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<td>See Me</td>
<td>Review &amp; Comment</td>
<td>Take Action</td>
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Called in today about #13 and the conditions. She will need more thought on the details.

She should point out that standard condition #15 is for revision.

Also might want to clarify it's a use permit and not a right (Standard Condition #13).
September 24, 2008

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

RE: WUP Permit No. 861 for Well No. 4002-06

Dear Ms. Thielen:

I am in receipt of your letter transferring the water rights from my father, Frank A. Henry (deceased) to myself. Part of the transfer involves my providing you with a plan should there be a water shortage.

This is to inform you that the well has been capped and currently not in use. At the point where I reestablish the use of the well, I will provide a plan to you.

If you have any questions, please call me at 239-9511.

Sincerely,

Patricia Clark
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<td>KIMURA, J.</td>
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<td>YOSHINAGA, M.</td>
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Transfer request - new WUP = 861

Use Water Use Permit, dot in (6: work/forms/templates/group WATER)
Transfer of Water Use Permit (WUP No. 183 to WUP No. 861) for Well No. 4002-06
Kawaiola Ground-Water Management Area, Oahu

We received, on September 8, 2008, your Request to Transfer Water Use Permit for Well No. 4002-06. Please note that as part of the transfer process, we have assigned a new Water Use Permit Number for this well. This is for record-keeping purposes only and voids and supercedes the previous Water Use Permit Number assigned to Well No. 4002-06. As provided by law, your notice of transfer simply notifies us of the transfer; this transfer does not create any new rights and liabilities in favor of or against the transferee.

Your water use permit for Well No. 4002-06 allows you to use 0.005 million gallons per day (mgd) of groundwater from the well on a 12-month moving average basis, as approved by the Commission on Water Resource Management (Commission) on November 18, 1992. A copy of the transferred permit, WUP No. 861, is enclosed for your records.

Please be sure to read the conditions of your permit. Specifically, you should be aware of two key conditions that require your response. First, you are required to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular yearly basis using the enclosed water use report form. You should make copies of the enclosed report form as needed.

Second, you are required to submit a water shortage plan to the Commission within thirty (30) days of the issuance date of this permit transfer. Your water shortage plan simply states what you are willing to do if the Commission declares a water shortage situation in the Kawaiola Ground-Water Management Area. Your plan does not need to be lengthy; in fact, it could consist of a one-page letter. In a water shortage situation, the Commission may require temporary reductions in pumpage from all affected sources. Please be aware that 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 plan. Therefore, your help, by submitting your water shortage plan, is greatly needed in formulating the Commission's overall Water Shortage Plan.

If you have any questions, please call Denise Mills of the Commission staff at 587-0251.

Sincerely,

[Signature]
Laura H. ThieLEN
Chairperson

Attachments

c: Trust of Frank A and Wai Ing Henry
GROUND-WATER USE PERMIT
WUP NO. 861

PERMITTEE

Permittee/Water User                        Landowner of Source
Address Patricia L. Clark   Address Trust of Frank A and Wai Ing Henry
                                      47-667 Hui Alala St.
                                      Kaneohe, HI 96744
                                      47-667 Hui Alala St.
                                      Kaneohe, HI 96744

PERMITTED SOURCE INFORMATION

Island                          Oahu
Water Management Area
Aquifer Sector                   North
Aquifer System                   Kawailoa
System Sustainable Yield        28
Well Name                       Sunset Beach
State Well No.                   4002-06

PERMITTED USE INFORMATION

Reasonable beneficial use      Agricultural irrigation (4 acres of pasture land)
Withdrawal (12-month moving average)                  0.005 mgd
Location of water use
TMK #                             (1) 5-9-013:017
State land use classification   AG
County zoning classification     AG-1

Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the permittee is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means "the use of water in such a quantity as is necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

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

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

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

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

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

7. The water use permit application and submittal, as amended, approved by the Commission at its November 18, 1992 meeting, are incorporated into this permit by reference.

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

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

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

10. An approved flowmeter(s) must be installed to measure monthly withdrawals and a monthly record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a yearly basis (attached).
11. This permit shall be subject to the Commission's periodic review of the Kawaiola 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 Kawaiola Aquifer System, or relevant modified aquifer(s), is reduced.

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

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

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

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

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

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

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

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

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

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

Attachment

c: Trust of Frank A and Wai Ing Henry
State of Hawaii
COMMISSION ON WATER RESOURCE MANAGEMENT
Department of Land and Natural Resources
REQUEST TO TRANSFER WATER USE PERM
X Groundwater  □ Surface Water

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

CURRENT PERMIT HOLDER:
1. (a) PERMITTEE
   Firm/Name FRANK A. HENRY
   Contact Person DECEASED
   Address 59-202 KAM. HUy HALEWA HI 96712
   Phone Fax
   E-mail

   (b) LANDOWNER OF SOURCE
   Firm/Name TRUST OF FRANK A. WAI ING HENRY
   Contact Person PATRICIA L. CLARK
   Address 47-667 HUI ALALA ST, KANEHOE HI 96740
   Phone 239-9511 Fax 239-9511
   E-mail patricia.clark1@gmail.com

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

Signature
Date

PERMIT TO BE TRANSFERRED TO:
2. (a) PERMITTEE
   Firm/Name PATRICIA L. CLARK
   Contact Person
   Address 47-667 HUI ALALA ST, KANEHOE HI 96740
   Phone 239-9511 Fax 239-9511
   E-mail patricia.clark1@gmail.com

   (b) LANDOWNER OF SOURCE
   Firm/Name TRUST OF FRANK A. WAI ING HENRY
   Contact Person PATRICIA L. CLARK
   Address 47-667 HUI ALALA ST, KANEHOE HI 96740
   Phone 239-9511 Fax 239-9511
   E-mail patricia.clark1@gmail.com

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

Signature
Date 9-4-08

Signature
Date 9-4-08

WATER USE PERMIT TRANSFER INFORMATION
3. WATER USE PERMIT NO.: 183 EFFECTIVE DATE OF TRANSFER: 9-4-08
4. WELL/STREAM DIVERSION NAME AND STATE NUMBER: 400 2-0 6
5. T.M.K. AT SOURCE 5-9-15 : 17
6. END USE T.M.K. 5-9-13 : 17
Mr. Frank A. Henry  
Frank A. Henry  
59-202 Kamehameha Hwy.  
Haleiwa, HI 96712

Dear Mr. Henry:

Approval of Water Use Permit for Well No. 4002-06  
Kawailoa Ground Water Management Area, Oahu

On November 18, 1992, the Commission on Water Resource Management approved your application for water use permit from the Henry F. Well (Well No. 4002-06) for an average of 5,000 gallons per day on a moving 12-month basis. A copy of your approved permit submittal is enclosed for your information.

Please be sure to read the conditions of your approved permit submittal. Specifically, you are required to keep monthly records of your pumpage and to submit this information to the Commission once a year. In addition, and prior to final permit document issuance, you are required to submit a water shortage plan to the Commission. Your water shortage plan simply identified what you are willing to do should the Commission declare a water shortage situation in the Kawailoa Ground Water Management Area and can be as short as a one page letter. In a water shortage situation, the Commission may require temporary reductions in pumpage from all sources. The Commission is required by law to formulate a plan to implement such area-wide reductions, which should accommodate, include and be consistent with your plans. Therefore, your help, by submitting your water shortage plan, is greatly needed in formulating the Commission's overall Water Shortage Plan.

If you have any questions, please contact Roy Hardy at 587-0225.

Sincerely,

RAE M. LOUI  
Deputy Director

RH:ko  
Attach.
Mr. Fujimura asked whether it is a culvert or open system, would it empty into Manoa Stream and would an opening have to be provided for the water to flow out. Mr. Sakoda said that was correct. Mr. Fujimura said since there was no controversy on that, he moved for approval of the permit.

Mr. Cox said he would second Mr. Fujimura's motion but with an amendment. Mr. Cox stated that in approving the permit, they should also accept the staff's definition in this instance only and not making it a precedence for future projects. The motion should also include that the Commission has asked the review the definition of stream channel so that in future instances there will be some sort of policy. The Commission is charged with protection the water resource.

Mr. Nakata commented that part of the intent of the Code was, not only the protection of the stream or stream channel, but protection of aquatic resources. In this instance, there are no aquatic resources to protect, which should be an important element in the discussion of these types of projects.

Unanimously approved as amended (Fujimura/Cox).

ITEM 11  Y.Y. VALLEY, PROPOSED FINE, STREAM CHANNEL ALTERATION PERMIT FOR UTILITY BRIDGE, MAKAWAO STREAM, OAHU

Deferred to the December meeting.

ITEM 12  Y.Y. VALLEY, STREAM CHANNEL ALTERATION PERMIT FOR THE CONSTRUCTION OF AN ACCESS BRIDGE AND TEMPORARY CROSSING, MAKAWAO STREAM, OAHU

Deferred to the December meeting. Ms. Donna Wong requested that the Y.Y. Valley applications be put on the agenda first. Chairperson Paty agreed to the request.

ITEM 4  FRANK HENRY, APPLICATION FOR WATER USE PERMIT, KAWAILOA, OAHU

Corrections made by Mr. Hardy:

Under "Total of other pending allocations", should be $\leq$, [>].
Under "Recommendation" ...5,000 gallons per day of brackish [potable] water...

Unanimously approved as corrected (Nakata/Cox).

ITEM 5  T. NAKAMURA. APPLICATION FOR A WATER USE PERMIT, KAWAILOA, OAHU

Correction made under "Background", should read ...August 12, 1992.

Mr. Hardy explained that well No. 4002-09 was stated as 3903-04 in the public notice. The correction was made because the well was not on the well index but has since been verified through the registration program.

Mr. Cox asked if staff was concerned that this was a very deep well. Mr. Hardy explained that the well was found to be an open source, very old well that was dug...
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

SUBMITTAL
Frank A. Henry
Application for a Water Use Permit
Henry F. Well, Well No. 4002-06
Kawailoa Ground Water Management Area, Haleiwa, Oahu

Applicant: Landowner:
Frank A. Henry
Frank A. Henry
59-202 Kamehameha Hwy
59-202 Kamehameha Hwy
Haleiwa, HI 96712
Haleiwa, HI 96712

Background

A completed application was submitted to the Commission on August 8, 1992. The application is for an existing well with the following hydrologic information:

Source Information

Aquifer: Kawailoa System, North Sector, Oahu
Sustainable Yield: 39 mgd
Existing Water Use Permits: 5.960 mgd
Available Allocation: 33.040 mgd
Total of other pending allocations: >.001 mgd

Well: Henry F., Well No. 4002-06
Location: 59-202 Kamehameha Hwy, Oahu, TMK:5-9-13:17
Year Drilled: 1955
Casing Diameter: 8 in.
Elevations (msl)

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<th>Bottom of Perforated Casing</th>
<th>Bottom of Open Hole</th>
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<td>Grouted Annulus Depth:</td>
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Use Information

Quantity Requested: 5,000 gallons per day.
Existing Water Use: Agricultural irrigation for 4 acres of pasture land.
Place of Water Use: 59-202 Kamehameha Hwy at TMK: 5-9-13:17

Nearby Surrounding Wells

There are eight (8) other wells within a mile of this well. (see Exhibit 1.)

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star Bulletin on October 5 & 12, 1992 and copies of the notice were sent to the Mayor's office, Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by October 26, 1992.

Objections

There were no objections filed by any person who has property interest in any land within the hydrologic unit of the source of water supply or any person who will be directly and immediately affected by the proposed water use. Other objections to the application were submitted by:

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<th>Objector</th>
<th>Objection</th>
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<td>Native Hawaiian Advisory Council</td>
<td>General process of water use permit application.</td>
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<td>No specific objections to this application.</td>
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Field Investigation

The water source and existing use was investigated on November 26, 1990 through the registration program. At that time, irrigation was for three 1 acre fields of pasture and livestock in addition to home area. Water is brackish.

Analysis

This existing brackish source uses relatively little water for the purpose of agricultural irrigation of pasture land. The earlier field investigation is not different from his application, therefore the source and use are verified. Impact on wells should not be any different than it has been over the past 37 years. No specific objections to this application have been submitted to the Commission.
RECOMMENDATION:

That the Commission approve the issuance of a water use permit to Frank A. Henry to use 5,000 gallons per day of potable water for agricultural irrigation use over 4 acres of pasture land from the HENRY F. Well, Well No. 4002-06, subject to the following conditions:

1. The water use authorized by the permit must be for the reasonable-beneficial use and from the source described in the permit.

2. The water use and withdrawal shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards.

3. The water use will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act.

4. Prior to issuance of the permit, the applicant shall submit a water shortage plan that identifies what the applicant is willing to do should the Commission declare a water shortage in the Kawailoa Ground Water Management Area.

5. 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.

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

7. The applicant shall update and modify permit when necessary to comply with all applicable laws, rules, and ordinances.

Respectfully submitted,

RAE M. LOUI
Deputy Director

Attach.

APPROVED FOR SUBMITTAL:

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

Dear Ms. Loui:

Subject: Your Letter of October 9, 1992 on Water Use Permit Application for Frank A. Henry Well No. 4002 Haleiwa

We have no objection to the approval of the water use permit for the existing well, as the purpose of the well is to irrigate four acres of pasture when required.

If you have any questions, please call George Hiu at 527-6134.

Very truly yours,

KAZU HAYASHIDA  
Manager and Chief Engineer
MEMO FOR THE RECORD REGARDING UPDATING INFORMATION FROM WATER USE DECLARATIONS FOR WELL PERMIT APPLICATIONS

Additional information obtained by: Field Inspection or telephone interview.

Date: November 16, 1992 By: Susan Swanson, CWRM Staff

Applicant: Frank Henry Telephone #: 638-8298

Well #: 4002-06

Pump type: i.e. submersible, electric, portable gasoline, etc.: Electric

Make of Pump installed: Fairbanks Morse installed in 1950's HP: 5 Pump Serial #: n/a

GPM: 50

USE INFORMATION:

Metered? YES, NO Meter Manufacturer: n/a Serial #: n/a

Area of Use: 4 acres Comments: Mr. Henry also leases another 1.5 acres that are not irrigated.

Use water for: Irrigation of 4 acres of pasture with sprinkler system and drinking water for livestock (5 cattle).

Use very dependent on rainfall-- when there is sufficient rainfall, applicant does not irrigate pastures. Mr. Henry stated on 11/16/92 that he hasn't irrigated for about two months because the rainfall has been sufficient. However, in very dry weather, he estimated that he would irrigate 8 hours/day. (8 hours x 60 minutes x 50 gpm = 24,000 gpd) every day. That would be unusually high use for Mr. Henry. Mr. Henry was unable to estimate an average use, since it is so dependent on the weather, but approved Roy Hardy's estimate of 5000 gallons per day.
DECLARANT (File Reference)  HENRY FA  DATE 11-26-90
PRESENT  M. OYAMA  &  OKAMURA  &  F. HENRY
LOCATION  TUK  5-9-13  2:30  17
SOURCE(S)  WELL NO. 4002-010
USE(S)  LIVESTOCK & IRRIGATION

FIELD NOTES  Mr. Frank A. Henry's residence is located at 59-202 Kam. Hwy in Sunset Beach. Water is used to irrigate 3 pasture fields and for watering livestock. Well has a 50 GPM vertical turbine pump and is used occasionally depending on weather. Water is pumped from well to a trailer tank located at the mauka portion of parcel #17, then gravity fed down to parcels 2-7-17. Grass irrigated with sprinklers - water is plentiful.
ELECTRIC MOTOR - 50 GPM CAPACITY
REGISTRATION OF WELL 
AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as Not Applicable. Fill out as completely as possible, sign, and file form with the Division of Water Resource Management, P.O. Box 373, Honolulu, Hawaii 96806. Phone 548-3948 or 548-7563 for assistance.

BATTERY OF WELLS: For a battery of wells, on the surface, in a tunnel, or in a shaft, submit a registration form for each well together with a single map or plot plan showing layout of wells.

STATE WELL NO.: N/A 4002-06
WELL NAME OR DESIGNATION: N/A
ISLAND: OAHU

A. WELL OPERATOR
Firm name: HENRY, HENRY
Contact person: HENRY, HENRY
Address: 97-202 KAM HAWI, HAWI, HI
Zip: 96712 Phone: 638-8219

B. OWNER OF WELL SITE
Firm name: HENRY, HENRY
Contact person: HENRY, HENRY
Address: 97-202 KAM HAWI, HAWI, HI
Zip: 96712 Phone: 638-8219

C. WELL LOCATION
Tax Map Key: 5-9-13-0000-Town, Place, District: PUPUKA - PUNALU
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the well location.

D. WELL DATA
For Drilled Wells, submit "as-built" drawing, driller's log, and pump test results, and complete table below.
For Tunnels and shafts, submit construction drawings, plot plan, or sketch map.

Ground elevation (Mean sea level): 40 ft.
Reference point (used to measure depth to water): HAWI, HI
Elevation: HAWI, HI
Description: HAWI, HI

Depth to water (below reference point): 90 ft.
Maximum recorded chloride: N/A ppm
Minimum recorded chloride: N/A ppm
Maximum chloride in 1987: N/A ppm

E. INSTALLED PUMP DATA
Pump type: Vertical shaft
Power: Gas
Pump capacity: 60 gallons per minute
Pump installation contractor: KOS

For Official Use Only:
Date received: Date accepted:
Field checked by: HENRY, HENRY Date: 11-26-90 Latitude: 21° 40' 24" Hydrologic Unit:
Comments:

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.
F. DECLARATION OF WATER USE

NOTE: The purpose of the Declaration of Water Use is to obtain information necessary for the management of the State's water resources. The Declaration does not confer a legal right to water or its use.

Water use data are recorded: Daily  Weekly  Monthly
☐ Other (Describe): ____________________________

Method of measurement: ☐ Flow Meter  ☐ Orifice  ☐ Other (Describe): ESTIMATED

Quantity of Use (Report metered or estimated monthly water use from the well described on the reverse side of this form, for the calendar years 1983 through 1987. For a battery of wells which are not individually metered, but which are connected to a single meter or other measuring device, report total use from the battery):

WATER USE, IN GALLONS x 1000

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Minimum day's use: 0 gallons  Maximum day's use: 15,000 gallons

Typical times of usage: 3 PM - 7 PM

Type of Use (Check all category boxes that apply and provide additional information as indicated):

☐ Municipal (including resorts, hotels, businesses)
☐ Domestic (systems serving 25 people or less)
☒ Irrigation
☐ Industrial
☐ Military
☐ Other

Additional Information

Number of service connections: A

Acres Irrigated: 4
Crop(s): ☐ Sugar  ☐ Pineapple  ☐ Other (specify):
Non-Crop: ☐ Landscape  ☐ Golf Course  ☐ Other (specify):
Method: ☐ Drip  ☐ Furrow  ☐ Sprinkler  ☐ Cooling  ☐ Manufacturing  ☐ Mill  ☐ Other (specify):

Specify (livestock, aquaculture, etc.): LIVESTOCK

I declare that the contents of the above Declaration of Water Use are, to the best of my knowledge and belief, true, correct, and complete.

Water User's Signature: J. G. Henry  Date: 5-27-89
Printed Name: J. G. Henry  Firm or Title (Well Operator, etc.): J. G. Henry
MEMORANDUM

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

FROM: Don Hibbard, Administrator
Historic Preservation Division

SUBJECT: Water Use Permit Application,
Kawaiola Ground Water Management Area,
Well No. 4002-06

Thank you for the opportunity to review this project. This application concerns the use of water from an existing facility. Therefore, we believe that any permit granted this application will have "no effect" on historic sites.

TD:amk
MEMORANDUM

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

FROM: Henry M. Sakuda, Administrator
      Division of Aquatic Resources

SUBJECT: Comments on Water Use Permit Application for Frank A. Henry for
         Well No. 4002-06 at Pupukea, Oahu

The proposal involves installation of a well to access basal water for
irrigation purposes. The quantity of water to be pumped is listed as unknown but
an upper limit of 0.3 million gallons per month is indicated.

There appears to be no potential for impact on surface waters. We
therefore have no objection with reference to the potential effects on the
aquatic biota.
Honorable Walter Watson, Jr., Chair  
Board of Water Supply  
630 South Beretania Street  
Honolulu, Hawaii 96843  

Dear Mr. Watson:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.

In addition, Section 13-171-13(b) 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,

[Signature]

WILLIAM W. PATY

Attach.
OCT 9 1992

Honorable Walter Watson, Jr., Chair
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843

Dear Mr. Watson:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.

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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,

William W. Paty
Chairperson

Attach.
Honorable Arnold Morgado, Jr., Chair
City Council
City & County of Honolulu
City Hall
Honolulu, Hawaii 96813

Dear Mr. Morgado:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.

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Very truly yours,

[Signature]

WILLIAM W. PATY
DEPUTY

Attach.
Honorable Frank F. Fasi, Mayor  
City & County of Honolulu  
City Hall  
Honolulu, Hawaii 96813  

Attn: Mr. Jeremy Harris  

Dear Mayor Fasi:  

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.  

In addition, Section 13-171-13(b) states:  

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Very truly yours,  

[Signature]  
WILLIAM W. PATY  

Attach.
MEMORANDUM

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

FROM: William W. Paty, Chairperson

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

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact Ms. Rae M. Loui, Deputy Director, at 587-0214.

Enc.
Mr. Clayton H. W. Hee  
Chairman & Trustee At Large  
Office of Hawaiian Affairs  
711 Kapiolani Blvd., Suite 500  
Honolulu, Hawaii 96813-5249  

Attn: Ms. Linda Delaney, Land & Natural Resources Division  

Dear Mr. Hee:  

Water Use Permit Application  
Kawailoa Ground Water Management Area, Oahu  

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.  

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.  

Should you have any questions, please contact Ms. Rae M. Loui, Deputy Director, at 587-0214.  

Very truly yours,  

WILLIAM W. PATY  

Enc.
Mr. Kazu Hayashida
Manager and Chief Engineer
Board of Water Supply
630 south Beretania Street
Honolulu, Hawaii 96814

Dear Mr. Hayashida:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.

In addition, Section 13-171-13(b) states:

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

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

Sincerely,

RAE M. LOUI
Deputy Director

RH:ko
Enc.
Mr. Dave Martin  
Native Hawaiian Advisory Council  
1088 Bishop St., Suite 1204  
Honolulu, Hawaii 96813  

Dear Mr. Martin:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the water use application public notice from Frank A. Henry for Well No. 4002-06, which is to be published in the Honolulu Star Bulletin.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

Sincerely,

RAE M. LOUI  
Deputy Director
Ms. Marjorie Ziegler  
Sierra Club Legal Defense Fund, Inc.  
212 Merchant Street, Room 202  
Honolulu, Hawaii 96813

Dear Ms. Ziegler:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the water use application public notice for Frank A. Henry for Well No. 4002-06, which is to be published in the Honolulu Star Bulletin.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

Sincerely,

RAE M. LOUI  
Deputy Director

RH:ko  
Enc.
MEMORANDUM

TO: Mr. Henry M. Sakuda, Administrator
   Aquatic Resources Division

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

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

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

RH:ko
Attach.
MEMORANDUM

TO: Mr. Don Hibbard, Director
    Historic Preservation Program Division

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

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

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

RH:ko
Attach.
MEMORANDUM

TO: Mr. Thomas Arizumi, Chief
    Environmental Management Division
    State Department of Health

ATTN: Mr. William Wong

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

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

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact the Commission on Water Resource Management at 587-0225.

RH:ko
Enc.
Honorable Frank F. Fasi, Mayor  
City & County of Honolulu  
City Hall  
Honolulu, Hawaii 96813  

Attn: Mr. Jeremy Harris  

Dear Mayor Fasi:  

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Kawailoa Ground Water Management Area, Oahu  

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Very truly yours,  

/S/ RAE M. LOUI  

WILLIAM W. PATY  

Attach.
MEMORANDUM

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

FROM: William W. Paty, Chairperson

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

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact Ms. Rae M. Loui, Deputy Director, at 587-0214.

Enc.
Mr. Clayton H. W. Hee  
Chairman & Trustee At Large  
Office of Hawaiian Affairs  
711 Kapiolani Blvd., Suite 500  
Honolulu, Hawaii 96813-5249

Attn: Ms. Linda Delaney, Land & Natural Resources Division

Dear Mr. Hee:

Water Use Permit Application  
Kawailoa Ground Water Management Area, Oahu

Transmitted for your review and comment is a copy of a water use permit application for Frank A. Henry for Well No. 4002-06.

If you have any objections or comments on the above application, please submit them to us in writing by October 26, 1992.

Should you have any questions, please contact Ms. Rae M. Loui, Deputy Director, at 587-0214.

Very truly yours,

/S/ RAE M. LOUI

WILLIAM W. PATY

Enc.
Honorable Arnold Morgado, Jr., Chair
City Council
City & County of Honolulu
City Hall
Honolulu, Hawaii 96813

Dear Mr. Morgado:

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Kawaiola Ground Water Management Area, Oahu

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Very truly yours,

/S/ RAE M. LOUI

WILLIAM W. PATY

Attach.
Honorable Walter Watson, Jr., Chair
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96843

Dear Mr. Watson:

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

In accordance with the Department of Land and Natural Resource Administrative Rule, Section 13-171-17(a), we are sending you a copy of the public notice which was published in the Honolulu Star Bulletin.

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Very truly yours,

/S/ RAE M. LOUI

WILLIAM W. PATY

Attach.
Mr. Frank A. Henry  
59-202 Kamehameha Hwy.  
Haleiwa, HI 96712

Dear Mr. Henry:

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

We acknowledge receipt, on September 4, 1992, of your completed water use permit application for the Henry F. Well (Well No. 4002-06). You can expect your application to be processed within ninety (90) days from the date of receipt unless there are objections to your application.

We will be sending you a copy of the public notice for your application and any further information regarding the status of your application in the near future.

If you have any questions, please contact Ed Sakoda at 587-0225.

Sincerely,

RAE M. LOUI  
Deputy Director

RH:ko
FACSIMILE TRANSMITTAL PAGE

Please deliver the following pages to:

Name: Hawaii Newspaper Agency
       Honolulu Star Bulletin Attn: Legal Advertising

Company:                                                     
From:                                                        
Date: September 30, 1992 Time: 10:15 am

Message: PUBLIC NOTICE: Applications for Water Use Permits
          Ground Water Management Areas, Oahu & Molokai

Total number of pages (including Transmittal Page): 5

If you do not receive all of the pages legibly, please call back: (808) 587-0225

Sending Facsimile Number: (808) 587-0219
Receiving Facsimile Number: (808) 525-7469

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE) WAS SENT

** COUNT **
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*** SEND ***

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XEROX TELECOPIER 7020
FACSIMILE TRANSMITTAL PAGE

Please deliver the following pages to:

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Name:                                                                 

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Message:    PUBLIC NOTICE: Applications for Water Use Permits

Ground Water Management Areas, Oahu & Molokai

Total number of pages (including Transmittal Page): 5

* * * * * * * *

If you do not receive all of the pages legibly, please call back: (808) 587-0225

Sending Facsimile Number: (808) 587-0219
Receiving Facsimile Number: (808) 525-7449
PUBLIC NOTICE

Applications for Water Use Permits
Ground Water Management Areas, OAHU & MOLOKAI

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

HONOLULIULI I-4 (Well No. 2303-10)
Applicant: CAMPBELL ESTATE
828 Fort St. Mall, Ste. 500
Honolulu, HI 96813
Date Completed Application Received: September 1, 1992
Aquifer: WAIPAHU System, PEARL HARBOR Sector, OAHU
Well Source: HONOLULIULI I-4, Well No. 2303-10, HONOLULIULI, EWA, OAHU at Tax Map Key: 9-2-1:1
Quantity Requested: 1,120,000 gallons per day
Proposed Water Use: MUNICIPAL FOR KAPOLEI CITY AND BUSINESS
Place of Water Use: KAPOLEI CITY AND BUSINESS at Tax Map Key: 9-1-15 & 16

HONOLULIULI I-5 (Well No. 2302-05)
Applicant: CAMPBELL ESTATE
828 Fort Street Mall, Ste. 500
Honolulu, HI 96813
Date Completed Application Received: September 1, 1992
Aquifer: WAIPAHU System, PEARL HARBOR Sector, OAHU
Well Source: HONOLULIULI I-5, Well No. 2302-05, HONOLULIULI, EWA, OAHU at Tax Map Key: 9-2-1:1
Quantity Requested: 1,120,000 gallons per day
Proposed Water Use: MUNICIPAL KAPOLEI CITY AND BUSINESS
Place of Water Use: KAPOLEI CITY AND BUSINESS at Tax Map Key: 9-1-15 & 16

HONOLULIULI I-6 (Well No. 2302-06)
Applicant: CAMPBELL ESTATE
828 Fort Street Mall, Ste. 500
Honolulu, HI 96813
Date Completed Application Received: September 1, 1992
Aquifer: WAIPAHU System, PEARL HARBOR Sector, OAHU
Well Source: HONOLULIULI I-6, Well No. 2302-06, HONOLULIULI, EWA, OAHU at Tax Map Key: 9-2-1:1
Quantity Requested: 1,120,000 gallons per day
Proposed Water Use: MUNICIPAL FOR KAPOLEI CITY AND BUSINESS
Place of Water Use: KAPOLEI CITY AND BUSINESS at Tax Map Key: 9-1-15 & 16

(more)
HONOLULU III-1 (Well No. 2403-01)
Applicant: CAMPBELL ESTATE
828 Fort Street Mall, Ste. 500
Honolulu, HI 96813

Date Completed Application Received: September 1, 1992
Aquifer: EWA-KUNIA System, PEARL HARBOR Sector, OAHU
Well Source(s): HONOLULU III-1, Well No. 2403-01, HONOLULI, EWA, OAHU at
Tax Map Key: 9-2-1:1
Quantity Requested: 1,040,000 gallons per day
Proposed Water Use: MUNICIPAL FOR KAPOLEI CITY AND BUSINESS
Place of Water Use: KAPOLEI CITY AND BUSINESS at Tax Map Key: 9-1-15 & 16

HENRY F. (Well No. 4022-06)
Applicant: FRANK A. HENRY
59-202 Kamehameha Hwy.
Haleiwa, HI 96712

Date Completed Application Received: August 8, 1992
Aquifer: KAWAILOA System, NORTH Sector, OAHU
Well Source(s): HENRY F., Well No. 4002-06, at 59-202 Kamehameha Hwy., OAHU at
Tax Map Key: 5-9-13:17
Quantity Requested: 5,000 gallons per day
Proposed Water Use: IRRIGATION OF FOUR (4) ACRES OF PASTURE LAND
Place of Water Use: 59-202 KAMEHAMEHA HWY at Tax Map Key: 5-9-13:17

SCHOFIELD SHAFT (Well No. 2901-02)
Applicant: DPW, USA SCH
APVG-GWC-T
Fort Shafter, HI 96585

Date Completed Application Received: August 26, 1992
Aquifer: WAIAWA System, CENTRAL Sector, OAHU
Well Source(s): SCHOFIELD SHAFT, Well Nos. 2901-02 to 04, a SCHOFIELD DEEPWELL
WTP, OAHU at Tax Map Key: 7-6-1:1
Quantity Requested: 1,056,000 gallons per day
Proposed Water Use: MILITARY USE FOR DOMESTIC PURPOSES AND IRRIGATION OF
LEILEHUA AND KALAKAUA GOLF COURSE, SCHOFIELD, OAHU
Place of Water Use: VARIOUS, SCHOFIELD, OAHU at Tax Map Key: 7-7-1:1

MILILANI MAUKA A, B, & C (Well Nos. 2858-01 to 03)
Applicant: CASTLE & COOKE
650 Iwilei Rd.
Honolulu, HI 96817

Date Completed Application Received: September 1, 1992
Aquifer: WAIAWA System, PEARL HARBOR Sector, OAHU
Well Source(s): MILILANI MAUKA A, B, & C, Well Nos. 2858-01 to 03, CENTRAL OAHU at
Tax Map Key: 9-5-3:1
Quantity Requested: 2,380,000 gallons per day
Proposed Water Use: MUNICIPAL MILILANI MAUKA ZONE 1B DEVELOPMENT
Place of Water Use: 95-2000 MEHEULA PARKWAY at Tax Map Key: 9-5-2:1

(more)
WAIPAHU III (Well Nos. 2459-26 to 30)
Applicant: HONOLULU BWS
630 S. Beretania St.
Honolulu, HI 96843
Date Completed Application Received: September 1, 1992
Aquifer: WAIPAHU System, PEARL HARBOR Sector, OAHU
Well Source: WAIPAHU III, WAPIO GENTRY, OAHU at Tax Map Key: 9-4-7:1
Quantity Requested: 3,000,000 gallons per day, total, from five wells
Proposed Water Use: MUNICIPAL
Place of Water Use: MUNICIPAL SYSTEM IN EWA INCLUDING 2.0 MGD FOR VILLAGES
OF KAPOLEI STATE PROJECT at Tax Map Key: 9-1-16:25 & OTHER AREAS IN THE EWA
AREA, OAHU

SHIGE'S FARM (Well No. 0352-03)
Applicant: SHIGENOBU INOYUE
P.O. Box 457
Kaunakakai, HI 96748
Date Completed Application Received: July 7, 1992
Aquifer: KAWELA System, SOUTHEAST Sector, MOLOKAI
Well Source(s): SHIGE'S FARM, Well No. 0352-03, near SHIGE'S FARM at MOLOKAI,
Tax Map Key: 5-6-7:48
Quantity Requested: 2,000 gallons per day
Proposed Water Use: IRRIGATION FOR 8.9 ACRES OF TRUCK CROP
Place of Water Use: KAMALO, MOLOKAI, HI at Tax Map Key: 5-6-7:48

Written objections or comments on the applications for water use may be filed by
any person who has property interest in any land within the hydrologic unit of the source of
water supply or who will be directly and immediately affected by the proposed water uses.
Written objections shall: (1) state property or other interest in the matter; (2) set forth
questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all
grounds for objections to the proposed permits. Send written objections by OCTOBER 26,
1992 to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu,
Hawaii 96809, and 2) a copy of the letter to the applicant at the above address.

COMMISSION ON WATER RESOURCE MANAGEMENT

Dated: SEP 30 1992

WILLIAM W. PATY, Chairperson

Publish in: Honolulu Star Bulletin, issues of OCTOBER 5 & 12, 1992


**STATE OF HAWAII**

**REQUISITION & PURCHASE ORDER**

**DEPARTMENT OF LAND AND NATURAL RESOURCES**

**ORGANIZATION**

**NOTICE TO VENDORS**
Conditions of purchase are listed on the back side of this purchase order. Please read carefully. Payments may be delayed if all steps are not followed.

Hawaii Newspaper Agency
Honolulu Star Bulletin
P.O. Box XXXXXX 3350
Honolulu, Hawaii 96801

ATTN: Legal Ad

The State of Hawaii is an EQUAL EMPLOYMENT OPPORTUNITY and AFFIRMATIVE ACTION employer. We encourage the participation of women and minorities in all phases of employment.

**QUAN. UNIT DESCRIPTION OBJECT UNIT PRICE AMOUNT**

<table>
<thead>
<tr>
<th>QUAN.</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>OBJECT</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
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<td>PUBLIC NOTICE</td>
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Applications for Water Use Permits
Ground Water Management Areas, Oahu & Molokai

Publish in issues of October 5 & 12, 1992
(see attached notice)

Price List No. PL 92-66

2,000.00
CONDITIONS - READ CAREFULLY

1. Prices include delivery charges unless otherwise stated.

2. Show purchase order number, date, appropriation symbol, and discounts allowed on all invoices.

3. The State reserves the right to reject any items supplied that are not in accordance with specifications even though payment has been made in order to obtain discounts.

4. This is not a purchase order unless assigned a P.O. number and authenticated by authorized signature.

5. Send original and three (3) copies of invoice. (The Original invoice is required under sections 40-56 and 40-57, Hawaii Revised Statutes, before payments can be made.)

6. Vendor and purchaser recognize that in actual economic practice, overcharges resulting from antitrust violations are in fact usually borne by the purchaser. Therefore, vendor hereby assigns to purchaser any and all claims for such overcharges as to goods and materials purchased in connection with this order or contract, except as to overcharges which result from antitrust violations commencing after the price is established under this order or contract and which are not passed on to the purchaser under an escalation clause.
## APPLICATION FOR WATER USE PERMIT

**STATE OF HAWAII**

**COMMISSION ON WATER RESOURCE MANAGEMENT**

**Department of Land and Natural Resources**

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### DIV. OF WATER & LAND DEVELOPMENT

- **Type of Water Use:** Ground Water
- **Proposed Source:** Kamalu

---

#### 1. APPLICANT

- **Name:** Frank A. Henry
- **Address:** 59-202 Kamalu
- **Phone:** 628-3256

#### 2. WATER MANAGEMENT AREA:

- **Island:** Oahu
- **District:** Kawailoa

#### 3. (a) EXISTING SOURCE NAME AND STATE NUMBER:

- **Name:** Henry
- **State Number:** NA

#### 4. SOURCE LOCATION:

- **Address:** 59-202 Kamalu

#### 5. SOURCE TYPE:

- **Stream**
- **Basal**
- **Dike-confining**
- **Perched**
- **Caprock**

#### 6. METHOD OF TAKING WATER:

- **Artesian Flow**
- **Well & Pump**

#### 7. LOCATION OF PROPOSED WATER USE:

- **Address:** 59-202 Kamalu
- **Tax Map Key:** 59-013-011

#### 8. QUANTITY OF WATER REQUESTED:

- **Type:** Irrigation
- **Gallons per day:** Unknown

#### 9. METHOD OF MEASUREMENT:

- **Flowmeter**
- **Open pipe**
- **Water**
- **Orifice**
- **Other (explain):**

#### 10. QUALITY OF WATER REQUESTED:

- **Clear**
- **Brackish**
- **Salt**
- **Potable**
- **Non-Potable**

#### 11. PROPOSED USE:

- **Municipal (including hotels, stores, etc.):**
- **Domestic (individual, noncommercial, etc.):**
- **Irrigation:**
- **Industrial:**
- **Military:**
- **Other (explain):**

#### 12. NUMBER AND TYPE OF UNITS TO BE SERVED:

- **Type:** Pasture

#### 13. TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP:

- **4 acres**

#### 14. PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:

- **2 PM to 6 PM**

#### 15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:

- **Impact on Sustainable yield:** None
- **Permeant or Interim:** None
- **Instream Flow Standards affected:** None
- **Hawaiian Home Land uses affected:** None
- **Other existing legal uses affected:** None

#### 16. REMARKS, EXPLANATIONS:

- **Amount of water pumped depends on rainfall & weather conditions**

---

**Signature:** Frank A. Henry

**Date:** 8-1-92

---

**For Official Use Only**

**Hydrologic Unit No.:** 30-403

**Diversions Works No.:**

**State Well No.:**

**Public Hearing:**
PAY TO THE
ORDER OF
COMMUNICATIONS
Twenty Five
Dollars

FRANK A. HENRY, 576-28-0912
WAIING HEN
59 - 202 KAM HWY, 639-8299
HALEIWA, HI 96712

KAM

636-6296

HALEIWA, HI 96712

MEMO

First Hawaiian Bank
56-665 KAMEHAMEHA HIGHWAY
KAHUKU, HAWAII 96731

59-101/1213

FRANK A. HENRY

KAHUKU BRANCH
AUG 11 1992

Mr. Frank A. Henry
59-202 Kamehameha Hwy
Haleiwa, HI 96712

Dear Mr. Henry:

Water Use Permit Application

We received your initial application for a water use permit. However, your application is incomplete and may not be accepted by the Commission on Water Resource Management as submitted.

We are returning your original application and ask that you please supply the highlighted information and initial it to complete your application so that we may process it as soon as possible.

To help you complete the highlighted information, we know from a November 26, 1990 field inspection that your registered source well name is Henry F. and that the well no. is 4002-06. Also, since we have inspected your situation already, there is no need to submit the map information required on the application. However, we have enclosed the appropriate maps should you wish to include this information with your completed water use permit application.

If you have any questions, please contact Roy Hardy at 587-0274.

Sincerely,

RAE M. LOUI
Deputy Director

RH:ko
Enc.
APPLICATION FOR WATER USE PERMIT

1. (a) APPLICANT
   Firm/Name: FRED A. HENNY
   Contact Person: Above
   Address: 57-202 KAM HWY
2. WATER MANAGEMENT AREA: KAAWALOA
3. (a) EXISTING SOURCE NAME AND STATE NUMBER: 
   (b) PROPOSED (NEW) SOURCE NAME: 
   SOURCE LOCATION: Address 57-202 KAM HWY
4. SOURCE TYPE: (check one): [] Stream (b) Artesian Flow  (c) Well & Pump
   TYPE: (check one): [] Artesian Flow  (d) Diverted Surface Flow 
5. METHOD OF TAKING WATER: (check one): [] Artesian Flow  (f) Other
6. LOCATION OF PROPOSED WATER USE: (If possible, show on same maps as source location, Otherwise, attach similar maps)
   (a) Address: 57-202 KAM HWY
   (b) Land Use District (check one): [] Urban  (d) Conservation  (g) Rural
   (c) County Zoning (describe):
7. QUANTITY OF WATER REQUESTED: 1/4 ACRE - 1 ACRE
   METHOD OF MEASUREMENT: [] Floorometer  (b) Other
   QUALITY OF WATER REQUESTED: [] Fresh  (d) Domestic
   PROPOSED USE: [] Industrial  (e) Military
   NUMBER AND TYPE OF UNITS TO BE SERVED (explain): 
   TOTAL ACRES PROPOSED FOR IRRIGATION AND TYPE OF CROP: 
   (acres) (crop)
   PROPOSED TIME OF WATER WITHDRAWAL OR DIVERSION:
   (Indicate hours of operation)
15. APPLICANT MUST BRIEFLY DESCRIBE FOLLOWING POTENTIAL RESTRICTIONS ON USE:
   (a) Impact on Sustainable yield (?): 
   (b) Permanant or Interim
   (c) Hawaiian Home Land uses affected (?): 
   (d) Other existing legal uses affected (?): 
   (e): 
16. REMARKS, EXPLANATIONS:

NOTE: Signing below indicates that the applicant understands that, if a water use permit is granted by the Commission on Water Resource Management, a permit is subject to prior existing permitted uses, changes in sustainable yields and 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.

Applicant (print): FRED A. HENNY
Signature: 
Date: 8-1-92

Hydrologic Unit No.

For Official Use Only:
Date Received: 9/1/92
Date Accepted: 
Notice Date:

Landowner (print): 
Signature: 
Date: 8- 1- 92

Diversion Works No.
State Well No.
Mr. Frank A. Henry  
59-202 Kamehameha Hwy.  
Haleiwa, HI 96712

Dear Mr. Henry:

Notice of Ground Water Management Area Designations  
Windward O'ahu

We have on record that you registered an existing use from a ground water source in Windward O'ahu with the Commission on Water Resource Management (CWRM). We are notifying you that on May 5, 1992, the CWRM designated Windward O'ahu and its aquifer systems, consisting of the Waimanalo, Koolaupoko, Kahana, Koolauloa, and Kawaiola Aquifer Systems, as Ground Water Management Areas. As published in the recent public notice in the Honolulu Advertiser & Star Bulletin, the effective date of these ground water management area designations was July 15, 1992.

In accordance with the State Water Code, Section 174C-48, no person, except domestic home users, shall make any withdrawal, diversion, impoundment, or consumptive use in any designated water management area without obtaining a water use permit. Thus, ground water use permits are required for all non-domestic home uses of ground water on the windward side of O'ahu. If you are presently using ground water for non-domestic purposes, you must apply for a ground water use permit by July 15, 1993, or within one (1) year of the effective date of designation, to continue your existing withdrawal and use of ground water. An application form and other information are attached for your convenience.

If you have any questions or need help in completing the form, please contact Roy Hardy at 587-0225.

Sincerely,

[Signature]

RAE M. LOUI
Deputy Director

RH:ko
Attachments
WATER USE PERMIT NO. 183

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: Frank A. Henry
59-202 Kamehameha Hwy.
Sunset Beach, HI 96712

Landowner of Source: Frank A. Henry
59-202 Kamehameha Hwy.
Sunset Beach, HI 96712

Permitted Withdrawal Rate: 0.005 mgd (Based upon a 12-month moving average)

Water Management Area: Kawaiola
Island: Oahu
Aquifer Sector/System: North/Kawaiola
System Sustainable Yield: 39 mgd
Water Type: Brackish
Original CWRM Date: November 18th, 1992
Standard Conditions: 1, 4, 6, 8, 10, 11, 14
Special Conditions: None

Water Source

State Well Number(s): 4002-06
Well Name: Henry F.
Water Source TMK Number(s): 1st Division, 5-9-013:017
State Land Use Classification(s): Agriculture
County Zoning Classification(s): Country
Geographical Coordinates: Latitude 21° 40' 12.7" North
Longitude 158° 02' 34.3" West

End Use

End Use TMK Number(s): 1st Division, 5-9-013:017
State Land Use Classification(s): Agriculture
County Zoning Classification(s): Country
Beneficial Use Explanation: Use for 4 acres of pasture land

BROWN AND CALDWELL
Summary Report for Water Use Permit No. 183
Background Information

Water Use Permit 183 was approved during the November 18th, 1992 Commission on Water Resource Management meeting. There are no monthly water use or salinity records on file for State Well No. 4002-06. Standard conditions 1, 4, 6, 8, 10, 11, & 14 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the permit file.

Field Investigation Information

Contact: Patty Clark
Site Address: 59-202 Kamehameha Hwy.
Sunset Beach, HI 96712

Brown and Caldwell conducted a field investigation on August 15th, 2008 from 8:00 a.m. until 8:30 a.m. with Ms. Lori Greenhouse, who is an associate of Ms. Patty Clark. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. Reference the TMK and GIS maps in the permit file for a visual representation of the site.

Summary of Findings for Water Use Permit No. 183

State Well No. 4002-06 is located on TMK parcel 5-9-013:017 at 21° 40’ 12.7” N, 158° 02’ 34.3” W, with a real time accuracy of ±15-feet. At the time of the field investigation, there was no water being used from the well. The permittee has advised that the well has not been in use for at least 10-15 years and that no future plans are in place to rehabilitate the well. Reference the Appendix for photographs of the wellhead.

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

(10) The applicant shall keep monthly pumpage estimates to be submitted annually to the Commission.

Although no water is currently being drawn, the permittee is still obligated to submit water use to the Commission. Since this is not the case, the permittee is found to be 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 Patty Clark at (808) 239-9511 (patricia.clark@gmail.com)
  - State land use and county zoning classifications
- Address violation of Standard Condition (10) regarding non-reporting of water use and salinity levels for State Well No. 4002-06
20-Year Water Use Permit Review
Water Use Permit No. 183

APPENDIX

Field Investigation Photographs
Figure 1 – State Well No. 4002-06

Figure 2 – Former end use area
Water Use Permit Survey
(Please complete one survey form for each WUP)

WUP Number: 4002 - 06
Well Number(s): 183

Contact Information (of the person who will be present at site visit):
Name: Patricia Clark
Phone (for phone interview): 239-9511
Fax:
Email: patricia.clark1@gmail.com
Best time to reach for phone interview: 7-10 AM

Property Information (of the water use/well location):
Address: 59-202 KAM HWY
City: Sunset Beach
Zip: 96712
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 [ X ]
If no, please explain: Well shut down years ago.

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

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

Do you submit monthly water use reports to the State? Yes [ ] No [ X ]
If no, please explain:

Field Investigations:
A representative from Brown and Caldwell will be visiting wells in your area over the next two 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 [ ]
Any day except Tuesday or Wednesday?

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 July 18th, 2008 and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:
1099 Alakea Street, Suite #2400
Honolulu, HI 96813
Tel: (808) 203-2661
Fax: (808) 533-0226
mcsmith@brwncald.com

For Official Use Only
Received: 7/21/08
Information Updated: 7/21/08
Phone Interview Complete: 8/11/08
Notes/Comments: ___________________________
Phone Interview

WUP Number: 183
Contact Name: Patty Clark
Well Number(s): 4002-06

Phone Number: 239-9511

Well Number(s): 59-9-013-017

Result: Left Message

Water Source Address: 59-202 Kamehamea Hwy
City: Sunset Beach
Zip Code: 96712

Currently using water source?
Yes ☐ No ☑

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

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

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

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

If no, explain:

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

- New contact that BC will meet with:
  Lori Greenhouse
  227-6457

  Look for the 692 mailbox on Mauka side.

Comments To Make:

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

Interviewed By: M S  Date: 8/11/05  Time: 6:00
# Field Investigation Checklist

**WUP Number:** 183  
**Well Number(s):** 4002-06

## Water Source
- **Well Location TMK(s):** 5-9-013:017
- **Well Head GPS Coordinates:**
  - Latitude: 21°40'12.7" N
  - Longitude: 156°02'34.3" W
  
- **Well Type:** Drilled
- **Currently using water source?**
  - Yes [ ]
  - No [X]

## Water Use
- **Water Use TMK(s):** 5-9-013:017
- **What is the water being used for?** Not currently in use

## Other
- **Photographs of:**
  - Water Source [X]
  - Usage Area [X]
  - Water Meter [ ]
  - Pump/Motor [ ]

**General Notes/Comments:**

- Well hasn't been in use for at least 10-15 years.
- No future plans for well.

**Investigated By:** [Signature]  
**Date:** 3/15/06  
**Time:** 9:15 a.m.
Standard Conditions List

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Variations of Standard Condition (20) are as follows:

i. The permit may be revoked if work is not started within six months of the date of issuance or if work is suspended or abandoned for six months. The work proposed in the permit application shall be completed within two years from the date of permit issuance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20. Standard Condition 16 is waived for saltwater wells.

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

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

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

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

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

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

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

28. The applicant shall follow the agreed monitoring plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66. WUP No. <Insert #> is revoked

67. Standard Condition 17 is waived.

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

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

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

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

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

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

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

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

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

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

78. Standard Condition 9 is waived.

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

80. Standard Condition 10 is waived.

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

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

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

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

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

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

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

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

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

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

92. Standard Condition 7 shall not apply.

93. Standard Condition 22 shall not apply.

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

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

96. HECO 1 mgd for industrial use

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

98. BWS 1 mgd for municipal use.

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

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

101. The future use portion of the application shall be deferred until existing uses in the Koolauoa 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.
Mr. Frank A. Henry  
Frank A. Henry  
59-202 Kamehameha Hwy.  
Haleiwa, HI 96712

Dear Mr. Henry:

Approval of Water Use Permit for Well No. 4002-06  
Kawailoa Ground Water Management Area, Oahu

On November 18, 1992, the Commission on Water Resource Management approved your application for water use permit from the Henry F. Well (Well No. 4002-06) for an average of 5,000 gallons per day on a moving 12-month basis. A copy of your approved permit submittal is enclosed for your information.

Please be sure to read the conditions of your approved permit submittal. Specifically, you are required to keep monthly records of your pumpage and to submit this information to the Commission once a year. In addition, and prior to final permit document issuance, you are required to submit a water shortage plan to the Commission. Your water shortage plan simply identified what you are willing to do should the Commission declare a water shortage situation in the Kawailoa Ground Water Management Area and can be as short as a one page letter. In a water shortage situation, the Commission may require temporary reductions in pumpage from all sources. The Commission is required by law to formulate a plan to implement such area-wide reductions, which should accommodate, include and be consistent with your plans. Therefore, your help, by submitting your water shortage plan, is greatly needed in formulating the Commission's overall Water Shortage Plan.

If you have any questions, please contact Roy Hardy at 587-0225.

Sincerely,

RAE M. LOUI  
Deputy Director

RH:ko  
Attach.
Chairperson and Members
Commission on Water Resource Management
State of Hawaii
Honolulu, Hawaii

Gentlemen:

SUBMITTAL
Frank A. Henry
Application for a Water Use Permit
Henry F. Well, Well No. 4002-06
Kawailoa Ground Water Management Area, Haleiwa, Oahu

Applicant: Landowner:
Frank A. Henry
59-202 Kamehameha Hwy
Haleiwa, HI 96712
Frank A. Henry
59-202 Kamehameha Hwy
Haleiwa, HI 96712

Background
A completed application was submitted to the Commission on August 8, 1992. The application is for an existing well with the following hydrologic information:

Source Information

Aquifer: Kawailoa System, North Sector, Oahu
Sustainable Yield: 39 mgd
Existing Water Use Permits: 5.960 mgd
Available Allocation: 33.040 mgd
Total of other pending allocations: >.001 mgd

Well: Henry F., Well No. 4002-06
Location: 59-202 Kamehameha Hwy, Oahu, TMK:5-9-13:17
Year Drilled: 1955
Casing Diameter: 8 in.

Elevations (msl)
Water Level:
Ground: 2.1 ft.
Bottom of Solid Casing: -17 ft.
Bottom of Perforated Casing: none ft.
Bottom of Open Hole: -77 ft.
Total Depth: 109 ft.
Grouted Annulus Depth: na ft.
Use Information

Quantity Requested: 5,000 gallons per day.
Existing Water Use: Agricultural irrigation for 4 acres of pasture land.
Place of Water Use: 59-202 Kamehameha Hwy at TMK: 5-9-13:17

Nearby Surrounding Wells

There are eight (8) other wells within a mile of this well. (see Exhibit 1.)

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Star Bulletin on October 5 & 12, 1992 and copies of the notice were sent to the Mayor's office, Board of Water Supply. Additional notice copies were sent to the County Council and Department of Water Supply. Copies of the completed application were sent to the Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, Aquatic Resources & Historic Preservation Divisions of the Department of Land and Natural Resources, and other interested parties for comments. Written comments and objections to the proposed permit were to be submitted to the Commission by October 26, 1992.

Objections

There were no objections filed by any person who has property interest in any land within the hydrologic unit of the source of water supply or any person who will be directly and immediately affected by the proposed water use. Other objections to the application were submitted by:

<table>
<thead>
<tr>
<th>Objector</th>
<th>Objection</th>
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<tbody>
<tr>
<td>Native Hawaiian Advisory Council</td>
<td>General process of water use permit application. No specific objections to this application.</td>
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</table>

Field Investigation

The water source and existing use was investigated on November 26, 1990 through the registration program. At that time, irrigation was for three 1 acre fields of pasture and livestock in addition to home area. Water is brackish.

Analysis

This existing brackish source uses relatively little water for the purpose of agricultural irrigation of pasture land. The earlier field investigation is not different from his application, therefore the source and use are verified. Impact on wells should not be any different than it has been over the past 37 years. No specific objections to this application have been submitted to the Commission.
RECOMMENDATION:

That the Commission approve the issuance of a water use permit to Frank A. Henry to use 5,000 gallons per day of potable water for agricultural irrigation use over 4 acres of pasture land from the HENRY F. Well, Well No. 4002-06, subject to the following conditions:

1. The water use authorized by the permit must be for the reasonable-beneficial use and from the source described in the permit.

2. The water use and withdrawal shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards.

3. The water use will not interfere with the rights of the Department of Hawaiian Home Lands as provided in section 221 of the Hawaiian Homes Commission Act.

4. Prior to issuance of the permit, the applicant shall submit a water shortage plan that identifies what the applicant is willing to do should the Commission declare a water shortage in the Kawailoa Ground Water Management Area.

5. 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.

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

7. The applicant shall update and modify permit when necessary to comply with all applicable laws, rules, and ordinances.

Respectfully submitted,

RAE M. LOUI
Deputy Director

APPROVED FOR SUBMITTAL:

WILLIAM W. PATY, Chairperson