps.
   - Proposed use of water is:
     - Existing
     - New
     - Both existing & new uses
   - Tax Map Key:
     - S-5-8: 1000
     - S-5-8: 100
     - S-5-8: 10
     - S-5-8: 1

9. **QUALITY OF WATER REQUESTED:**
   - Fresh
   - Brackish
   - Salt
   - Potable
   - Non-Potable

10. **PROPOSED USE:**
    - Municipal (including hotels, stores, etc.)
    - Industrial
    - Other (explain)

**TOTAL NUMBER OF RESIDENCES TO BE SERVED:** 2

**TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP:**

**PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:**

**APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE:**

(a) Impact on Sustainable yield (%): 
(b) Instream Flow Standards affected (%): 
(c) Hawaiian Home Lands use affected (%): 
(d) Other existing legal uses affected (%): 
(e) Other (pending permits, EIS, etc.): 

**REMARKS, EXPLANATIONS:**

Note: Applicant understands that, if a water use permit is granted by the Commission on Water Resource Management, a permit is subject to prior existing permitted uses, changes in maintained points and maximum flow as defined by the Commission, and Hawaiian Home Lands future uses. In addition, applicant understands that, upon permit approval, a water shortage plan must be submitted should the Commission require one.

**APPLICATION**

- **APPLICANT:** ALBASTRA K. ROBERTS
- **LANDOWNER:** ALBASTRA K. ROBERTS

**SIGNATURES**

- **APPLICANT:** ALBASTRA K. ROBERTS
- **LANDOWNER:** ALBASTRA K. ROBERTS

**DATE**

- **APPLICANT:** 7/14/93
- **LANDOWNER:** 7/14/93

**5/19/93 WUPA Form**

- **FOR OFFICIAL USE ONLY:**
  - **DATE RECEIVED:**
  - **DATE ACCEPTED:**
  - **HYDROLOGIC UNIT NO.:**
  - **DIVERSION WORKS NO.:**
  - **STATE WATER NO.:**
16. REMARKS, EXPLANATIONS (cont'd):

PREVIOUSLY SUBMITTED DECLARATIONS
OF WATER USE AND REGISTRATIONS OF WATER SOURCES.

APPLICANT HEREBY RESERVES ALL RIGHTS TO:

1. CONTINUOUS, UNINTERRUPTED, EUNDAMESTED NATURAL SPRING FLOW.

2. RESTORATION OF NATURAL SPRING FLOW TO PREVIOUS LEVELS IF
   FLOW REDUCTIONS WERE UNNATURALLY CAUSED IN THE PAST.

3. CONVERSION OF NATURAL SPRING FLOW TO OTHER AGRICULTURAL
   & AQUACULTURAL USES.

4. DEVELOPMENT OF SPRING FLOW & OTHER GROUNDWATER
   FOR DOMESTIC USE ON EACH PARCEL.

AS A NATIVE HAWAIIAN, APPLICANT ENJOYS ADDITIONAL PROTECTIONS
FOR MAINTENANCE OF NATURAL SPRING FLOWS & RESTORATION TO PREVIOUS
FLOW LEVELS.

PROPERTY IS CURRENTLY LEASED - REQUEST THAT WATER USE PERMIT BE
ISSUED TO LANDOWNER, NOT LESSEE.

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>UNITS or NET ACRES</th>
<th>GPD/UNIT or GPD/ACRE</th>
<th>TOTAL GPD</th>
<th>% OF TOTAL TO BE USED OVER NEXT 4 YEARS</th>
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</table>
APPLICATION FOR WATER USE

PERMIT INFORMATION

1. APPLICANT
   - Name: Albertina K. Roberts
   - Firm/Name: Same
   - Address: 648 Kamehameha Hwy, P.O. Box 1415

2. LANDOWNER OF SOURCE
   - Name: Same
   - Address: 648 Kamehameha Hwy, P.O. Box 1415

SOURCE INFORMATION

2. WATER MANAGEMENT AREA: Koolau
   - ISLAND: Oahu

3. EXISTING WELL/DIVERSION NAME AND STATE NUMBER: (See Remarks)
   - New
   - State Key: 5-5-8

(c) LOCATION: Address
   - Tax Map Key: 5-5-8
   - Property Location: Koolau, Oahu

4. SOURCE TYPE (check one):
   - Stream
   - Surface
   - Artesian
   - Other

5. METHOD OF TAKING WATER (check one):
   - Flowmeter
   - Open Pipe
   - Other

6. QUANTITY OF WATER REQUESTED: UP TO 80,000 gallons per day (averaged over 1 year)

7. METHOD OF MEASUREMENT:
   - Pump Capacity x Hours of Operation

8. QUALITY OF WATER REQUESTED:
   - Fresh
   - Brackish
   - Saline
   - Other

9. PROPOSED USE:
   - Municipal
   - Industrial
   - Military

   - Agriculture
   - Conservation
   - Other

10. PROPOSED USE:
    - Commercial
    - Industrial
    - Other

11. TOTAL NUMBER OF RESIDENCES TO BE SERVED:
    - 2

12. TOTAL ACRES TO BE IRRIGATED AND TYPE OF CROP:
    - 2.2

13. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:
    - 7:00 AM to 2:00 PM

14. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON WATER USE:
    - Impact on Sustainable yield
    - Instream Flow Standards
    - Hawaiian Home Lands use
    - Other water uses

15. REMARKS, EXPLANATIONS:
    - See backside

For Official Use Only:
- Date Received
- Date Accepted
- Hydrologic Unit No.
- Diversion Works No.
- State Well No.

NOTE: Signing below indicates that the applicant understands that, if a water use permit is granted by the Commission on Water Resource Management, a permit is subject to prior existing permitted uses, changes in sustainable yields and 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 water shortage plan must be submitted should the Commission require one.
16. REMARKS, EXPLANATIONS (cont'd):  

**APPLICANT'S PROPERTY RECEIVES**

PUMPED GROUNDWATER FROM A ZION SECURITY WELL OPERATED BY BOY KID. WATER IS PRESENTLY USED FOR AGRICULTURAL AND IRRIGATION OF PAPAYA, BANANA, AND LANDSCAPE.

**PREVIOUSLY SUBMITTED DECLARATIONS OF WATER USE**

**APPLICANT HEREBY RESERVES ALL RIGHTS TO CONTINUE RECEIVING WATER FROM THIS WELL, ALTHOUGH WATER USE MAY BE FOR OTHER AGRICULTURAL & AGRICULTURAL CROPS. WATER MAY ALSO BE USED FOR DOMESTIC PURPOSES IN EACH PARCEL.**

**QUANTITY OF WATER REQUESTED IS BASED ON WATER REQUIREMENTS FOR AGRICULTURAL FROM THE DANA WATER USE DEVELOPMENT PLAN.**

\* 5-5-8-51 Well # 3956-04  The Water Commission was unable to confirm the well number. It may be one of these.

5-5-8-58 Well # 3956-03

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<th>GPD/UNIT or GPD/ACRE</th>
<th>TOTAL GPD</th>
<th>% OF TOTAL TO BE USED OVER NEXT 4 YEARS</th>
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