December 3, 2000

Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

Re: Water Shortage Plan for Water Use Permit No. 528 for Well No. 4101-10

Dear Sir:

In accordance with the Water Use Permit WUP No. 528 for Well No. 4101-10, Kawailoa Ground-Water Management Area, Oahu, the following steps will be taken should the Commission declare a water shortage situation.

Water use at the dairy will be reduced 40% by decreasing the frequency of pen washdown and gutter flushing. Animal consumption would remain the same. At the swine unit, gutter flushing frequency would be reduced by 50%. In addition, all pasture irrigation from this well would be subject to a total restriction.

These restrictions should reduce total pumpage by 40% or more. Should you have any questions, please call Alan Umaki at 638-8067.

Yours truly,

Halina M. Zaleski, Ph. D.
Waialee Superintendent

cc Doug Vincent, Chair, Dept. of Animal Sciences
Dear Dr. Vincent:

Approval of Water Use Permit for Well No. 4101-10
Kawailoa Ground-Water Management Area, Oahu

This letter transmits your water use permit for Waialee (Well No. 4101-10) for use of 0.026 million gallons per day (mgd) of water on a 12-month moving average basis that was approved by the Commission on Water Resource Management (Commission) on October 26, 2000. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

**Special Conditions**

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

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

Enclosed with this letter of approval are the following:

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

Please be sure to read the conditions of your approved permit.

We draw your attention to two key conditions of your permit that require your response. First, you are required to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular monthly basis using the enclosed water use report form. You should make copies of the enclosed report form as needed.
Second, you are required to submit a water shortage plan to the Commission within thirty (30) days of the issuance date of this permit. Your water shortage plan simply identifies what you are willing to do should the Commission declare a water shortage situation in the 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 call Lenore Nakama of the Commission staff at 587-0218.

Aloha,

TIMOTHY E. JOHNS
Chairperson

Attachments

c: University of Hawaii at Manoa
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 927
HONOLULU, HAWAII 96809

GROUND-WATER USE PERMIT
WUP NO. 528

PERMITTEE

Permittee/Water User
University of Hawaii

Address
Department of Animal Sciences
1800 East-West Road
Honolulu, HI 96822

Landowner of Source
University of Hawaii at Manoa

Address
2444 Dole Street
Honolulu, HI 96822

PERMITTED SOURCE INFORMATION

Island
Oahu

Water Management Area
North

Aquifer Sector
Kawailoa

Aquifer System
39

System Sustainable Yield
Waialee

Well Name
State Well No.
4101-10

PERMITTED USE INFORMATION

Reasonable beneficial use
Agriculture (dairy, piggery, pasture irrigation)

Withdrawal (12 month moving ave.)
0.026 mgd

Location of water use

TMK #
5-8-01:07

Address
58-160 Kamehamha Hwy.

State land use classification
AG

County zoning classification
AG I

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:
   - Can be accommodated with the available water source;
   - Is a reasonable-beneficial use as defined in HRS § 174C-3;
   - Will not interfere with any existing legal use of water;
   - Is consistent with the public interest;
   - Is consistent with State and County general plans and land use designations;
   - Is consistent with County land use plans and policies; and
   - 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 separate water use permit for surface water must be obtained in the case an area is also designated as a surface water management area;
   - The interim or permanent instream flow standard, as applicable, must be amended.

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

7. The water use permit application and submittal, as amended, approved by the Commission at its October 26, 2000 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:
   - Protect the water sources (quantity or quality);
   - Meet other legal obligations including other correlative rights;
   - Insure adequate conservation measures;
   - Require efficiency of water uses;
   - Reserve water for future uses, provided that all legal existing uses of water as of June, 1987 shall be protected;
   - Meet legal obligations to the Department of Hawaiian Home Lands, if applicable; or
   - Carry out such other necessary and proper exercise of the State's and the Commission's police powers under law as may be required.

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

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

11. This permit shall be subject to the Commission's periodic review of the Kawailoa 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 Kawailoa 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:
   - The conditions of use of the permit, including, but not limited to, place, quantity, and purpose of the use, remain the same; and
   - The Commission is informed of the transfer within ninety days.

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

13. The use(s) authorized by law and by this permit do not constitute ownership rights.
14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

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

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the 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. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

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

TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

Attachment

cc: University of Hawaii at Manoa
STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT

October 26, 2000
Honolulu, Oahu

University of Hawaii, Department of Animal Sciences
APPLICATION FOR A WATER USE PERMIT (WUP No. 528)
Waialee Well (Well No. 4101-10), TMK 5-8-01:7
New Agriculture (Dairy and Piggery) Use for 0.026 mgd
Kawailoa Ground Water Management Area, Oahu

APPLICANT:

University of Hawaii,
Department of Animal Sciences
1800 East-West Road
Honolulu, HI 96822

LANDOWNER:

University of Hawaii at Manoa
2444 Dole Street
Honolulu, HI 96822

LOCATION MAP: See Exhibit 1

BACKGROUND:

On May 30, 1989, a Registration of Well and Declaration of Water Use was received from the University of Hawaii, Department of Animal Sciences (UH) for the existing livestock use of ground water at the UH Waialee Experimental Farm.

On April 25, 1990, the staff sent a notice to UH, acknowledging the existing use of the well to supply 0.03 to 0.05 million gallons per day (mgd) of water for livestock (Exhibit 2).

On October 15, 1990, the staff conducted a field investigation to verify the declared existing use.

On July 28, 1992, the staff notified UH via regular mail of the designation of the Windward Water Management Area, including the Kawailoa Aquifer System, and requested UH to file an application for a water use permit by July 15, 1993 pursuant to §174C-48 Haw. Rev. Stat (Exhibit 3).

Item 8
On April 22, 1993, a second notice was sent via certified mail. The receipt was returned to the Commission unsigned but indicating a May 6, 1993 delivery date (Exhibit 4).

On April 28, 1999, the staff became aware that this existing use still did not have a water use permit and contacted UH. UH stated that they did not have any record of receiving our notices, but that they would file the proper application form.

On May 26, 1999, UH filed an incomplete water use permit.

On July 6, 1999, the staff returned the application to UH for completion.

On November 30, 1999, the staff contacted UH, inquiring about the status of the application.

On April 18, 2000, a completed water use permit application was received. Additional information regarding the source, use, notification, objections, and field investigation(s) is provided in Attachment A.

On July 31, 2000, the Commission deferred action on the application pending a legal opinion on the late filing for this existing use.

ANALYSIS/ISSUES:

The first issue is regarding the late filing for this existing use. Administrative Rule 13-171-15 states:

"An application for a permit to continue an existing use must be made within a period of one year from the date of designation. Except for appurtenant rights, failure to apply within this period creates a presumption of abandonment of the use, and the user, if the user desires to revive the use, must apply for a permit under section 13-171-12. If the commission determines that there is just cause for the failure to file, it may allow a late filing. However, the commission may not allow a late filing more than five years after the effective date of these rules. The commission shall send two notices, one of which shall be by registered mail, to existing users to file for an application for a permit to continue an existing use."

Our records show that we sent two notices, one via certified mail, as required by the above rule. However, the return receipt was unsigned. The staff contacted the post office on May 31, 2000 to verify whether or not the certified notice was received by the UH. Post office personnel indicated that the two-year limit to verify delivery had passed (personal communication with Pam Glatt). Because there is no firm evidence that UH received the notice, the staff is not recommending that the Commission treat this late filing as a violation subject to fines.

The above rule also sets out time limits for filing for existing use permits. Clearly, the five-year deadline for a late filing has passed. The Attorney General has opined that based on the Supreme Court's Waiahole decision, existing use permits may no longer be issued because the deadline has passed for a late filing. Therefore, this application must be treated as a new water use permit application.
A second issue is whether the proposed permit meets the statutory conditions to obtain a water use permit. Section 174C-49(a) of the State Water Code establishes seven (7) criteria that must be met. An analysis of the proposed permit in relation to these criteria follows:

(1) Water availability

Through the Hawaii Water Plan, the Commission has adopted 39 mgd as the sustainable yield for the Kawaiola Aquifer System. Individual existing water use permits in this aquifer system are shown in Exhibit 5. A summary of the current ground water conditions in the aquifer is provided in Table 1:

Table 1. Kawaiola Aquifer System

<table>
<thead>
<tr>
<th>Description</th>
<th>gallons per day (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sustainable Yield</td>
<td>39</td>
</tr>
<tr>
<td>Less: Other Existing Water Use Permits (shown in Exhibit 5)</td>
<td>-1.523</td>
</tr>
<tr>
<td>Subtotal (Current Available Allocation)</td>
<td>37.477</td>
</tr>
<tr>
<td>Less: Pending Completed Applications</td>
<td>-0</td>
</tr>
<tr>
<td>Subtotal (Potential Available Allocation)</td>
<td>37.477</td>
</tr>
</tbody>
</table>

Table 1 shows that there is over 37 mgd of water available for allocation.

(2) Reasonable-beneficial

Section 174C-3 HRS defines "reasonable-beneficial use" as

"...the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is both reasonable and consistent with the state and county land use plans and the public interest".

The applicant is requesting 26,400 gpd for livestock use (dairy and piggery) based on actual water use (estimated based on a 220 gpm pumping capacity and average run time of 2 hours per day). A field investigation on June 9, 1999 reconfirmed the use of well water for approximately 280 cows and 225 pigs. The water is also used for irrigation for approximately 35 acres of pasture when needed during dry weather.

The Commission has not adopted any formal guidelines for reasonable water use quantities for cattle or pigs. However, a draft report prepared for the Commission on actual water usage indicates up to 7 gpd per pig and 40 gpd per cow (A Literature Compilation of Water Usage for Hawaii (Draft Report), Gee and Murabayshi, May 1994). For 280 cows and 225 pigs, an
allocation for 12,725 gpd would seem reasonable. In addition to the animal wash water, the well is also used to irrigate a 35-acre pasture during dry weather. The Commission's guideline for park-like or grassed areas (i.e., pasture) irrigation on Oahu is 4,000 gpd/ac. Assuming just 2 months of dry weather per year, irrigation use could consume an additional 23,000 gpd. Therefore, the requested quantity of 26,400 gpd appears to be reasonable.

Exhibit 6 is a graph of the twelve-month moving average withdrawals (12-MAV). According to farm personnel, the increased pumpage may be attributed to several reasons: 1) dairy pens are now hosed down on a regular basis; 2) the farm used to use more city water for the piggery, but now relies more heavily on well water to save costs; and 3) the farm constructed an experimental swine waste management unit to recycle effluent for pasture application. The request for 26,400 gpd appears reasonable based on current reported water usage. (Because this application is for a new use rather than establishing an existing use, this recent increase is actually a moot issue.)

(3) Interference with other existing legal uses

According to the UH, the use of the well for the Waialee Farm began in 1962. Interference with other existing legal uses is not anticipated by the continued use of this well. No objections have been submitted indicating otherwise.

(4) Public interest

The reasonable-beneficial use of water for agricultural research, where existing correlative uses, established water rights, and the public trust resources are protected, is deemed to be in the public interest. There are no streams in the vicinity of the well, which is less than half a mile from the ocean. No objections to this application have been submitted to the Commission.

(5) State & county general plans and land use designations

These proposed uses are consistent with the state and county general plans and land use designations.

(6) County land use plans and policies

The county has commented that the application is consistent with the vision of the North Shore Sustainable Communities Plan (Ordinance 00-15) which supports and promotes a diversified agriculture industry. The application is also consistent with the provisions of the plan to “support agricultural research and development activities directed toward increasing operational efficiencies, economic returns, and effective utilization of agricultural lands and supporting infrastructure, which enables sustainable usage of agricultural resources”. 
Staff Submittal

October 26, 2000

7) **Interference with Hawaiian home lands rights**

All permits are subject to the prior rights of Hawaiian home lands. The Department of Hawaiian Home Lands (DHHL) and the Office of Hawaiian Affairs have reviewed this application. No objections or concerns were raised.

**RECOMMENDATION:**

Staff recommends that the Commission approve the issuance of a water use permit (WUP No. 528) to the University of Hawaii, Department of Animal Sciences for the reasonable and beneficial use of 26,400 gallons per day of brackish water for agricultural (dairy & piggery) use from the Waialee Well (Well No. 4101-10), subject to the standard water use permit conditions listed in Attachment B and the following special conditions:

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

2. In the event 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.

Respectfully submitted,

LINNEL T. NISHIOKA
Deputy Director

Attachment(s): A (Water Use Permit Detailed Information)  
B (Water Use Permit Standard Conditions)

Exhibit(s): 1 (Location Map)  
2 (April 25, 1990 Letter from Manabu Tagomori to Dr. Charles W. Weems)  
3 (July 28, 1992 Letter from Rae M. Loui to Dr. Charles W. Weems)  
4 (April 22, 1993 Certified Letter from Rae M. Loui to Dr. Charles W. Weems)  
5 (Existing Water Use Permits and 12-Month Moving Average Withdrawal)  
6 (Pumpage Graph for Well No. 4101-10)
WATER USE PERMIT DETAILED INFORMATION

Source Information

AQUIFER:
Sustainable Yield: Kawailoa System, North Sector, Oahu
Existing Water Use Permits:
Available Allocation: 39 mgd
Total of other pending allocations:

WELL:
Location: Waialae Well (Well No. 4101-10)
Year Drilled: 58-160 Kamehameha Hwy., Haleiwa, TMK:5-1-01-07
Casing Diameter: 1934
Elevations (msl= 0 ft.)
Water Level: 10 in.
Ground: 3.6 ft.
Bottom of Solid Casing: 58 ft.
Bottom of Perforated: 12 ft.
Bottom of Open Hole: -17 ft.
Total Depth: -42 ft.
Grouted Annulus Depth: 100 ft.
Pump Capacity: NA ft.
200 gpm
Staff Submittal

Use Information

Quantity Requested: 26,400 gallons per day.
Proposed Type of Water Use: Agriculture
Place of Water Use: 58-160 Kamehameha Hwy., Haleiwa at TMK: 5-8-01:07

Reported Water Usage:

Kawailoa Aquifer System
Current 12-Month Moving Average Withdrawal (See Exhibit 5):

Nearby Surrounding Wells and Other Registered Ground Water Use

There are fifteen (15) other wells within a mile of the well (see Exhibit 1). Only four (4) of these wells are currently in use for withdrawal purposes.

Public Notice

In accordance with HAR §13-171-17, a public notice was published in the Honolulu Advertiser on May 8 and 15, 2000 and a copy of the notice was sent to the Mayor's office. Copies of the completed application were sent to the Department/Board of Water Supply, Planning Department, Department of Land Utilization (Oahu only), Department of Health, Department of Hawaiian Home Lands, Office of Hawaiian Affairs, the various divisions within 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 May 30, 2000.

Objections

The public notice specifies that an objector meet the following requirements: (1) state property or other interest in the matter; (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; (3) state all grounds for objections to the proposed permits, (4) provide a copy of the objection letter(s) to the applicant, and (5) submit objections meeting the previous requirements to the Commission by May 30, 2000.

No objections were filed.
Staff Submittal

Briefs in Support

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

Field Investigation

The water source and proposed / existing use was investigated on October 15, 1990 and June 9, 1999. The investigation(s) verified the applicant's request for water use permit.

ATTACHMENT A
STANDARD WATER USE PERMIT CONDITIONS

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

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

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

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

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

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

7. The water use permit application and submittal, as amended, approved by the Commission at its October 26, 2000 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.

ATTACHMENT B
9. This permit may be modified by the Commission and the amount of water initially granted to the permittee may be reduced if the Commission determines it is necessary to:

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

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

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

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

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

13. 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.

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

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

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

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

18. 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.

19. The permittee understands that any willful violation of any of the above conditions or any provisions of HRS § 174C or HAR § 13-171 may result in the suspension or revocation of this permit.
April 25, 1990

Dr. Charles W. Weems
Chairman
Department of Animal Sciences
University of Hawaii
1800 East-West Road
Honolulu, HI 96822

Dear Dr. Weems:

Notice to Declarants of Water Use

Enclosed is a copy of amended recommendations regarding declarations of water use which were adopted by the Commission on Water Resource Management at its special meeting on February 28, 1990. These recommendations replace the earlier staff recommendations which were a part of the submittal mailed to all declarants last December.

There is now a 180 day deadline in effect to amend declarations which describe instream uses (Category 2), no existing use (Category 3), or which are incomplete (Category 4). This deadline does not affect you because your declarations have been accepted as being reasonably complete and describing an actual existing use (Category 1). The commission staff will verify your declared use and conduct other activities necessary to issue a certificate of water use.

Our records currently show that your declaration(s) have been placed in Category 1 and that your declared use has been summarized as follows:

Water from one pumped well with a 60 HP, 500 gpm pump is used to supply 0.03 to 0.05 MGD for livestock including beef, dairy, poultry, sheep, and swine. Water is pumped from a spring-fed pond via another 60 HP, 500 gpm pump and is used to provide 0.05 to 0.20 mgd for irrigation of 28 acres of pasture for the livestock.

If you have not already done so, please write to confirm whether this summary is accurate, advise us of any changes which should be made, and provide additional information. The enclosed sheet dated March 21 (Enclosure #2) describes what is
required. When you write to us, clearly indicate that it is regard to file reference U OF HAWAII 3, Oahu, which has been assigned to you.

If you have questions regarding additional information to amend your declaration, please phone the commission staff in Honolulu at 548-2316 or 548-3948. Neighbor island residents can reach these and other state government numbers toll-free through the government switchboard at 1-800-468-4644.

Sincerely,

MANABU TAGOMORI
Deputy Director

Encls.:
(1) Amended Recommendations
(2) Additional Information Sheet
Dear Dr. Weems:

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-clomestic 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,

RAE M. LOUI
Deputy Director

RH:ko
Attachments
Dr. Charles W. Weems, Chairman  
Department of Animal Sciences  
University of Hawaii  
1800 East-West Road  
Honolulu, HI 96822

Dear Dr. Weems:

Second Notice of Ground Water Management Area Designations  
Windward O'ahu

On July 28 and September 8, 1992, initial notices of ground water management area designation were sent to registered existing users of ground water in Windward O'ahu. You were one of those sent an initial notice.

This is your second notice that on May 5, 1992, the Commission on Water Resource Management designated Windward O'ahu and its aquifer systems, consisting of the Waimanalo, Koolaupoko, Kahana, Koolauloa, and Kawailoa Aquifer Systems, as Ground Water Management Areas. As published in the public notice in the Honolulu Advertiser & Star Bulletin on July 15, 1992, 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 individual 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, or act as a private purveyor of water to multiple domestic needs (many homes), 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 are required to apply for a water use permit but fail to do so by the July 15, 1993 deadline, your use will not be considered an existing one. Further, if you are required to apply for a permit, fail to do so, and continue to withdraw or use ground water beyond the July 15, 1993 deadline, you will be in violation of §174C-48 and may be assessed fines of up to $1000 per day from the deadline date to the date you are found to be in violation.

If you have any questions or need help in completing the form, please contact Roy Hardy at 587-0274.

Sincerely,

[Signature]

RAE M. LOUI
Deputy Director

RH:ko
Attach.

EXHIBIT 4
<table>
<thead>
<tr>
<th>SENDER:</th>
<th></th>
<th>I also wish to receive the following services (for an extra fee):</th>
</tr>
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<tbody>
<tr>
<td>* Complete items 1 and/or 2 for additional services.</td>
<td></td>
<td>1. □ Addressee's Address</td>
</tr>
<tr>
<td>* Complete items 3, and 4a &amp; b.</td>
<td></td>
<td>2. □ Restricted Delivery</td>
</tr>
<tr>
<td>* Print your name and address on the reverse of this form so that we can return this card to you.</td>
<td></td>
<td>Consult postmaster for fee.</td>
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<tr>
<td>* Attach this form to the front of the mailpiece, or on the back if space does not permit.</td>
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<tr>
<td>* Write &quot;Return Receipt Requested&quot; on the mailpiece below the article number.</td>
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<td>* The Return Receipt will show to whom the article was delivered and the date delivered.</td>
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<tr>
<th>3. Article Addressed to:</th>
<th>4a. Article Number</th>
<th></th>
</tr>
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<tbody>
<tr>
<td>Dr. Charles W. Weems</td>
<td>R 652 870 781</td>
<td></td>
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<tr>
<td>Department of Animal Sciences</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1800 East-West Road</td>
<td></td>
<td></td>
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<tr>
<td>Honolulu, HI 96822</td>
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<td>□ Certified</td>
<td>□ COD</td>
<td></td>
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<tr>
<td>□ Express Mail</td>
<td>□ Return Receipt for Merchandise</td>
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<tr>
<th>5. Signature (Addressee)</th>
<th>8. Addressee's Address (Only if requested and fee is paid)</th>
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<th>6. Signature (Agent)</th>
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EXHIBIT 4
Aquifer System Water Use Permit Index

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<th>ISLAND OF OAHU</th>
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<tbody>
<tr>
<td>WUP No</td>
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<td>WMA Aquifer System: KAWAILOA</td>
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<td>323</td>
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<td>324</td>
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</tbody>
</table>

**Summary for 'SYSTEM' = KAWAILOA (8 detail records)**

| Total  | 1.523 | 0.004 |

**Tuesday, May 23, 2000**

**Page 1 of 1**

**EXHIBIT 5**
UH Department of Animal Sciences
Waialee Well (4101-10)

---

Date (latest data 3/00)

Pumpage (mgd)

- Monthly pumpage
- 12-MAV
AUG - 4 2000

Dr. Douglas Vincent
University of Hawaii
Department of Animal Sciences
1800 East-West Road
Honolulu, HI 96822

Dear Dr. Vincent:

Notice of Action
Application for Water Use Permit
Waialee Well (Well No. 4101-10)
Kawailoa Ground Water Management Area, Oahu

This letter serves as your official notice of the action taken by the Commission on Water Resource Management (Commission) on the subject application. By a unanimous vote of the Commission at their meeting on July 31, 2000, the Commission deferred action on your application until a legal opinion from the Office of the Attorney General is received regarding the late filing for this existing use.

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

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

LN:ss
STAFF SUBMITTAL

for the meeting of the
COMMISSION ON WATER RESOURCE MANAGEMENT

July 31, 2000
Honolulu, Oahu

University of Hawaii, Department of Animal Sciences
APPLICATION FOR A WATER USE PERMIT (WUP No. 528)
Waialee Well (Well No. 4101-10), TMK 5-8-01:7
Existing/New Agriculture (Dairy and Piggery) Use for 0.026 mgd
Kawaiola Ground Water Management Area, Oahu

APPLICANT:

University of Hawaii,
Department of Animal Sciences
1800 East-West Road
Honolulu, HI 96822

LANDOWNER:

University of Hawaii at Manoa
2444 Dole Street
Honolulu, HI 96822

LOCATION MAP:  See Exhibit 1

BACKGROUND:

On May 30, 1989, a Registration of Well and Declaration of Water Use was received from the University of Hawaii, Department of Animal Sciences (UH) for the existing livestock use of ground water at the UH Waialee Experimental Farm.

On October 15, 1990, the staff conducted a field investigation to verify the declared existing use.

On April 25, 1990, the staff sent a notice to UH, acknowledging the existing use of the well to supply 0.03 to 0.05 million gallons per day (mgd) of water for livestock (Exhibit 2).

On July 28, 1992, the staff notified UH via regular mail of the designation of the Windward Water Management Area, including the Kawaiola Aquifer System, and requested UH to file an application for a water use permit by July 15, 1993 pursuant to §174C-48 Haw. Rev. Stat (Exhibit 3).

On April 22, 1993, a second notice was sent via certified mail. The receipt was returned to the Commission unsigned but indicating a May 6, 1993 delivery date (Exhibit 4).

On April 28, 1999, the staff became aware that this existing use still did not have a water use permit and contacted UH. UH stated that they did not have any record of receiving our notices, but that they would file the proper application form.

Item 7
On May 26, 1999, UR filed an incomplete water use permit.

On July 6, 1999, the staff returned the application to UR for completion.

On November 30, 1999, the staff contacted UR, inquiring about the status of the application.

On April 18, 2000, a completed water use permit application was received.

ANALYSIS/ISSUES:

This application required action by July 17, 2000 to satisfy the ninety-day requirement for action. The application was scheduled for the June 21, 2000 Commission meeting, but was pulled from the agenda for a legal opinion from the Attorney General's Office regarding the late filing for this existing use under Administrative Rule 13-171-15, which states:

"An application for a permit to continue an existing use must be made within a period of one year from the date of designation. Except for appurtenant rights, failure to apply within this period creates a presumption of abandonment of the use, and the user, if the user desires to revive the use, must apply for a permit under section 13-171-12. If the commission determines that there is just cause for the failure to file, it may allow a late filing. However, the commission may not allow a late filing more than five years after the effective date of these rules. The commission shall send two notices, one of which shall be by registered mail, to existing users to file for an application for a permit to continue an existing use."

We are awaiting a legal opinion. Although it is now past the ninety-day requirement for action, the staff is submitting this application with a recommendation for deferral pending a legal opinion.

RECOMMENDATION:

Staff recommends that the Commission defer action on this application pending a legal opinion on the late filing for this existing use.

Respectfully submitted,

[Signature]
LINNEL T. NISHIOKA
Deputy Director

Exhibit(s):
1 (Location Map)
2 (July 28, 1992 Letter from Rae M. Loui to Dr. Charles W. Weems)
3 (April 22, 1993 Certified Letter from Rae M. Loui to Dr. Charles W. Weems)
4 (Certified Mail Domestic Return Receipt)
Dear Dr. Weems:

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 Kawailoa 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,

RAE M. LOUI
Deputy Director

RH:ko
Attachments

EXHIBIT 2
Second Notice of Ground Water Management Area Designations
Windward O‘ahu

On July 28 and September 8, 1992, initial notices of ground water management area designation were sent to registered existing users of ground water in Windward O‘ahu. You were one of those sent an initial notice.

This is your second notice that on May 5, 1992, the Commission on Water Resource Management 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 public notice in the Honolulu Advertiser & Star Bulletin on July 15, 1992, the effective date of these ground water management area designations was July 15, 1992.

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If you are required to apply for a water use permit but fail to do so by the July 15, 1993 deadline, your use will not be considered an existing one. Further, if you are required to apply for a permit, fail to do so, and continue to withdraw or use ground water beyond the July 15, 1993 deadline, you will be in violation of §174C-48 and may be assessed fines of up to $1000 per day from the deadline date to the date you are found to be in violation.

If you have any questions or need help in completing the form, please contact Roy Hardy at 587-0274.

Sincerely,

[Signature]

RAE M. LOUI
Deputy Director

RH:ko
Attach.
**SENDER:**
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

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<td>☐ Return Receipt for Merchandise</td>
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**I also wish to receive the following services (for an extra fee):**
1. ☐ Addressee's Address
2. ☐ Restricted Delivery 
Consult postmaster for fee.

**Thank you for using Return Receipt Service.**

---

**EXHIBIT 4**
June 14, 2000

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

Dear Mr. Johns:

Water Use Permit Application for the
University of Hawaii, Department of Animal Sciences, Well No. 4101-10

Attached is a comment from the Board of Water Supply which we received after our transmittal to you of May 23, 2000. This comment is forwarded for your review and consideration.

Should you have any questions, please call Matthew Higashida of our staff at 527-6056.

Sincerely yours,

[Signature]

RKF:js

Attachment
TO: MR. RANDALL K. FUJIKI, DIRECTOR
DEPARTMENT OF PLANNING AND PERMITTING

FROM: CLIFFORD S. JAMILE

SUBJECT: WATER USE PERMIT FOR WELL NO. 4101-10 UNIVERSITY OF HAWAII ANIMAL SCIENCES FARM AT WAIALEE

As indicated by the attached cover memo to the Commission on Water Resource Management, we have no objections to issuance of a water use permit for this well.

Attachment
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands

Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong

Honorable Clayton Hee, Chairperson
Office of Hawaiian Affairs

Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usugawa

Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Mr. Gary Okino, Planning Division

FROM: Timothy E. Johns, Chairperson
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 &15, 2000.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact Person: Herbert H. Minakami
Phone: 527-6183

Signed: Clifford S. Jamile
Manager and Chief Engineer

(See attached Board of Water Supply letter dated 5/16/00.)
- pumps added in 95 & 98 (270 gpm)
- no gas
- hose down dairy pens now
- used to have more city water for pigs, but to save it, now pump more from well
- swine waste management unit approved by DNR, recycling
- new pens added, but # of animals vary constantly.
May 23, 2000

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

Dear Mr. Johns:

Water Use Permit Application for the
University of Hawaii, Department of Animal Sciences, Well No. 4101-10

This is in response to your memorandum dated May 5, 2000. We have reviewed the application and provide the comments below for your consideration.

- We have no objections to the proposed water use permit application.
- The application for the existing use of water for the dairy and piggery of the UH Waialee Livestock Research Farm is consistent with the vision of the North Shore Sustainable Communities Plan (Ordinance 00-15) which supports and promotes a diversified agriculture industry.
- The application is also consistent with the provisions of the plan to “support agricultural research and development activities directed toward increasing operational efficiencies, economic returns, and effective utilization of agricultural lands and supporting infrastructure, which enables sustainable usage of agricultural resources.”

Should you have any questions, please call Matthew Higashida of our staff at 527-6056.

Sincerely yours,

RANDALL K. FUJIKI AIA
Director of Planning and Permitting

RKF:js (2278)

cc: Mayor Jeremy Harris
    Board of Water Supply
    UH, Department of Animal Sciences
MEMORANDUM

TO:        Linnel T. Nishioka, Deputy Director
            Commission on Water Resource Management

FROM:      Bill Devick, Administrator
            Division of Aquatic Resources

SUBJECT:   Comments on Water Use Permit Application for Kawailoa Ground Water
            Management Area (Well No. 4101-10), Haleiwa, Oahu (TMK: 1-5-8-01:07)

The applicant, University of Hawaii, Department of Animal Sciences, proposes to withdraw 26,400 gallons of water per day from the Kawailoa Water Management Area located on the north shore of Oahu. A well and pump system will be used to withdraw the water intended for use as a water source for Dairy and Piggery operations.

The Division has no objections to this request since the proposed project is not expected to have significant adverse impact on aquatic resource values in this area.
TO: Aquatic Resources  
                      Forestry and Wildlife/Natural Area Reserve System  
                      State Parks  

FROM: Linnel T. Nishioka, Deputy Director  
                   Commission on Water Resource Management  

SUBJECT: Request for Comments  
                   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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss  
Attachment(s)

Response:

( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact Person: Richard Sixperry

Signed: [Signature]

Phone: 7-28897

Date: 5-18-00
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands

Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong

Honorable Clayton Hee, Chairperson
Office of Hawaiian Affairs

Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usugawa

Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Mr. Gary Okino, Planning Division

FROM: Timothy E. Johns, Chairperson
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss
Attachment(s)

Response:

( X) We have no comments
( X) We have no objections
( ) Comments attached

Contact Person: Lani N. Kajiwara

Signed: Lani N. Kajiwara

Phone: 586-2970
Date: 05-12-2000
TO: Honorable Raynard C. Soon, Chairperson  
Department of Hawaiian Home Lands
Honorable Bruce S. Anderson, Director  
Department of Health  
Attn: Mr. Dennis Tulang  
Attn: Mr. William Wong
Honorable Clayton Hee, Chairperson  
Office of Hawaiian Affairs
Mr. Clifford S. Jamile, Manager & Chief Engineer  
Honolulu Board of Water Supply  
Attn: Mr. Chester Lao  
Attn: Mr. Barry Usugawa
Mr. Randall Fujiki, Director  
Department of Planning and Permitting  
Attn: Mr. Gary Okino, Planning Division

FROM: Timothy E. Johns, Chairperson  
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 586-0218.

Response:

☐ We have no comments  
☐ We have no objections  
☐ Comments attached

Contact Person: Rebecca Alakai/Darrell Yagodich  
Phone: 586-3836

Signed:  
Date: 5/12/00
TO: Honorable Raynard C. Soon, Chairperson  
Honorable Bruce S. Anderson, Director  
Honorable Clayton Hee, Chairperson  
Mr. Clifford S. Jamile, Manager & Chief Engineer  
Mr. Randall Fujiki, Director  
Mr. Chester Lao  
Mr. Barry Usugawa  
Mr. Gary Okino, Planning Division

FROM: Timothy E. Johns, Chairperson  
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. **Please respond by returning this cover memo form by May 30, 2000.**

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss  
Attachment(s)

Response:  
( ) We have no comments  
( ) We have no objections  
( ) Comments attached

Contact Person: William Wong  
Phone: 586-4258

Signed: William Wong  
Date: May 10, 2000
TO:  Aquatic Resources  
     Forestry and Wildlife/Natural Area Reserve System  
     State Parks  
FROM:  Linnel T. Nishioka, Deputy Director  
        Commission on Water Resource Management  
SUBJECT:  Request for Comments  
          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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by May 30, 2000.

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LN:ss  
Attachment(s)  

Response:  

We have no comments  
We have no objections  
Comments attached  

Contact Person:  
Phone:  
Signed:  
Date:  5/18/00
TO: Dean Uchida, Administrator
Land Division

FROM: Linnel T. Nishioka, Deputy Director
Commission on Water Resource Management

SUBJECT: Request for Comments
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss
Attachment(s)

RESPONSE:
[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.

x A water lease/permit is not required of this applicant.

[ ] A water lease/permit has been obtained by the applicant through lease no. ____________.

[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.

[ ] No objections

x Other comments: University of Hawaii owned and used for non-commercial purposes.

Contact Person: Gary Martin
Phone: 587-0421

Signed: Gary Martin
Date: MAY 5, 2000
PUBLIC NOTICE

Application for Water Use Permit
Kawailoa and Waipahu-Waiawa Ground Water Management Areas, Oahu

The following applications for 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."

*Waialee Well (Well No. 4101-10)*

**Applicant:** University of Hawaii  
Department of Animal Sciences  
1800 East-West Road  
Honolulu, HI 96822

**Date Completed Application Received:** April 18, 2000  
Aquifer: Kawailoa System, North Sector, Oahu  
**Water Source:** Waialee Well (Well No. 4101-10) at 58-160 Kamehameha Hwy., Oahu, Tax Map Key 5-8-01:07  
**Quantity Requested:** 26,400 gallons per day.  
**Existing Water Use:** Dairy & piggery  
**Place of Water Use:** 58-160 Kamehameha Highway at Tax Map Key: 5-8-01:07

*Waipahu III Wells (Well Nos. 2400-09 to 13)*

**Applicant:** Department of Hawaiian Homelands  
P.O. Box 1879  
Honolulu, HI 96805

**Date Completed Application Received:** March 29, 2000  
Aquifer: Waipahu-Waiawa System, Pearl Harbor Sector, Oahu  
**Water Source:** Waipahu III Wells (Well Nos. 2400-09 to 13) at Waipahu, Oahu, Tax Map Key 9-4-05:74  
**Quantity Requested:** 248,810 gallons per day.  
**New Water Use:** Domestic, irrigation, agriculture, & commercial  
**Place of Water Use:** Various parcels at Tax Map Keys: 8-5, 8-6, 8-9, 2-4, 4-1  
Request to convert 222,310 gpd from reservation to water use permit by modifying WUP No. 434 from 26,500 gpd to a new total of 248,810 gpd.

Written objections or comments on the above applications may be filed by any person who has property interest in any land within the hydrologic unit of the source of water supply, any person who will be directly and immediately affected by the proposed water uses, or any other interested person. Written objections shall: (1) state property or other interest in the matter (provide TMK information); (2) set forth questions of procedure, fact, law, or policy, to which objections are taken; and (3) state all grounds for objections to the proposed permit. Written objections must be received by May 30, 2000. Objections must be sent to 1) the Commission on Water Resource Management, P.O. Box 621, Honolulu, Hawaii 96809 and 2) the applicants at the above addresses.

**COMMISSION ON WATER RESOURCE MANAGEMENT**

LINNEL T. NISHIOKA, Deputy Director for  
TIMOTHY E. JOHNS, Chairperson

Dated: APR 28 2000

Publish in: Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000
Mr. Douglas Vincent  
University of Hawaii  
Department of Animal Sciences  
1800 East-West Road  
Honolulu, HI 96822

Dear Mr. Vincent:

We acknowledge receipt, on April 18, 2000, of your completed water use permit application for the Waialee Well (Well No. 4101-10). You can expect your application to be processed within ninety (90) days from the date of receipt unless there are objections to your application.

Enclosed is a copy of the public notice for your water use permit application which will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

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

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

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

Sincerely,

[Signature]  
LINNEL T. NISHIOKA  
Deputy Director

LN:ss  
Enclosure
TO: Aquatic Resources
    Forestry and Wildlife/Natural Area Reserve System
    State Parks

FROM: Linnel T. Nishioka, Deputy Director
      Commission on Water Resource Management

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

Transmitted for your review and comment is a copy of a water use permit application for University of Hawaii, Department of Animal Sciences for Well No.4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. **Please respond by returning this cover memo form by May 30, 2000.**

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss
Attachment(s)

Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact Person: ___________________________ Phone: __________________

Signed: ___________________________ Date: __________________
TO: Dean Uchida, Administrator  
Land Division  

FROM: Linnel T. Nishioka, Deputy Director  
Commission on Water Resource Management  

SUBJECT: Request for Comments  
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.  

We would appreciate your review of the attached application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your division only. Please respond by returning this cover memo form by May 30, 2000.  

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.  

RESPONSE:  
[ ] A water lease/permit is required of this applicant and an application for such will be requested by our division.  
[ ] A water lease/permit is not required of this applicant.  
[ ] A water lease/permit has been obtained by the applicant through lease no. _________________.  
[ ] Other relevant Land Division rules/regulations, information, or recommendations are attached.  
[ ] No objections  
[ ] Other comments:  

Contact Person: ___________________ Phone: ___________________  
Signed: ___________________ Date: ____________
TO: Other Interested Parties
FROM: Linne T. Nishioka, Deputy Director
Commission on Water Resource Management
SUBJECT: Request for Comments
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the attached application for any conflicts or interferences with the programs, plans, and objectives of the organization or agency that you represent. Written objections should be made in accordance with Section 13-171-18 of our Administrative Rules and must be filed by the May 30, 2000 deadline.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss
Attachment(s)
Response:

( ) We have no comments
( ) We have no objections
( ) Comments attached

Contact Person: __________________ Phone: __________________

Signed: __________________________ Date: __________________
TO: Honorable Raynard C. Soon, Chairperson
Department of Hawaiian Home Lands
Honorable Bruce S. Anderson, Director
Department of Health
Attn: Mr. Dennis Tulang
Attn: Mr. William Wong
Honorable Clayton Hee, Chairperson
Office of Hawaiian Affairs
Mr. Clifford S. Jamile, Manager & Chief Engineer
Honolulu Board of Water Supply
Attn: Mr. Chester Lao
Attn: Mr. Barry Usugawa
Mr. Randall Fujiki, Director
Department of Planning and Permitting
Attn: Mr. Gary Okino, Planning Division

FROM: Timothy E. Johns, Chairperson
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the proposed use that is described in the attached application for any conflicts or inconsistencies with the land use designations, plans, policies, programs, or objectives specific to your organization or department only. Please respond by returning this cover memo form by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

Response:
- We have no comments
- We have no objections
- Comments attached

Contact Person: __________________ Phone: __________
Signed: ___________________________ Date: __________
TO: Ms. Esther Ueda, Executive Officer
Land Use Commission

FROM: Timothy E. Johns, Chairperson
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 University of Hawaii, Department of Animal Sciences for Well No. 4101-10. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

We would appreciate your review of the proposed use that is described in the attached application (i.e. line item 7 or Table 1). Specifically, we request that you inform us of the current state land use designation for the TMK parcel, or portion thereof, for the proposed use area(s) and, secondly, whether the current state land use designation is appropriate for the proposed project.

We have attached a TMK map(s) that covers the proposed use area(s). Where water is proposed for use on only a portion of a TMK parcel, or on parcels with multiple zoning, the proposed use area(s) has been clearly delineated on the attached map. Please respond by returning this cover memo along with your review comments by May 30, 2000.

If you have any questions, require additional information, or would like to request an extension of the review period for this application, please contact Lenore Nakama at 587-0218.

LN:ss
Attachment(s)

Response:

( ) The proposed water use(s) is consistent with the current zoning designation(s).
( ) Comments attached

Contact Person: __________________ Phone: ______________

Signed: ___________________________ Date: ____________
TO: Mr. Randall Fujiki, Director  
Department of Planning and Permitting  
Attn: Art Challacombe

FROM: Timothy E. Johns, Chairperson  
Commission on Water Resource Management

SUBJECT: WATER USE PERMIT APPLICATION  
Kawailoa Ground Water Management Area, Oahu

For your review and record, we are forwarding a copy of the application for University of Hawaii, Department of Animal Sciences for Well No. 4101-10, which includes a copy of your concurrence letter regarding the consistency of the proposed projects with the parcel's current zoning designation. Public notice of this application will be published in the Hawaii State & County Public Notices (HS&CPN) issues of May 8 & 15, 2000.

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

LN:ss  
Attachment(s)

Response:

( ) The proposed water use(s) is consistent with the current zoning designation(s).
( ) Comments attached

Contact Person: Phone: 

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

Dear Mayor Harris:

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

In accordance with the Department of Land and Natural Resources Administrative Rules, Section 13-171-17(a), we are sending you a copy of the public notice and water use permit application for University of Hawaii, Department of Animal Sciences for Well No. 4101-10, which will be published in the Hawaii State & County Public Notices (HS&CPN).

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

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

We have received a concurrence letter from the Department of Planning and Permitting (DPP) confirming the current zoning designation for the proposed use locations and the consistency of the current zoning designations with the proposed projects. In accordance with the procedure that has been established by DPP, we have also sent a copy of the application and an individual request for comments to DPP and the Board of Water Supply to facilitate and expedite City agencies review. We will look forward to receiving the City's review comments from DPP within the next sixty (60) days, on whether this water use is consistent with county plans, policies, and land use designations.

Very truly yours,

TIMOTHY E. JOHNS
Chairperson

Enclosures
August 13, 1999

Mr. Douglas Vincent
University of Hawaii
Department of Animal Sciences
1800 East-West Road
Honolulu, Hawaii 96822

Dear Mr. Vincent:

Water Use Permit For Dairy and Piggery
Waialee Well, Well No. 4101-10
Tax Map Key: 5-8-1: 7

The proposed use on the above-referenced tax map key has been reviewed. We find that the:

1. Current zoning designation is AG-1 Restricted Agricultural District.
   
   [X] Proposed use(s) is/are permitted under current zoning.
   
   [ ] Proposed use(s) may be permitted if the following permit(s) is/are obtained:

   ____________________________

2. [ ] Use is within the Special Management Area.
   
   [X] Use is not within the Special Management Area.

The proposed project has been reviewed for the purpose of providing the above information and does not imply a recommendation of approval by this Department. Should you have any questions, please contact the Coastal Lands Branch at 523-4077.

Very truly yours,

[Signature]

JAN NAOE SULLIVAN
Director of Planning and Permitting
MEMORANDUM FOR THE RECORD

SUBJECT: WUPA for 4101-10

FROM: Lenore Nakama

Called Douglas Vincent on 11/30/99 (956-9114) and left message that we were inquiring about the status of the WUPA.

11/30/99 Dr. Vincent called. He said they submitted it to DPP in 9/99 or 10/99. I said I would follow up w/DPP. He said to let him know if there's a problem.

11/30/99 left messages for Art Challacombe & Steve Tagawa of DPP to call me.

11/30/99 Art called back. He said it doesn't sound familiar, but to check w/Steve.

11/30/99 Steve called back. He doesn't recall, but will check into their log. I faxxed him a copy of WUPA & CWRM's 7/6/99 letter to help him identify which WUPA we're talking about. He will check & call me back.

4/17/00 called Steve. He said he forgot all about this & it doesn't ring a bell. He asked if UT could fax him a copy of transmitted cover letter so he could look it up in their log.

4/17/00 got in touch w/Dr. Vincent. He will try to locate a copy & fax it to DPP @ 527-6743.
Dear Mr. Vincent:

Applications for Water Use Permits
Waialee Well (Well No. 4101-10)
Waialee Pond (Diversion No. S4101-01)
Kawailoa Ground Water Management Area, Oahu

We acknowledge receipt, on May 26, 1999, of the subject water use permit applications.

From a field investigation on June 9, 1999, we have determined that the Waialee Pond source is a surface water source and does not require a water use permit, which only applies to ground water sources at this time. We do not have a numbering system in place for surface water diversions as yet. (Number 335-10, indicated on the water use permit application for Waialee Pond, is actually the old well number for Waialee Well, which has been assigned Well No. 4040-10 as its new well number).

Mr. Alan Umaki, Waialee Research Farm Manager, helped us complete a location map for the well and water use locations (attached). This mapped information, along with your water use permit application, should be submitted to the Department of Planning and Permitting (DPP), as indicated on the back of the application. DPP's address is:

Jan Naoe Sullivan, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813
Attn: Arthur D. Challacombe

DPP will most likely send you a letter of concurrence, instead of actually signing off on the application. Please submit a copy of DPP's letter of concurrence, along with your application and maps to us for processing. Thank you for your continued assistance and cooperation.

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

Sincerely,

LINNEL T. NISHIOKA
Deputy Director

LN:ss
Attachments

c: Walter Harada, University of Hawaii, College of Tropical Agriculture and Human Resources
Alan Umaki, Waialee Research Farm
May 20, 1999

MEMORANDUM

TO: Lenore Nakama
Hydrologist

FROM: Walter Harada
College of Tropical Agriculture and Human Resources

SUBJECT: Application for Water Use Permit

Enclosed are two applications for water use at our Waialee Livestock Research Station. One application is for a well with a pump. The water from the well is used to wash down the dairy and the piggery. The other application is for pumping water from a spring fed pond. The water from the pond is used to irrigate pastures.

I had a problem with Item 4 on the application. I have marked Item 4 on both applications as "WAS NOT" because our records show that the land was transferred to the University of Hawaii in 1958. I am not familiar with the terms used in Item 4.

In general, I had difficulty with the application. Please let me know if additional information is needed or if corrections are needed.

Enclosures
1. (a) APPLICANT
Firm/Name: Dept. of Animal Sciences
Contact Person: Douglas Vincent
Address: 1800 East-West Road, Hon., HI 96822
Phone: 956-9114 Fax: 956-4883
(b) LANDOWNER OF SOURCE
Firm/Name: University of Hawaii at Manoa
Contact Person: Allan Ah San
Address: 2444 Dole St., Hon., HI 96822
Phone: 956-7955 Fax: 956-9097

2. WATER MANAGEMENT AREA: North Shore (Kawailoa)  ISLAND: Oahu
3. (a) EXISTING WELLSTREAM DIVERSION NAME AND STATE NUMBER: Waialee 3-4101-10
   (If source doesn't presently exist, please attach well construction/stream diversion permit or application.)
   (b) PROPOSED (NEW) WELLSTREAM DIVERSION NAME: Waialee New
   (c) LOCATION: Address 58-160 Kam Highway, Haleiwa, HI Tax Map Key: 1 - 5 - 8-01 - 07
   (Attach a USDA map, scale 1" = 2000", and a property tax map showing source location references to established property boundaries.)
4. THE LANDOWNER CERTIFIES THAT THE SUBJECT PROPERTY, OR A PORTION THEREOF, WAS _____ OR WAS NOT __ A STATE OF HAWAII LAND PATENT GRANT ISSUED AFTER 1960. (Check with your title search company or the Land Division, Department of Land and Natural Resources at 587-0414 for help.)
5. SOURCE TYPE (check one): Stream Basal Dike-confined Perched Caprock
6. METHOD OF TAKING WATER (check one): Artesian Well & Pump Diverted Surface Other (explain)

USE INFORMATION
7. LOCATION OF PROPOSED WATER USE: (If table, show on same maps as source location. Otherwise, attach similar maps)
   (a) PUC-Regulated System (b) Proposed use of water is: Existing (since? 1962 )
   (c) Tax Map Key: 1 - 5 - 8-01 - 07. (If location of use is over multiple TMKs, please complete Table 1 on back of application)
   (d) Address: 58-160 Kam Highway, Haleiwa, HI
8. QUANTITY OF WATER REQUESTED: 26,400 gal/day gallons per day (averaged over 1 year)
9. METHOD OF MEASUREMENT: pump capacity (220 gal/min) x time (2 hrs)
10. QUALITY OF WATER REQUESTED: Fresh Brackish Salt Non-Potable
11. PROPOSED USE: Municipal (including hotels, stores, etc.) Individual Domestic Irrigation Other Explain Dairy & Piggery
   Other Explain (check one):
   (a) Can be accommodated with the available water source.
   (b) Is a reasonable-beneficial use. (see backside of application)
   (c) Will not interfere with any existing legal use.
   (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 general policies.
   (g) Not 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; and (h) Upon permit approval, a water shortage plan must be submitted by the applicant should the Commission require one.
15. APPLICANT MUST ESTABLISH THAT THE PROPOSED USE OF WATER:
   (a) Can be accommodated with the available water source.
   (b) Is a reasonable-beneficial use. (see backside of application)
   (c) Will not interfere with any existing legal use.
   (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 general policies.
   (g) Not 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; and (h) Upon permit approval, a water shortage plan must be submitted by the applicant should the Commission require one.
16. REMARKS, EXPLANATIONS: (see backside of this application)

NOTE: Signing below indicates that the signatories understand and swear that: 1) the information provided on this application is accurate and true to the best of their knowledge; 2) item 14 is the responsibility of the applicant prior to Commission approval; 3) If necessary, further information may be required before the application is considered complete; 4) If a water use permit is granted by the Commission, this 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; and 5) Upon permit approval, a water shortage plan must be submitted by the applicant should the Commission require one.

Applicant (print) Douglas L. Vincent Landowner (print) UNIVERSITY OF HAWAII
Signature ____________________________ Signature ____________________________
Date MAY 17 1999 Date 5/2/1999

WUPAFORM (4/28/99)
Section 13-171-2, Hawaii Revised Statutes –

“Reasonable-beneficial use” means the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is not wasteful and is both reasonable and consistent with the state and county land use plans and the public interest.

16. REMARKS, EXPLANATIONS (cont’d):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

TABLE 1. MULTIPLE TMKs TO USE REQUESTED WATER

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<th>PROJECT NAME &amp; PHASES</th>
<th>EXISTING or NEW USE</th>
<th>POTABLE or NONPOTABLE</th>
<th>TMK</th>
<th>CURRENT COUNTY ZONING CODE</th>
<th>UNITS or NET ACRES</th>
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DEPARTMENT OF PLANNING AND PERMITTING SIGNATURE ___________________________ DATE __________________

Instructions for completing Table 1: Individual projects and phases must be listed separately and numbered sequentially on Table 1. Copy Table 1 and attach additional sheets if necessary. Please indicate individual projects and phases on TMK maps by clearly delineating project areas and indicating sequential number within delineated areas to coincide with Table 1. Please attach a separate sheet giving the address and a brief description of each project and phase listed above. In addition, if the proposed use is existing, please provide the WUP No. or indicate when the existing use was initiated. Also, the Department of Planning and Permitting must sign before application is acceptably complete.
NOTE: Signing below indicates that the signatories understand and swear that: 1) the information provided on this application is accurate and true to the best of their knowledge; 2) Item 14 is the responsibility of the applicant prior to Commission approval; 3) If necessary, further information may be required before the application is considered complete; 4) If a water use permit is granted by the Commission, this 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; and 5) Upon permit approval, a water shortage plan must be submitted by the applicant should the Commission require one.

Applicant (print) ____________________________ Landowner (print) ____________________________
Signature ____________________________ Signature ____________________________
Date ________ Date ________

WUPAFORM (4/28/99)
Section 13-171-2, Hawaii Revised Statutes —

"Reasonable-beneficial use" means the use of water in such a quantity as is necessary for economic and efficient utilization, for a purpose, and in a manner which is not wasteful and is both reasonable and consistent with the state and county land use plans and the public interest.

16. REMARKS, EXPLANATIONS (cont’d): ________________________________________

<table>
<thead>
<tr>
<th>TABLE 1. MULTIPLE TMKs TO USE REQUESTED WATER</th>
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<tbody>
<tr>
<td>PROJECT NAME &amp; PHASES</td>
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</table>

TOTAL GPD

DEPARTMENT OF PLANNING AND PERMITTING SIGNATURE ___________________________ DATE ___________________________

Instructions for completing Table 1: Individual projects and phases must be listed separately and numbered sequentially on Table 1. Copy Table 1 and attach additional sheets if necessary. Please indicate individual projects and phases on TMK maps by clearly delineating project areas and indicating sequential number within delineated areas to coincide with Table 1. Please attach a separate sheet giving the address and a brief description of each project and phase listed above. In addition, if the proposed use is existing, please provide the WUP No. or indicate when the existing use was initiated. Also, the Department of Planning and Permitting must sign before application is acceptably complete.
MEMORANDUM FOR THE RECORD

FROM: Lenore Nakama

SUBJECT: Water Use Permit Application for Well No. 4101-10

5/6/99 Called Water Harada. Informed him that we did have a copy of the Declaration of Wells & Registration of Water Use form in our files. It was a copy of the WUPA that we do not have. Walter said they do not have any record of filing a WUPA and they have no record of any letter from us requesting that they file a WUPA. I asked him if he could still complete the form and send it to us so that we could clear up this permit issue, since there should be a water use permit in place for this use. He said no need send any formal letter to UH and that he will work on it.

Call Alan Umaki 638-8067 (Farm Manager) to schedule field investigation.

Wed 10:00

Bring:
camera
map of use area (Title & tops)

Send copy of field investigation report to:
Alan Umaki
Waialua Research Farm
58-160 Kamehameha Hwy
Haleiwa 96712
May 25, 1989

Division of Water Resource Management
Dept. of Land and Natural Resources
State of Hawaii
P. O. Box 373
Honolulu, Hawaii 96809

Gentlemen:

Attached are the Department of Animal Sciences, University of Hawaii forms for Registration of Well and Pond and Declaration of Water Use at the Waialee Livestock Research Facility. Mahalo.

Sincerely,

Charles W. Weems, Ph.D.
Chairman

CWW: jm

Attachments
Dr. Charles W. Weems  
Chairman  
Department of Animal Sciences  
University of Hawaii  
1800 East-West Road  
Honolulu, HI 96822  

Dear Sir:  

Notice to Declarants of Water Use  

The Commission on Water Resource Management held a special meeting on November 29, 1989, to act on 7,300 declarations of water use which had been filed by approximately 2,600 declarants. At the meeting, the Commission unanimously approved a proposal:

1) that the amended recommendations regarding declarations of water use under H.R.S. §174C-26 be adopted at a special meeting of the Commission on February 28, 1990;

2) that all declarants be sent a copy of the amended recommendations; and,

3) that all declarants be sent a request to file additional information regarding their declarations of use.

Enclosed please find a copy of the submittal which will be formally brought before the Commission on February 28, 1990. It recommends four types of actions to be taken on four categories of declarations. The categories are based on the content and completeness of the declarations and are described on the second and third pages of the submittal. Recommended actions are described on the third and fourth pages of the submittal. Attachment "A" referred to by the submittal is a 300 page condensed summary of all 7,300 declarations, and is available for public inspection in Honolulu at room 227, 1151 Punchbowl, and at Department of Land and Natural Resources offices on the neighbor islands. The portion of Attachment "A" which refers to you is reproduced on the second page of this letter.

Based on an initial review, your declaration has been placed in Category 4, meaning that you submitted a declaration which was incomplete.
December 29, 1989

Your reason why your declaration is incomplete at this time has been summarized as follows:

*Forms not signed.*

Also enclosed with this letter is a sheet dated December 19, 1989, which describes additional information to be submitted for declarations of water use. Please read this sheet and provide any additional information which is applicable to your declaration, so that your existing use(s) of water can be accurately described. It is important that you advise us of any errors or omissions which need to be corrected. Changes from your additional information will not affect the submittal to the Commission on February 28, but will be added to your declaration file and changes will be shown in subsequent documents. When you respond, be sure to indicate that it is in regard to file reference *U OF HAWAII 3, Oahu,* which has been assigned to you.

The Commission has scheduled a special meeting for 2:00 p.m. Wednesday February 28, 1990, at Room 132, 1151 Punchbowl Street, Honolulu, Hawaii. The purpose of this meeting is to decide whether the recommendations of the enclosed submittal should be adopted. The public is invited to attend this meeting. If you disagree with the recommendations or would like to suggest alternatives, you should write to the Commission before February 14, 1990 so that your comments and suggestions can be considered and be put on record. If you plan to attend the meeting, please let us know.

If you have questions regarding additional information for your declaration or if you plan to attend the meeting on February 28, please phone the commission staff in Honolulu at 548-2316 or 548-3948. Neighbor island residents can reach these and other state government numbers toll-free through the government switchboard at 1-800-468-4644.

Sincerely,

MANABU TAGOMORI
Deputy Director

Encls.:
(1) Additional Information Sheet
(2) Submittal for Feb 28, 1990.
January 11, 1990

Mr. Manabu Tagomori, Deputy Director
Department of Land and Natural Resources
Commission on Water Resource Management
P. O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Tagomori:

This letter is in response to your letter dated December 29, 1989 regarding Notice to Declarants of Water Use, File Reference: U of Hawaii J. I apologize for the oversight of not signing the Registration of Well and Declaration of Water Use form submitted on May 25, 1989 from the Department of Animal Sciences Waialae Livestock Research Center. Attached are copies of the two previous submissions which have been signed to permit your committee to act on these water use declarations. Mahalo.

Sincerely,

Charles W. Wenms, Ph.D.
Chairman

CWW: jm

Attachments
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND & NATURAL RESOURCES
STATE OF HAWAII
P.O. Box 621, Honolulu HI 96809

The Department acknowledges receipt of the additional information which you recently submitted. Thank you for your time and cooperation.

MANABU TAGOMORI
Deputy Director
STATE OF HAWAII
COMMISSION ON WATER RESOURCE MANAGEMENT
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF WATER RESOURCE MANAGEMENT

REGISTRATION OF WELL
AND DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as NA. Fill out as completely as possible, sign, and file form with the Division of Water Resources Management, P.O. Box 373, Honolulu, Hawaii 86809. Phone 548-3948 or 548-7943 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.: 335-10
WELL NAME OR DESIGNATION: Waialea 3-4101-10
ISLAND: Oahu
SOURCE OR STATION NAME (For a battery of wells): ________________________________

A. WELL OPERATOR
Firm name: Dept. of Animal Sciences, U.H. Contact person: Dr. Charles W. Weems
Address: Dept. of Animal Sciences, U.H. Honolulu, Hawaii Zip: 96822 Phone: 948-8295

B. OWNER OF WELL SITE
Firm name: Dept. of Animal Sciences, U.H. Contact person: Dr. Charles W. Weems
Address: Dept. of Animal Sciences, U.H. Honolulu, Hawaii Zip: 96822 Phone: 948-8295

C. WELL LOCATION
Tax Map Key: 5 B 01 Town, Place, District: Koolau, Oahu
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" drawings, driller's log, and pump test results, and complete items below.
For Tunnels and Shafts, submit construction drawings, plot plan, or sketch map.

Ground elevation (mean sea level): 10 ft
Reference point (used to measure depth in water): 45 ft
Elevation: ________________________________
Description: ________________________________

Depth to water (below reference point): 40 ft
Maximum recorded chloride: 0 ppm
Minimum recorded chloride: 0 ppm
Maximum chloride in 1987: 0 ppm
Casing diameter: 6 in
Solid casing depth (below ground): 10 ft
Perforated casing depth (below ground): 40 ft
Total depth of well: 40 ft

E. INSTALLED PUMP DATA
Pump type: Vertical shaft
Submersible
Centrufugal
Other (specify): ________________________________
Power: Diesel, 50 HP
Gas, 50 HP
Electric, 60 HP
Other (specify): ________________________________
Pump capacity: 500 gallons per minute
Pump installation contractor: ROSSCO MOSS

(continued over)

For Official Use Only:
Date received: __________ Date accepted: __________
Field checked by: __________ Date: __________ Latitude: __________ Hydrologic Unit: __________
Comments: ________________________________
Longitude: __________ State Well No: __________

References: Hawaii Revised Statutes, Chapter 174C.
Hawaii Administrative Rules, Chapters 13-167 to 13-171.
Water use data are recorded: [ ] Daily [ ] Weekly [ ] Monthly
[ ] Other (describe): ________________________________

Method of measurement: [ ] Flow Meter [ ] Office
[ ] Other (describe): ________________________________

Quantity of Use (Report actual 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 measured, 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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<td>ANNUAL</td>
<td>10,150</td>
<td>2,020</td>
<td>6,561</td>
<td>6,439</td>
<td>2,313</td>
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</table>

Minimum day's use: 30,000 gallons
Maximum day's use: 50,000 gallons
Typical times of usage: Day and night

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
- [ ] Other (specify): ________________________________

Additional Information:

- Number of service connections: ____________________
- Acres Irrigated: ________________________________
- Crop(s): [ ] Sugar [ ] Pineapple
- [ ] Other (specify): ________________________________
- Non-Crop: [ ] Landscape [ ] Golf Course
- [ ] Other (specify): ________________________________
- Method: [ ] Drip [ ] Furrow [ ] Sprinkler
- [ ] Cooling [ ] Manufacturing [ ] Mill
- [ ] Other (specify): ________________________________

- [ ] Industrial
- [ ] Military
- [ ] Other

Specify (irrigation, aquaculture, etc.): Livestock (Beef, Dairy, Poultry, Sheep, Swine)

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: ____________________________
Printed Name: Charles Willem
Firm or Title (Well Operator, etc.): State of Hawaii, Department of Natural
               Resources, Honolulu, HI 96813
Date: 1-11-90
STATE OF HAWAII

COMMISSION ON WATER RESOURCE MANAGEMENT

DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF WATER RESOURCE MANAGEMENT

REGISTRATION OF WELL

POND (SPRING FEED)

AND

DECLARATION OF WATER USE

INSTRUCTIONS: Please type or print. If information is not available or not applicable, indicate as N/A. Fill out as completely as possible. Save and file form with the Division of Water Resource Management, P.O. Box 372, Honolulu, Hawaii 96816. Phone: 948-2045

STATE WELL NO.: 325-10-7
WELL NAME OR DESIGNATION: Waialae 3-4101-10
ISLAND: Oahu
SOURCE OR STATION NAME: (For a battery of wells)

A. WELL OPERATOR
Firm name: Dept of Animal Sciences, UH
Contact person: Dr. Charles W. Weems
Address: Dept. of Animal Sciences, UH
Honolulu, Hawaii
Zip: 96822 Phone: 944-8256

B. OWNER OF WELL SITE
Firm name: Dept. of Animal Sciences, UH
Contact person: Dr. Charles W. Weems
Address: Dept. of Animal Sciences, UH
Honolulu, Hawaii
Zip: 96822 Phone: 944-8256

C. WELL LOCATION
Tax Map Key: 5 9 01 Town, Place, District: Koolauloa, Oahu
Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the well location.

D. WELL DATA
For official Wells, submit "as-built" drawing, sketches, log, and pump test results, and complete items below. For tunnels and shafts, submit construction drawings, plot plan, or sketch map.

Ground elevation (mean sea level): 10 ft
Elevation: 5 ft
Description: Spring Fed Pond
Depth to water [below reference point]: 0 ft
Minimum recorded chloride: 0 ppm
Maximum recorded chloride: 0 ppm
Minimum chloride in 1987: 0 ppm
Maximum chloride in 1987: 0 ppm

D. INSTALLED PUMP DATA
Power: Diesel, 50 HP
Pump capacity: 500 gallons per minute
Pump installation contractor: Boscoe Hess

E. 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 enable a legal right to water or its use.

Water use data are recorded: Daily
Method of measurement: Flow Meter

Quantity of Use (Record estimated or estimated monthly water use from the well described on the reverse side of the form, for the calendar years 1985 through 1987. For a battery of wells which are not individually measured, 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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<td>ANNUAL</td>
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Minimum day's use: 50,000 gallons  Maximum day's use: 200,000 gallons
Typical times of usage: Day and night.

Type of Use (check all categories that apply and provide additional information as indicated):

- **Galaxy**
  - Municipal (including remote, hotels, businesses)
  - Domestic (systems serving 100 people or less)

- **Irrigation**
  - Acres Irrigated: 28
  - Crop(s): Sugar, Pineapple
  - Non-Crop: Other (specify): Irrigation
  - Method: Drip, Furrow, Sprinkler

- **Industrial**
  - Cooling, Manufacturing, Mill

- **Military**

- **Other**
  - Specify (explain, signature, etc.):

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: ____________________________  Date: 1/1/90
Printed Name: ____________________________
Firm or Title (Wholesale, etc.):____________________

University of Hawaii, May 1988
Registation of Water Source and Declaration of Water Use

The Department acknowledges receipt of your registration of water source and declaration of water use information.

We will contact you again after staff has reviewed your submission.

Thank you for your time and cooperation.

Sincerely,

MANABU TAGOMORI
Deputy Director

March 12, 1990
Mr. Manabu Tagomori, Deputy Director
Department of Land and Natural Resources
Commission on Water Resource Management
P. O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Tagomori:

Enclosed is the Tax Map Key with the locations of our spring fed pond and the well in use with holding tank for registration of well and declaration of water use at the University of Hawaii Waialee Livestock Research Center.

Sincerely,

Charles W. Weems, Ph.D.
Chairman

Enclosure
MEMORANDUM FOR THE RECORD

FROM: Lenore Nakama

SUBJECT: After-the-Fact Water Use Permit for Well No. 4101-10, Kawailoa Aquifer System

4/28/99 Eric Kadaoka w/Fukunaga & Assoc. inquired as to whether a WUP was ever approved for Well No. 4101-10. Fukunaga & Assoc. have been retained to update the State Water Projects Plan, and in talking w/UH, Eric discovered that ground water is used from this source, but the source was not listed on our water use permit index report. UH has been consistently reporting water use to the CWRM, but the reports have been referencing the old well #, 335-10, and no one had followed up or made the connection that this source also needed a water use permit.

4/28/99 Contacted Walter Harada of the College of Tropical Agriculture and Human Resources (phone: 956-7429, 3050 Maile Way, Hon, HI 96822). Explained to him that a water use permit is needed. He said to send an application form to him and he will follow up on his end. He thought that an application had been made and will check to see if they have any record of a previous water use permit application.

Per Roy, after-the-fact water use permit application should be made and taken to CWRM for approval.

Background

A Registration of Well and Declaration of Water Use was submitted on 5/30/89 (accepted as complete as of 1/17/90 and describing an actual existing use; see letter dated 4/25/90 in Well Registration folder).

10/15/90 Field investigation conducted. Verified existing use.

7/28/92 CWRM sent letter informing UH of designation of Kawailoa Aquifer System and requested water use permit application be filed by 7/15/93. No record of WUPA found.

4/29/99 sent Walter WUPA (4/28/99 version) via regular mail

5/13/99 Walter Harada called. UH had a copy of the WUPA submitted in 1989 and our response acknowledging receipt of WUPA. I asked him to fax a copy to us.
PART I: USE OF WATER
Declarant’s File Reference: U OF HAWAII 3

1. Tax Map Key where the water is used: 5 - 8 - 1 - 7. Does the declarant own this land? No. If not, who does? State of Hawaii.

2. What is the water used for? Watering of livestock (cattle, swine, sheep, poultry). If for irrigation, how many acres are being irrigated by crop type? N/A.
If for drinking, at how many houses? N/A by how many people? N/A.

3. Is the quantity of water use being measured? Yes. If yes, document the location of the measurement point and method of measurement; also get use records if these were not submitted previously. Meter on line leaving pump.

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

PART II: WATER SOURCE
Source #: 4101-01 Name: U H Waialae Well

1. Where does the water come from / what kind of source is this? Drilled well.

Types of sources include:
1) Wells (drilled, dug, tunnel)
2) Diversions (ditch, pipe, or pump from a stream, spring, swamp, pond)
3) Multi-source systems. (Declared use cannot be traced to a single well or diversion)
NOTE: If a multi-user system: take from pipe or ditch (need to determine whether this is a multi-source or single-source system before the data can be input to the computer
4) Instream (i.e., livestock drink from stream, or crops planted along water edge)

2. Show the source location on maps, determine latitude and longitude, and document the nature of source development by measurements, sketches, and photographs. How is the water taken? Pump.
What is the capacity for taking (gpm)? N/A. Old pump had 800 gpm cap.
How often is it taken (used)? N/A. When float and tank activate pump.

3. Tax Map Key at the source: 5 - 8 - 1 - 7. Determine declarant’s relation to source. Does the declarant:
1) Operate and maintain the source? Yes. If not, who does? N/A.
2) Own the land at the source? No. If not, who does? State of Hawaii.
3) Use the water from this source? Yes. If not, who does? N/A.
4) Own the land where the water is being used? No.

4. Does any one else also use water from this source? No. If yes, is their use included in this user’s declaration? N/A. Who are the other users? Did they file? N/A.

VERIFIED BY: Mitchell Onye Anne Okamura DATE: October 15, 1990
FIELD MEMORANDUM

DECLARANT (File Reference) U of HAWAII 3
PRESENT Leonard Fisher of UH; Mitchell Ohye & Anne Okamura (field team)
LOCATION UH Waiakea Experimental Farm, TMK #5-8-1:7 (Well) 5-8-1:55 (Pond)

SOURCE(S) 1) Well 4101-10 (UH Waiakea Well)
2) Div 4101-01 (Pump from spring-fed Kalou Fish Pond)

USE(S) 1) Well water used for watering livestock (beef, dairy, poultry, sheep, swine)
2) Pond water used for irrigation of 28 acres of pasture

FIELD NOTES Field inspection lasted from 1:00 to 1:45 PM. Weather was clear and sunny.

Water from a well on the mauka side of the highway near the office and storage buildings is used for watering of animals and washing of their pens. Water is pumped from the well into a 30,000 gallon reservoir located behind the Crawford’s Convalescent Home. A floater at the top of the reservoir controls the switch for the pump. The pump data given on the registration form for the well is for an old pump which was replaced in 1977 and then repaired in 1981. Mr. Fisher does not know the capacity of this pump. Water flows from the reservoir via gravity to the area of use. At the piggery, a pump and air tank are used to build up the pressure needed for hosing down the pens.

Water from a large spring-fed pond is used for irrigation of pasture on both the mauka and the makai sides of the highway (Pastures A and B, respectively). Water is taken through a 6” intake line connected to a pump. Pump data given on the registration form for this source is for the old pump. Mr. Fisher had no data on file for the current pump.
# FAX TRANSMITTAL

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<th>DATE:</th>
<th>APRIL 28, 1999</th>
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**FROM:**
ERIC Y. KADOOKA  
FUKUNAGA AND ASSOCIATES, INC.  
1388 KAPIOLANI BLVD., SECOND FLOOR  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 944-1821  
FAX PHONE: (808) 946-9339.

**TO:**
NEIL FUJII, CWRM  
LENORE NAKAMA, CWRM  
FAX: 587-0219

**SUBJECT:**
STATE WATER PROJECTS PLAN - WATER SYSTEM OWNED OR OPERATED BY STATE PROGRESS REPORT: WATER USE PERMIT, WATER ALLOCATION ACTUAL PUMPAGE RECORDS.
1. Molokai, DOA Molokai Irrigation System wells:
   What is the correct State well numbers for wells with
   Field names; Well No.22, No. 23, No. 24, No. 4, No. 5, No. 6
   What is the actual pumpage from these wells.

2. Oahu, DOA Kahuku Irrigation System wells:
   What wells are Mels Water Works operating contractor for DOA
   submitting as the wells serving the system.
   What is the actual pumpage from these wells.

3. Oahu, HCDCH Waiahole Water System wells:
   What is the actual pumpage from 2853-04, 05 submitted by Doonwood
   Eng. Inc..

4. Molokai, DHHL Hoolehua Water System wells:
   What is the actual pumpage from 0801-01, 02 submitted by DHHL.

5. Oahu, DOH Waimano Training School wells:
   What is the actual pumpage from 2557-01, 02 submitted by DOH.

6. Is there a Water Use Permit for the Kahana Valley State Park water
   system, Public water system No. 327, artisan well 3352-01 for DLNR-
   State Parks. 0.003 FL/D. LMO P FBJ 4/4/7/61

7. What is the permitted amount for the Waiawa Correctional Facility, Dept
   of Public Safety from the Waiahole CCH Decision and Order.

8. Oahu, DOT-Airports Dillingham Airfield Water System well:
   What is the actual pumpage from 3412-02.

9. Oahu, UH Waialee Livestock Research Station Water System wells:
   Is there a Water Use Permit for wells, 335-10 which serves the research
   station and 4101-10 which is used to irrigation pasture lands from
   Waialee Pond. What is the actual pumpage from these wells.

Please comment and respond.

IF THERE ARE ANY PROBLEMS RECEIVING THIS DOCUMENT, PLEASE CALL US:
(808) 944-1821.
**MONTHLY-SURFACE WATER USE REPORT**

Month of **April, 2004**

04/01/04 to 04/30/04

(Month / Day / Year) (Month / Day / Year)

INSTRUCTIONS: Complete this form to report total monthly surface water use from each of your surface water sources, and mail to: Division of Water Resource Management, P.O. Box 373, Honolulu HI 96809. A separate form is available for reporting of ground water use.

| Water User: | WAIALAEA |
| Island: | OAHU |

Water Use Quantity reported in **GALLONS** (Units of Measurement)

<table>
<thead>
<tr>
<th>Stream Name</th>
<th>State Diversion Number</th>
<th>Water Use Quantity</th>
<th>Method of Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>KOLOU FISH POND</td>
<td>54101-01 3410-10</td>
<td>0</td>
<td>EST.</td>
</tr>
</tbody>
</table>

Additional information: (Stream conditions, flood damage, change in use, etc.)

Submitted by (print) **Δ. ῾Ωαρα**

Signature **Δ. ῾Ωαρα**

Title **FARM MANAGER**

Date **5/1/04**
WATER USE PERMIT NO. 528

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: UH Department of Animal Science
1800 East-West Rd.
Honolulu, HI 96822

Landowner of Source: University of Hawaii, Manoa
2444 Dole St.
Honolulu, HI 96822

Permitted Withdrawal Rate: 0.026 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: October 26th, 2000

Standard Conditions: 1-19

Special Conditions: 1-2

End Use

End Use TMK Number(s): 1st Division, 5-8-001:007, 5-8-001:055

State Land Use Classification(s): Agriculture

County Zoning Classification(s): AG-2

Geographical Coordinates: Various
Beneficial Use Explanation: Use for anywhere between 9-20 acres of diversified agriculture

Background Information
State Well No. 4101-10 is located at 21° 41.129' N, 158° 01.433' W on TMK 5-8-001:007. Consistent water use reporting records are available for the past decade. The permittee’s 12-month moving average has not exceeded the permitted amount of 0.026 mgd since that time. Based upon database records, prior to the initial issuance of the water use permit in the year 2000, the UH Department of Animal Sciences pumped water without a permit. A consultant notified the state of this action and, shortly thereafter, a permit was issued.

Water Use Permit 528 was approved during the October 26th, 2000 Commission on Water Resource Management meeting. This water source has been in use for approximately 20 years with the UH Department of Animal Sciences having a permit for it for at least the past seven. Standard conditions 1-19 and special conditions 1-2 are the governing conditions for this water use permit. A complete list of all standard and special conditions is given in the final summary report to the Legislature for the 20-year Water Use Permit Review.

Field Investigation Information
Contact: Alan Umaki
Site Address: 58-160 Kamehameha Hwy.
Haleiwa, HI 96712
Brown and Caldwell conducted a field investigation on January 17th, 2008 from 12:00 p.m. until 2:00 p.m. with Mr. Alan Umaki. During this time, type of water usage was verified, GPS coordinates of well head(s) were recorded, flow meter installation and functionality were documented, and property TMK information was verified. The wellhead, its related appurtenances, and water usage area were visually inspected to assess compliance with permit conditions. Visual inspection of water loss/waste was limited to outdoor areas within the usage boundary. The physical location of the site is approximately 2 miles on the Kahuku side of Sunset Beach on the Mauka side of the road. Reference the permit file for the TMK and GIS maps of the project site.

Summary of Findings for Water Use Permit No. 528
Water is currently being drawn 2-3 times a week from State Well No. 4101-10 and is being used for diversified agriculture and a small amount of livestock at a University of Hawaii Research Facility on TMK parcels 5-8-001:007 and 5-8-001:055. Mr. Umaki has advised that the facility is
in the process of being phased out, which means that the trend of decreased water use that has been occurring over the past several years is expected to continue. It is worth noting that much of the site no longer has animals and/or agriculture that require irrigation. The old dairy/piggery and much of the pasture land is vacant (see Appendix for photographs). Currently, there is no flowmeter installed anywhere on the system. Water use reporting is done by multiplying pump capacity by hours of operation.

Once the water is drawn from the well, it is sent uphill via an old cast iron pipe. The pipe splits and sends water to two locations. The first is a pipe that runs parallel to the main property (TMK 5-8-001:007). There are three pipes splitting of the main line that take water to the dairy, pasture land, and agriculture lots and buildings on the Makai side of Kamehameha Highway. The second pump water destination is a 30,000 gal tank that is used for water storage. In both cases, after the water is initially pumped uphill, gravity is the sole method of water delivery to the project site. Reference the Appendix for photographs of the previously described system components.

Through visual inspection, one source of water loss was identified at the location of the 30,000 gal storage tank. Banyan tree roots that are growing up the side of the concrete tank have created small fractures in two locations where water leaks were observed. However, the loss appeared to be minimal and was by no means enough to cause a change in the depth of water in the tank.

Upon inspection, all components appear to be in full working order. The main delivery pipe, however, is rusted cast iron and is not in good shape. Access was provided to the site grounds where potential sources of water loss were documented. Visual inspection also confirmed that water use was not within the permitted TMK boundaries. Water is currently being used on TMK 5-8-001:055, which is not listed on the water use permit.

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

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

After inspection, it was found that water is being used on a non-permitted TMK. This is a violation of Standard Condition (1).
An approved flowmeter must be installed to measure monthly withdrawals and a month record of withdrawals, salinity, temperature, and pumping times must be kept and reported to the Commission on Water Resource Management on forms provided by the Commission on a monthly basis.

After inspection, it was found that State Well No. 4101-10 is currently drawing water from the aquifer system without a flowmeter installed. The permittee, however, currently estimates total monthly withdrawal based upon pump capacity and reports these numbers to the State.

**Recommendations**

- Update the Commission’s electronic database with the following:
  - Change contact to Mr. Alan Umaki at (808) 638-8067
  - Add TMK’s 5-8-001:055 as an end use location
  - Create memo field noting the field investigation on 1/17/08
- Address violation of Standard Condition (1) and investigate water usage on a TMK parcel (5-8-001:055) not listed on the water use permit.
- Contact permittee regarding violation of standard condition (10). Inform permittee in writing that proof of flow meter installation must be provided to the Commission no later than ninety (90) days after the date of initial letter sent by the State.
20-Year Water Use Permit Review
Water Use Permit No. 528

APPENDIX

Field Investigation Photographs
Figure 1 – State Well No. 4101-10

Figure 2 – 30,000 Gallon Storage Tank
Figure 3 – Water leaking from side of storage tank

Figure 4 – End use at dairy/piggery on TMK 5-8-001:007 (no longer in use)
Figure 5 – End use on TMK 5-8-001:055 (across highway)

Figure 6 – Pasture land end use on TMK 5-8-001:007 (no longer in use)
Standard Conditions List

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20. Standard Condition 16 is waived for saltwater wells.

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

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

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

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

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

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

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

28. The applicant shall follow the agreed monitoring plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66. WUP No. <Insert #> is revoked

67. Standard Condition 17 is waived.

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

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

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

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

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

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

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

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

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

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

78. Standard Condition 9 is waived.

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

80. Standard Condition 10 is waived.

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

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

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

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

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

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

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

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

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

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

92. Standard Condition 7 shall not apply.

93. Standard Condition 22 shall not apply.

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

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

96. HECO 1 mgd for industrial use

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

98. BWS 1 mgd for municipal use.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119. Standard Conditions 10 & 18 shall not apply.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WUP Number: 528
Well Number(s): 4101-10

Contact Information (of the person who will be present at site visit):
Name: Alan H. Umaki
Phone (for phone interview): (808) 638-8067
Fax: (808) 638-8067
Email: ____________________________________________
Best time to reach for phone interview: Monday thru Friday 7:00 AM to 12:00 noon

Property Information (of the water use/well location):
Address: 58-160 Kamehameha Hwy
City: Haleiwa Zip: 96712
Well Location TMK (list all if multiple wells present): 5-8-01:07
Water Use TMK (list all if used on multiple lots): 5-8-01:07, 58001:03, 5-8-001:55

Water Use/Well Information:
Is the water source currently in use? Yes ☑ No ☐
If no, please explain:

What are you currently using the water for? (example: "Use for 45 acres of diversified agriculture and 3 residences"): Diversified Agriculture, 9-20 AC

Is a flow meter installed and working properly? Yes ☐ No ☑
If no, please explain: None was ever installed, flow estimates done by pump capacity

Do you submit monthly water use reports to the State? Yes ☑ No ☐
If no, please explain:

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

Option #1 Date (M-F): Monday Time: 9:00 am ☑ 12:00 pm ☐ 3:00 pm ☐
Option #2 Date (M-F): Tuesday Time: 9:00 am ☑ 12:00 pm ☐ 3:00 pm ☐
Option #3 Date (M-F): Friday Time: 9:00 am ☑ 12:00 pm ☐ 3:00 pm ☐

Once this survey is returned, a Brown and Caldwell representative will be contacting you to conduct a phone interview and finalize the exact date and time of your field investigation. Please fax/mail completed surveys by December 12th, 2007 and direct any questions related to this survey to Mr. Milo Smith of Brown and Caldwell at:
1099 Alakea Street, Suite #2400
Honolulu, HI 96813
Tel: (808) 203-2661
Fax: (808) 533-0226
mcsmith@brownald.com

Received: 11/29/07 Information Updated: 11/28/07 Phone Interview Complete: 1/6/08
Notes/Comments: ______________________________________
Phone Interview

WUP Number: 529
Well Number(s): 4101-10

Contact Name: Alon Umaki
Phone Number: (808) 636-8067

Attempt #1: Date/Time: 1/17/06 - 8:30 am
Result: Reached

Well Location TMK(s): 5-8-001:007
Water Use TMK(s):

Water Source Address: 58-160 Kamehameha Hwy.
City: Haleiwa
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?: 20+ yrs

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

Scheduled field investigation day/time: 1/17/06 @ 12:00

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

- Past Sunset beach - 1 1/2 mile coming from Haleiwa
- Mountain Rd
- Blue UH sign outside
**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.
- Other

```
- CWRM Date was in 20XX, yet water used for 20+ years.
  Were you always the permittee?
- If not, who was previous permittee?
- Used on 3 separate TMK's?
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Interviewed By: M.S.  
Date: 1/8/06  
Time: 8:30 a.m.
Field Investigation Checklist

WUP Number: 528
Well Number(s): 4101-10

Water Source
Well Location TMK(s): 5-6-031:007
Well Head GPS Coordinates: Latitude: 21°41.129' Longitude: 158°01.433'
Well Type: Well Pump

Currently using water source? Yes ☒ No ☐
Notes/Comments: ___________________________________

Is there a flow meter installed? Yes ☐ No ☒
Is the flow meter operational Yes ☐ No ☒ N/A
Notes/Comments: ____________________________

Water Use
Water Use TMK(s): 5-6-031:007:003:055

What is the water being used for? ______________________________

Is the water being used within the permitted boundaries? Yes ☒ No ☐
If no, explain ____________________________________________

Is there any observed wasting of water or water loss? Yes ☒ No ☐
If no, explain Small amounts around 30,000 gal tank

Are the permit conditions being complied with? Yes ☐ No ☒
If no, explain: No flow meter

Other
Photographs of: Water Source ☒ Water Meter ☒ Usage Area ☒ Pump/Motor ☒

General Notes/Comments: _______________________________________

Investigated By: M.S. Date: 4/17/08 Time: 11:45
WUP 528 - 12 Month Moving Average

MGD

Dec-02  Jan-03  Feb-04  Mar-05  Apr-07  May-07

0.00  0.02  0.04  0.06  0.08
Dear Dr. Vincent:

Approval of Water Use Permit for Well No. 4101-10
Kawailoa Ground-Water Management Area, Oahu

This letter transmits your water use permit for Waialee (Well No. 4101-10) for use of 0.026 million gallons per day (mgd) of water on a 12-month moving average basis that was approved by the Commission on Water Resource Management (Commission) on October 26, 2000. As part of the Commission's approval, the following special conditions were added and are part of your permit under Standard Permit Condition 18:

Special Conditions

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

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

Enclosed with this letter of approval are the following:

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

Please be sure to read the conditions of your approved permit.

We draw your attention to two key conditions of your permit that require your response. First, you are required to keep a record of your monthly total pumpage, water level, salinity, and water temperature. This information must be submitted to the Commission on a regular monthly basis using the enclosed water use report form. You should make copies of the enclosed report form as needed.
Second, you are required to submit a water shortage plan to the Commission within thirty (30) days of the issuance date of this permit. Your water shortage plan simply identifies what you are willing to do should the Commission declare a water shortage situation in the Kawaiola Ground-Water Management Area and can be as short as a one page letter. In a water shortage situation, the Commission may require temporary reductions in pumpage from all sources. The Commission is required, by law, to formulate a plan to implement such area-wide reductions, which should accommodate, include, and be consistent with your plans. Therefore, your help, by submitting your water shortage plan, is greatly needed in formulating the Commission's overall Water Shortage Plan.

If you have any questions, please call Lenore Nakama of the Commission staff at 587-0218.

Aloha,

TIMOTHY E. JOHNS  
Chairperson

Attachments

c: University of Hawaii at Manoa
**GROUND-WATER USE PERMIT**

**WUP NO. 528**

### PERMITTEE

<table>
<thead>
<tr>
<th>Permittee/Water User</th>
<th>University of Hawaii</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>Department of Animal Sciences</td>
</tr>
<tr>
<td></td>
<td>1800 East-West Road</td>
</tr>
<tr>
<td></td>
<td>Honolulu, HI 96822</td>
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<table>
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<tr>
<th>Landowner of Source</th>
<th>University of Hawaii at Manoa</th>
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<tr>
<td>Address</td>
<td>2444 Dole Street</td>
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<tr>
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<td>Honolulu, HI 96822</td>
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### PERMITTED SOURCE INFORMATION

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<tr>
<th>Island</th>
<th>Oahu</th>
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<tbody>
<tr>
<td>Water Management Area</td>
<td>North</td>
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<tr>
<td>Aquifer Sector</td>
<td>North</td>
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<td>Aquifer System</td>
<td>Kawailoa</td>
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<tr>
<td>System Sustainable Yield</td>
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<td>Well Name</td>
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<td>State Well No.</td>
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### PERMITTED USE INFORMATION

<table>
<thead>
<tr>
<th>Reasonable beneficial use</th>
<th>Agriculture (dairy, piggery, pasture irrigation)</th>
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<tr>
<td>Withdrawal (12 month moving ave.)</td>
<td>0.026 mgd</td>
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<tr>
<td>Location of water use</td>
<td>5-8-01:07</td>
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<td>TMK #</td>
<td></td>
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<td>Address</td>
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<td>State land use classification</td>
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<td>County zoning classification</td>
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Pursuant to Hawaii's State Constitution, Article XI, Section 7, Hawaii Revised Statutes, Chapter 174C; Hawaii Administrative Rules, Chapters 13-167 through 13-171; and Hawaii decisional law and custom, the permittee is hereby authorized to use ground water from the sources and in the amount and from and upon the locations described above; subject however, to the requirements of law including but not limited to the following conditions:
1. The water described in this water use permit may only be taken from the location described and used for the reasonable beneficial use described at the location described above. Reasonable beneficial uses means "the use of water in such a quantity as is necessary for economic and efficient utilization which is both reasonable and consistent with State and County land use plans and the public interest." (HRS § 174C-3)

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

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

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

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

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

7. The water use permit application and submittal, as amended, approved by the Commission at its October 26, 2000 meeting are incorporated into this permit by reference.

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

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

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

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

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

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

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

13. The use(s) authorized by law and by this permit do not constitute ownership rights.
14. The permittee shall request modification of the permit as necessary to comply with all applicable laws, rules, and ordinances which will affect the permittee's water use.

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

16. The permittee shall prepare and submit a water shortage plan within 30 days of the issuance of this permit as required by HAR § 13-171-42(c). The permittee's water shortage plan shall identify what the permittee is willing to do should the Commission declare a water shortage in the 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. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

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

[Signature]
TIMOTHY E. JOHNS, Chairperson
Commission on Water Resource Management

Attachment

cc: University of Hawaii at Manoa
FIELD MEMORANDUM

DECLARANT (File Reference): U of Hawaii 3

SITE VISIT DATE: June 9, 1999

PRESENT: David Higa
Lenore Nakama
Alan Umaki

STATUS: (1) Drilled well currently in use (Well No. 4101-10)
(2) Surface water diversion currently in use (Div. No. S4101-01)

SOURCE(S): (1) TMK: 5-8-01:07. USGS Waimea quad (O-3).
Existing drilled well.
GPS coordinates: 21° 41' 20" N, 158° 01' 35" W

(2) TMK: 5-8-01:07 & 13. USGS Waimea quad (O-3).
Existing surface water intake.
GPS coordinates: 21° 41' 28" N, 158° 01' 33" W

USE(S): (1) TMK: 5-8-01:07. USGS Waimea quad (O-3).
Dairy and piggery wash water (for approximately 280 cows and 225 pigs).
Quantity: 26,400 gpd, estimated based on pump capacity (220 gpm) * time (2 hrs).

(2) TMK: 5-8-01:07 & 13. USGS Waimea quad (O-3).
Irrigation for approximately 35 acres of pasture when needed during dry weather
(approximately 230 sheep).
Quantity: 180,000 gpd, estimated based on pump capacity (500 gpm) * time (6 hrs).

FIELD NOTES:

1. Verified that the pond source is a surface water source and does not need a water use permit. (WUPA returned to applicant)
2. The pump on the well was replaced in 12/98 w/another 200 gpm submersible pump (Roscoe Moss did the work). Informed Alan that a well completion report – part II should be filed. Alan said to send him a copy of the form and he will complete it. The well fills a 30,000 gallon reservoir located at the Crawford Home.
3. The 500 gpm pump on the surface water source was installed in the mid-1970's. A spring discharges to fill a pond. There is a concrete box constructed at the mauka end of the pond with a 6-inch flexible plastic intake pipe that diverts water using a 500 gpm centrifugal pump that was installed in the mid-1970's. The water is delivered to irrigate pastures located mauka & makai of the highway (see map).
4. Water sample taken from piggery line: 115 ppm (Note: piggery line fed by 30,000 gal reservoir)
5. Water sample taken from inside the concrete box where the surface water intake is located: 143 ppm
CHLORIDE TITRATION RECORD

for

U or U:\, Island

Project or Job No. 19

Titrations conducted by U. Ouye

<table>
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<tr>
<th>Sample No.</th>
<th>Date Taken</th>
<th>Sample (ml)</th>
<th>Burette Rdg Before (ml)</th>
<th>AgNO₃ (ml)</th>
<th>AgNO₃ 0.2 ml Factor</th>
<th>Chlorides (ppm)</th>
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</table>
PART II.

(PERMANENT) PUMP INSTALLATION REPORT

20. Pump Installation Company: Roscoe Moss Hawaii, Inc.
21. Name of person performing work: Patrick Soon
22. Date Pump Installation Completed: December 17, 1998
23. PUMP INSTALLATION:
   - Pump Type, Make, Serial No.: Submersible, Crown, 7795
   - Motor type, H.P., Voltage, rpm: Submersible, Franklin, 230, 3450
   - Capacity: 200 gpm
   - Depth of Pump Intake Setting: 68'-2" ft. below Head, which elevation is 58 ft
   - Depth to bottom of sump: 64'-7" ft. below Head, which elevation is 58 ft
   - Pumping Head is: 135 ft. Type of flow meter: Turbine, which measures in Gal

24. As-built drawings attached: Yes
25. Other remarks/comments: (See below)

Pump Installation Contractor (print): Roscoe Moss Hawaii, Inc.
C-57 Lic. No.: AC-16437

Signature

WILLIAM C. MOORE, PRESIDENT/PRV

Date: December 24, 1998

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8. (cont'd) DRILLER'S LOG (cont'd):

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<th>Water Level Dates (ft.)</th>
<th>Depth (ft.)</th>
<th>Rock Description, Remarks</th>
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Added 1½" tube for bounder.

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TOTAL P. 01
Mr. Alan Umaki  
Waialae Research Farm  
58-160 Kamehameha Highway  
Haleiwa, HI 96712  

Dear Mr. Umaki:

Well Completion Report - Part II  
Pump Replacement for Waialae Well (Well No. 4101-10)

Thank you for taking the time out of your busy schedule to meet with David Higa and Lenore Nakama of the Commission staff. We have attached a copy of the field investigation report.

As was discussed during our June 9, 1999 visit, although a permit is not required for pump replacements, a Well Completion Report – Part II should be made. Please complete Part II of the attached form and return it to our office.

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

Sincerely,

EDWIN T. SAKODA  
Acting Deputy Director

LN:ss  
Attachment