Note: 0521-10 Stream impacts, 60 gpm well
LFS amendment required before CEC
Assessed Values reflect tax year 2008.

Search criteria: TMK Owner HOFFBERG, GEORGE OR HOFFBERG, GEORGE/ETAL

**PUBLIC RECORD DATA**

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**PUBLIC RECORD DATA**

**TMK # 4-4-3-3-4-1**  
*WAIPUOLI, Apt 1*

**Owner:** HOFFBERG, GEORGE  
**Tax Payer:** HOFFBERG, GEORGE TRUST

**Tax Bill:** 7550 WASHINGTON AVE, SEBASTOPOL CA 95472 USA

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<td></td>
<td></td>
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<td>Bedrooms/Baths: 0/0</td>
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**Exemption** $0  
**Size** 3.07 ac  
**Total Buildings** 0  
**Total** $600

**SALES**

- **8/12/2005 DEED-M**  
  CONDOMINIUM MAP #3973  
  EXCHANGE ACCOMMODATORS INC, A Company or Corporation

- **4/25/2006 DEED-M**  
  CORRECTION DEED: REF DOC 06-027032; CONDO MAP #3973  
  HOFFBERG, GEORGE, Trustee(Revocable Trust)  
  *GEORGE HOFFBERG 1990 REVOCABLE TRUST U/D/T*  
  *JUNE 27, 1990, WITH FULL POWERS*  
  GEORGE HOFFBERG 1990 REVOCABLE TRUST, Revocable Trust(Revocable Trust)

**DEVELOPER'S PUBLIC REPORT/ASSOCIATION BIENNIAL REGISTRATION**

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<td>KAPAA HOMESTEADS</td>
<td>PHEASANT HILL, ETAL</td>
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http://webre1.hawaiiinformation.com/REsearch/HIS/  
7/28/2008
Mr. Michael Lluellen  
Kauai Water Well  
P.O. Box 431  
Anahola, HI 96703

Dear Mr. Lluellen:

Extension of Well Construction/Pump Installation Permit for Well No. 0521-12 & 13

This is in response to your email dated February 15, 2011 requesting an extension for the completion date of the Aina Wai 1 & 2 (Well No. 0521-12 & 13). Your request is approved. Your new completion date is February 17, 2013. All other conditions of your permit remain the same.

If you have any questions, please contact Charley Ice of the Commission staff at 587-0218 or toll-free at 274-3141 (Kauai), extension 70218.

Sincerely,

WILLIAM M. TAM  
Deputy Director

Cl:ss

c: George Hoffberg
I notice that there were two wells permitted at the same time. Is the plan still for two wells? Shall we extend them both?

In such a case, we will need to have careful GPS readings for the two wells, to distinguish them, and the earliest possible new subdivision map to identify which parcels they go on. Take care to optimize the well locations so that they don’t interfere with each other. They would also need to be used to monitor each other’s pump tests, and to be pumped simultaneously to assure adequate spacing and depth to sustain the desired pumpage level. These tests should “side-by-side” columns (could be separate pages) showing drawdown and chlorides in the monitor well as the other is being pumped.

The project/subdivision process is being delayed and more time on permit for Well #0521-13 - Aina Wai II is requested. Thank you Michael Luellen, Kauai Water Well

----Original Message----
From: Charley.F.Ice <Charley.F.Ice@hawaii.gov>
To: lluellen808<lluellen808@aol.com>
Sent: Tue, Feb 15, 2011 9:42 am
Subject: Re:

Sure. Best is to have the reason included in the request (email is OK).

Charley, would it be possible to extend the permit of Well #0521-13 Aina Wai II? Shook
I notice that there were two wells permitted at the same time. Is the plan still for two wells? Shall we extend them both?
In such a case, we will need to have careful GPS readings for the two wells, to distinguish them, and the earliest possible new subdivision map to identify which parcels they go on.
Take care to optimize the well locations so that they don't interfere with each other. They would also need to be used to monitor each other's pump tests, and to be pumped simultaneously to assure adequate spacing and depth to sustain the desired pumpage level. These tests should "side-by-side" columns (could be separate pages) showing drawdown and chlorides in the monitor well as the other is being pumped.

The project/subdivision process is being delayed and more time on permit for Well # 0521-13 - Aina Wai II is requested. Thank you Michael Luellen, Kauai Water Well

Sure. Best is to have the reason included in the request (email is OK).

Charley, would it be possible to extend the permit of Well # 0521-13 Aina Wai II? Shook
The project/subdivision process is being delayed and more time on permit for Well # 0521-13 - Aina Wai II is requested. Thank you Michael Luellen, Kauai Water Well

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From: Charley.F.lce <Charley.F.lce@hawaii.gov>
To: lluellen808 <lluellen808@aol.com>
Sent: Tue, Feb 15, 2011 9:42 am
Subject: Re:

Sure. Best is to have the reason included in the request (email is OK).

Charley, would it be possible to extend the permit of Well # 0521-13 Aina Wai II? Shook
MEMORANDUM

TO: Ken C. Kawahara, Deputy Director  
Commission on Water Resource Management

FROM: Nancy A. McMahon, Deputy Administrator  
and Deputy State Historic Preservation Officer
State Historic Preservation Division

Subject: Chapter 6E-42 Historic Preservation Review— 
Two Well Construction / Pump Installation Permit Applications, Aina Wai and Aina Wai II Wells (Well Nos. 0521-12 and 13), 
Kapa'a Ahupua'a, Kawaihae District, Kaua'i Island, Hawai'i 
TMK: (4) 4-4-003: 004

Thank you for the opportunity to review this permit application which we received on January 20, 2009. We apologize for the delay in reviewing this application, as we are short staffed.

We determine that no historic properties will be affected by this project because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other:

In the event that historic resources, including human skeletal remains, are identified during the construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance and please contact the State Historic Preservation Division at (808) 692-8015.

Please call Wendy Tolleson at (808) 692-8024 if you have any questions or concerns regarding this letter.
February 24, 2009

Mr. Michael Lluellen
Kauai Water Well
P.O. Box 431
Anahola, HI 96703

Dear Mr. Lluellen:

Well Construction Permit
Aina Wai II Well (Well No. 0521-13)

Enclosed are two (2) copies of your approved Well Construction Permit for the captioned well(s) that authorize well construction activities but excludes installation work for a permanent pump. As part of the Chairperson's approval, the following special condition was added and is part of your permit under Permit Condition 17:

Special Condition

1. Attached for your information are copies of the Department of Health's (DOH) review comments. Please note DOH's requirements related to discharge of effluent from well drilling and testing activities. Also, please contact the Noise Radiation and Indoor Air Quality Branch at 586-4700 to check compliance with construction noise permit requirements for this project.

Please refer to the Permit Processes Worksheet (transmitted with your acknowledgement letter) for further information regarding the process of drilling a well and installing a pump.

No withdrawal of water shall be made other than for testing purposes until a certificate of pump installation completion has been issued by the Commission.

Please sign both permit originals and return one copy to the Commission office for our files. For copies of the aquifer pump test worksheet, please call staff or go to our website at www.state.hi.us/dlnr/cwrmlresources~ermits.htm.

IMPORTANT - Drilling work shall not commence until a fully signed permit is returned to the Commission. The permit shall be prominently displayed or made available at the construction site during construction. Be advised that you may be subject to fines of up to $5,000 per day for any violations of your permit conditions starting from the permit approval date.

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

Sincerely,

Laura H. Theilen
Chairperson

Enclosures

c: George Hoffberg (with applicable DOH comments)
USGS
Kauai DWS
WELL CONSTRUCTION PERMIT

aina Wai II Well, Well No. 0521-13

Note: This permit shall be prominently displayed at the construction site until the work is completed.

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the construction and testing of Aina Wai II Well (Well No. 0521-13) at TMK (4) 4-4-003:004, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson of the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work authorized by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).
2. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.
3. The well construction permit shall be for construction and testing of the well only. The permittee shall coordinate with the Chairperson and conduct a pumping test in accordance with the HWCPIS (the latest pump test worksheet can be obtained by contacting Commission staff or at www.hawaii.gov/dlnr/cwrm/resources_permits.htm). The permittee shall submit to the Chairperson the test results as a basis for supporting an application to install a permanent pump. No permanent pump may be installed until a pump installation permit is approved and issued by the Chairperson. No withdrawal of water shall be made for purposes other than testing without a Certificate of Pump Installation Completion. The permitted pump capacity described on the pump installation permit may be reduced in the event that the pump test does not support the capacity.
4. In basal ground water, the depth of the well may not exceed one-fourth (1/4) of the theoretical thickness (41 times initial head) of the basal ground water unless otherwise authorized by the Chairperson. If it can be shown that the well does not tap basal ground water then this condition may be waived after consultation with and acceptance by Commission staff. However, in no instance can the well be drilled deeper than one-half (1/2) of the theoretical thickness without Commission approval.
5. The permittee shall incorporate mitigation measures to prevent construction debris from entering the aquatic environment, to schedule work to avoid periods of high rainfall, and to revegetate any cleared areas as soon as possible.
6. In the event that historically significant remains such as artifacts, burials or concentrations of shells or charcoal are encountered during construction, the permittee shall stop work and immediately contact the Department of Land and Natural Resources' State Historic Preservation Division. Work may recommence only after written concurrence by the State Historic Preservation Division.
7. The proposed well construction shall not adversely affect existing or future legal uses of water in the area, including any surface water or established instream flow standards. This permit or the authorization to construct the well shall not constitute a determination of correlative water rights.
8. The Well Completion Report Part I shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrm/resources_permits.htm for current form).
9. The permittee shall comply with all applicable laws, rules, and ordinances; non-compliance may be grounds for revocation of this permit.
10. The well construction permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.
11. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.
12. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.
13. The work proposed in the well construction permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.
14. If the well is not to be used it must be properly capped. If the well is to be abandoned during the course of the project then the permittee must apply for a well abandonment permit in accordance with §13-168-12(f), HAR, prior to any well sealing or plugging work.
15. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.
16. This permit shall apply to the location shown on the application only. If the well is to be relocated, the permittee shall apply for a new well construction/pump installation permit in accordance with §13-168-12(f), HAR.
17. Special conditions in the attached cover transmittal letter are incorporated herein by reference.

Date of Approval: February 17, 2009
Expiration Date: February 17, 2011

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $5,000 per day starting from the permit date of approval.

Driller's Signature: ____________________________ C-57 License #: C-29578 Date: ____________________________
Printed Name: Michael Lluellen Firm or Title: Kauai Water Well

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.

Attachment+
February 24, 2009

Mr. Michael Lluellen
Kauai Water Well
P.O. Box 431
Anahola, HI 96703

Dear Mr. Lluellen:

Pump Installation Permit
Aina Wai II Well (Well No. 0521-13)

Enclosed are two (2) originals of your approved Pump Installation Permit for the captioned well(s) that authorize permanent pump installation work for your well(s). As part of the Chairperson's approval, the following special conditions were added and are part of your permit under Permit Condition 14:

**Special Conditions**

1. If the elevation benchmark needs to be altered, the permittee, well operator, and/or well owner shall ensure that the benchmark is transferred (or the well resurveyed) and documentation of the new benchmark shall be submitted to the Commission within sixty (60) days after the pump is installed.

2. Attached for your information are copies of the Department of Health's (DOH) review comments. Please note DOH's requirements related to discharge of effluent from well drilling and testing activities. Also, please contact the Noise Radiation and Indoor Air Quality Branch at 586-4700 to check compliance with construction noise permit requirements for this project.

The permittee is responsible for all conditions of the permit. This includes ensuring the submission of a completed Well Completion Report Part II form within sixty (60) days after the pump installation work is completed. Be advised that you may be subject to fines of up to $5,000 per day for any violations of your permit conditions starting from the permit approval date.

Please sign both permit originals and return one copy to the Commission office for our files.

**IMPORTANT** - Pump installation shall not commence until a fully signed permit is returned to the Commission.

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

Sincerely,

[Signature]

LAURA H. THEILEN
Chairperson

C: George Hoffberg (with applicable DOH comments)
USGS
Kauai DWS
PUMP INSTALLATION PERMIT
Aina Wai II Well, Well No. 0521-13

Note: This permit shall be prominently displayed at the site until the work is completed

In accordance with Department of Land and Natural Resources, Commission on Water Resource Management's Administrative Rules, Section 13-168, entitled "Water Use, Wells, and Stream Diversion Works", this document permits the pump installation for Aina Wai II Well (Well No. 0521-13) at TMK (4) 4-4-003:004, Kauai, subject to the Hawaii Well Construction & Pump Installation Standards (HWCPIS - February 2004) which include but are not limited to the following conditions:

1. The Chairperson to the Commission on Water Resource Management (Commission), P.O. Box 621, Honolulu, HI 96809, shall be notified, in writing, at least two (2) weeks before any work covered by this permit commences and staff shall be allowed to inspect installation activities in accordance with §13-168-15, Hawaii Administrative Rules (HAR).

2. No withdrawal of water shall be made other than for testing until a Certificate of Pump Installation Completion has been issued by the Commission.

3. This permit shall be prominently displayed, or made available, at the site of construction work until work is completed.

4. The pump installation permit shall be for installation of a 50 gpm rated capacity, or less, pump in the well. This permanent capacity may be reduced in the event that the pump test data does not support the capacity.

5. A water-level measurement access shall be permanently installed, in a manner acceptable to the Chairperson, to accurately record water levels.

6. The permittee shall install an approved meter or other appropriate means for measuring and reporting withdrawals and appropriate devices or means for measuring chlorides and temperature at the well head.

7. Well Completion Report Part II shall be submitted to the Chairperson within sixty (60) days after completion of work (please contact staff or visit www.hawaii.gov/dlnr/cwrm/resources_permits.htm for current form).

8. The permittee, well operator, and/or well owner shall comply with all applicable laws, rules, and ordinances, and non-compliance may be grounds for revocation of this permit.

9. The pump installation permit application and, if relevant, any related staff submittal approved by the Commission are incorporated into this permit by reference.

10. If the HWCPIS are not followed and as a consequence water is wasted or contaminated, a lien on the property may result.

11. Any variances from the HWCPIS shall be approved by the Chairperson prior to invoking the variance.

12. The work proposed in the pump installation permit application shall be completed within two (2) years from the date of permit approval, unless otherwise specified. The permit may be extended by the Chairperson upon a showing of good cause and good-faith performance. A request to extend the permit shall be submitted to the Chairperson no later than the date the permit expires.

13. The permittee, its successors, and assigns shall indemnify, defend, and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, or death arising out of any act or omission of the applicant, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit.

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

Date of Approval: February 17, 2009
Expiration Date: February 17, 2011

LAURA H. THIELEN, Chairperson
Commission on Water Resource Management

I have read the conditions and terms of this permit and understand them. I accept and agree to meet these conditions as a prerequisite and underlying condition of my ability to proceed and understand that I shall not commence work until I and the pump installer have signed, dated, and returned the permit to the Commission. I understand that this permit is not to be transferred to any other entity. I also understand that non-compliance with any permit condition may be grounds for revocation and fines of up to $5,000 per day starting from the permit date of approval.

Installer's Signature: ____________________________ C-57, C-57a, or A License #: C-29578 Date: ________________

Printed Name: Michael Lluellen Firm or Title: Kauai Water Well

Please sign both copies of this permit, return one copy to the Commission office, and retain the other for your records.

Attachments
WELL LOCATION INFORMATION

1. STATE WEL No. (if already assigned) 2. WELL NAME

Amawain

3. ISLAND

Kauai

4. TMK

3 li 3 3 4

The following must be attached before the application is accepted as complete:

- Portion of 7 8-Minute Series U.S.D.S. topographic map (scale 1:24 000) with well location labeled and include the name of the quad map

- Property tax map, showing well location referenced to established property boundaries

- Photograph of the proposed well site

- A schematic diagram showing the well site, access road and proposed well infrastructure

- For day wells, attach a grading plan with cross section profiles showing grading and field grades

5. MAIL OPERATOR'S NAME COMPANY

Well Driller's Contact

Rebecca Hagberg 808-376-3628

Landowner's Phone 808-334-3628

Landowner's Fax 808-376-3628

PROPOSED WELL CONSTRUCTION

7. Proposed Work

- Construct New Well
- Modify Existing Well
- Abandon/Seal Well

PROPOSED PUMP INSTALLATION

10. Proposed Work

- Install New Pump
- Replace Pump

11. Proposed Pumping Rate, gpm (gallons per minute)

12. Proposed Amount of Withdrawal, gpd (gallons per day)

13. Method of flow measurement

- Flowmeter
- Other (explain)

14. Proposed Surveyor's name and license number (a surveyor is required for all Well Construction Permits and may be required for some Pump Installation Permits)

15. Municipal (water systems serving greater than 25 individuals or 15 service connections)

16. Domestic

Number of units to be served: 11 TOTAL BETWEEN 2 WELLS

17. Irrigation (describe crop and no. of acres)

18. Military (describe)

19. Other (describe)

OTHER LEGAL REQUIREMENTS

If required, items 21, 22, and 23 must be obtained before the Commission can legally issue a permit:

21. Conservation District Use Permit (CDUP)

- Well is in Conservation District
- City required, CDUP #
- Not Required (attach documentation from OCCL)
- I have not checked with OCCL about whether or not a CDUP is required. I understand that checking with OCCL prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

22. Special Management Area Permit (SMAP)

- Required, SMAP #
- Not Required (attach documentation from applicable County agency)
- I have not checked with the county about whether or not an SMAP is required. I understand that checking with the County prior to making this application may expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

23. State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources

- I have consulted with the HPDO regarding potential impacts of well construction activities on historic sites. I have attached applicable documentation from the HPDO.
- I have not consulted with the HPDO regarding potential impacts of well construction activities on historic sites. I understand that checking with the HPDO prior to making this application may expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued. Additionally, the history of past land use is attached.

Additional remarks, explanations, etc. (attach additional sheet if more space is needed)

NOTE: Signing below indicates that the signatures understand and swear that the information provided is accurate and true to the best of their knowledge.

24. WELL DRILLER (must be filled out if application is for Well Construction)

[Signature]

[License business name]

[DLR License No.]

[Print]

[Date]

25. PUMP INSTALLER (must be filled out if application is for Pump Installation)

[Signature]

[License business name]

[OSA License No.]

[Print]

[Date]

WCPI Application Form 02/20/2007
From: Laura H. Thielen, Chairperson
Commission on Water Resource Management

Subject: Two Well Construction/Pump Installation Permit Applications

To: Honorable Chiyome L. Fukino, M.D., Director
Department of Health

Attention: Director's Office

TO:

Tomas See, Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alex Wong, Chief, Clean Water Branch
Dr. Keith Kawoaka, Office of Hazard Evaluation and Emergency Response

This transmitted for your review and comment are copies of two Well Construction/Pump Installation Permit applications, one for each of the captioned Wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

Response:

[1] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (VAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

[1] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition, then Director of Health approval is required prior to implementation.

[1] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[1] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[1] For the applicant's information, a source of possible wastewater contamination [ ] is [ ] not located near the proposed well site (information attached).

[1] An NPDES permit is required.

[1] Other relevant DOH rules/regulations, information, or recommendations are attached.

[1] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

No comments/objections

Contact Person: Richard Palmer
Signature: Richard Palmer
Phone: 586-0567
Date: 1/23/2009
Page: 003 R=95%
January 14, 2009

TO: Morris Atta, Administrator  
Land Division

FROM: Ken C. Kawahara, P.E., Deputy Director  
Commission on Water Resource Management

SUBJECT: Two Well Construction/Pump Installation Permit Applications  
Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK(4) 4-4-003:004

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

RESPONSE:

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

XX 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

XX Other comments: Original source of private title is Geant 5266 issued prior to statehood.

Contact Person: Gary Martin  
Phone: 587-0421

Signed: ___________________  
Date: ____________________
Hi Shook,

Regarding the applications that are to be transferred to you from High Plains, we need you to send in a signed application form with your license number for each of the wells for which permits will be transferred--as you did for Friedman. Here is a list of what I need from you to complete these transfers:

**Signed application (pages 1 and 2 only, we will combine with applications already on file):**
1. Well No. 0323-01 -- Greg Smith
2. Well No. 0521-12 -- George Hoffberg
3. Well No. 0521-13 -- George Hoffberg
4. Well No. 1122-04 -- Sonja Geiger (the permit for this well is ready to be issued, but I need the signed application before we can issue it to you)

**Notification from well owner/operator that you are the new contractor AND signed application (pages 1 & 2):**
1. Well No. 1221-12 -- Brandon Miranda
2. Well No. 1222-08 -- Aimee Moorhead
3. Well No. 1323-02 -- Elliot Rosenblum

####
Also, I found an error in our database that caused another expired permit to fall off our status report. Please tell me if the pump was installed in Well No. 1120-46 (Molaa Bay Ventures, "Kaapuna Kai Well")?
The permit expired on February 28, 2008. If the pump installation work was completed, Marcus needs to submit a Well Completion Report Part II as soon as possible, so we can complete our record and issue a certificate of pump installation completion. I am preparing an expiration notice for this permit.

Thanks for your help.
--Denise

*Denise E. Mills*
HYDROLOGIST

*Hawaii Department of Land and Natural Resources*
*Commission on Water Resource Management*
*1151 Punchbowl Street, Room 227*
*Honolulu, Hawaii 96813*
*Phone: (808) 587-0251*
*Denise.E.Mills@hawaii.gov*
Please be advised that I have chosen another contractor for the Aina Wai wells 1 & 2 on Kauai.

Kauai Water Wells, C29578

Please confirm receipt and acceptance.

Mahalo,

geo

GEORGE HOFFBERG
2geo@earthlink.net
EarthLink Revolves Around You.
TO: Honorable Chiyome L. Fukino, M.D., Director Department of Health
Attention: Director's Office

Tomas See, Chief, Wastewater Branch
Stuart Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch

Dr. Keith Kawaoka, Office of Hazard Evaluation and

FROM: Laura H. Thielen, Chairperson Commission on Water Resource Management

SUBJECT: Two Well Construction/Pump Installation Permit Applications Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003:004

January 14, 2009

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

[Attachment(s)]

[Response]

[Comment(s)]

[Signature: Michael Wypych]

[Date: 1/28/09]

[Phone: ]

[General: Q = 10,000 gpd]

[Location: Kapa, New]

[Grd. Elev.: 280.7]

[Well Dia.: 6"

[Well Depth: 250']

[Director: High Plains]

[Drinking Water Branch]
CWRM Application Source: Aina Wai and Aina Wai II wells
USGS Nos. 0521-12 and 0521-13
T.M.K. (4) 4-4-003:004

Safe Drinking Water Branch (SDWB) - Engineering Section

This well may qualify as a source that serves a regulated public water system. Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules, Title 11, Chapter 20, Rules Relating to Potable Water Systems.

All new public water systems are required to demonstrate and meet minimum capacity requirements prior to their establishment. This requirement involves demonstration that the system will have satisfactory technical, managerial and financial capacity to enable the system to comply with safe drinking water standards and requirements.

Projects that propose development of new sources of potable water serving or proposed to serve a public water system must comply with the terms of HAR 11-20-29. This section requires that all new public water system sources be approved by the Director of Health prior to its use. Such approval is based primarily upon the submission of a satisfactory engineering report which addresses the requirements set in Section 11-20-29.

The engineering report must identify all potential sources of contamination and evaluate alternative control measures which could be implemented to reduce or eliminate the potential for contamination, including treatment of the water source. In addition, water quality analyses for all regulated contaminants, performed by a laboratory certified by the State Laboratories Division of the state of Hawaii, must be submitted as part of the report to demonstrate compliance with all drinking water standards. Additional parameters may be required by the Director for this submittal or additional tests required upon his or her review of the information submitted.

All public water system sources must undergo a source water
assessment which will delineate a source water protection area. This process is preliminary to the creation of a source water protection plan for that source and activities which will take place to protect the drinking water source.

Projects proposing to develop new public water systems or proposing substantial modifications to existing public water systems must receive approval by the Director of Health prior to construction of the proposed system or modification. These projects include treatment, storage and distribution systems of public water systems. The approval authority for projects owned and operated by a County Board or Department of Water or Water Supply has been delegated to them.

All public water systems must be operated by certified distribution system and water treatment plant operators as defined by Hawaii Administrative Rules, Title 11, Chapter 11-25 titled; Rules Pertaining to Certification of Public Water System Operators.

All projects which propose the use of dual water systems or the use of a non-potable water system in proximity to an existing potable water system to meet irrigation or other needs must be carefully design and operate these systems to prevent the cross-connection of these systems and prevent the possibility of backflow of water from the non-potable system to the potable system. The two systems must be clearly labeled and physically separated by air gaps or reduced pressure principle backflow prevention devices to avoid contaminating the potable water supply. In addition backflow devices must be tested periodically to assure their proper operation. Further, all non-potable spigots and irrigated areas should be clearly labeled with warning signs to prevent the inadvertent consumption on non-potable water. Compliance with Hawaii Administrative Rules, Title 11, Chapter 11-21 titled; Cross-Connection and Backflow Control is also required.

All projects which propose the establishment of a potentially contaminating activity (as identified in the Hawaii Source Water Assessment Plan) within the source water protection area of an existing source of water for a public water supply should address this potential and activities that will be implemented to prevent or reduce the potential for contamination of the drinking water source.

CWRM Well Application Standard Comments (SDWE)  
Vers. 4/8/08
For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other regulated public water system programs, please contact the Safe Drinking Water Branch Engineering Section at 586-4258.

**SDWB Underground Injection Control (UIC) Section**

Injection wells used for the subsurface disposal of wastewater, sewage effluent, or surface runoff are subject to environmental regulation and permitting under Hawai‘i Administrative Rules, Title 11, Chapter 11-23, titled Underground Injection Control (UIC). The Department of Health’s approval must be first obtained before any injection well construction commences. A UIC permit must be issued before any injection well operation occurs.

Authorization to use an injection well is granted when a UIC permit is issued to the injection well facility. The UIC permit contains discharge and operation limitations, monitoring and reporting requirements, and other facility management and operational conditions. A complete UIC permit application form is needed to apply for a UIC permit.

A UIC permit can have a valid duration of up to five years. Permit renewal is needed to keep an expiring permit valid for another term. For further information about the UIC permit and the Underground Injection Control Program, please contact the UIC staff of the Safe Drinking Water Branch at 586-4258.

The UIC Program has the following comments specific to this Application:

1. In general, a shallow well, or a well that recharges quickly from local rainfall, should not be used as a potable water source because such a well increases the risk of having unsatisfactory groundwater quality that when consumed may compromise health. Factors that directly influence a well’s groundwater quality include wastewater disposal systems (cesspools, septic systems, drainage wells), lawn/garden/crop-growing activities, and even the proximity to the ocean where salt water intrusion may occur.

*CWRM Well Application Standard Comments (SDWB)*

*Vers. 4/8/08*
2. Well water quality should be initially and periodically tested for it's acceptable and intended use, especially if for human consumption. Water quality should not be presumed acceptable and unchanging. Land-based activities around the well and within the well's recharge area may, over time, have an unacceptable effect on the well's water quality. Well construction materials and related equipment could also affect water quality.
TO: Honorable Chiyome L. Fukino, M.D., Director  
Department of Health  
Attention: Director’s Office  
Tomas See, Chief, Wastewater Branch  
Stuart Yamada, Chief, Safe Drinking Water Branch  
Alec Wong, Chief, Clean Water Branch  
Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response  

FROM: Laura H. Thielen, Chairperson  
Commission on Water Resource Management  

SUBJECT: Two Well Construction/Pump Installation Permit Applications  
Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003:004

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-2.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner shall test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition, then Director of Health approval is required prior to implementation.

[ ] If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating potable and non-potable systems by an air gap or an approved backflow preventer and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant’s information, a source of possible wastewater contamination [ ] is / [ ] is not located near the proposed well(s) (information attached).

[ ] An NPDES permit is required.

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

[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

No comments/objections

Lori Vetter on Kauai  
241-3323

Signature: Date: 01/21/09
STATE MESSENGER DELIVERY

Date: Jan 22, 2009

To: Commission on Water Resource Management
   Department of Land & Natural Resources
   State of Hawaii

Attn: Denise Mills

From: Lori Morikami, Planner
      Planning & Design Section
      Phone 586-4294 Fax 586-4300
      Email: lori.morikami@doh.hawaii.gov

Subject: Well Construction/Pump Installation Permit/Water Use Permit for

Well No. 0120-03 Wailua Wells
Well No. 0521-12 Aina Wells
Well No. ___________________ 
Well No. ___________________

Please find enclosed the application of the above subject project.

STATE MESSENGER DELIVERY
TO:  Honorable Chiyome L. Fukino, M.D., Director
Department of Health
Attention: Director's Office
Tomas See, Chief, Wastewater Branch
Sherril Yamada, Chief, Safe Drinking Water Branch
Alec Wong, Chief, Clean Water Branch
Dr. Keith Kawakami, Office of Hazard Evaluation and Emergency Response

FROM:  Laura H. Thielen, Chairperson
Commission on Water Resource Management

SUBJECT:  Two Well Construction/Pump Installation Permits
Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003-004

January 14, 2009

transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit I within TMK (4) 4-4-003-004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

RESPONSE:

This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

If the well is used to supply both potable and non-potable purposes in a single system, the user shall eliminate cross-connections and backflow connections by physically separating both systems by an air gap or an approved backflow preventer, and by clearly labeling all non-potable spigots with warning signs to prevent inadvertent consumption of non-potable water. Backflow prevention devices should be routinely inspected and tested.

It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

For the applicant's information, a source of possible wastewater contamination [ ] is [ ] is located near the proposed well site (information attached).

An NPDES permit is required.

Other relevant DOH rules/regulations, information, or recommendations are attached.

In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to be still applicable, and we do not need to review the new location.

No comments/objections.

Contact Person:  Joanna L. Schen
Signature:  Joanna L. Schen
Phone:  587-0251
Date:  1-23-09

Date:  1-23-09 0:55PM  FAX: 8085864352  ID: DLNR CWRM  PAGE: 003  R=97%
Subject: Well Construction/Pump Installation Permit Application(s)

Well No(s). 0120-03, 0210-01, 0220-02, 0521-12, and 0521-13

The Department of Health, Clean Water Branch (CWB) has the following comments:

1. For Well-Drilling Activities

Any discharge to State waters of treated process wastewater effluent associated with well drilling activities is regulated by Hawaii Administrative Rules (HAR), Title 11, Chapter 55, Appendix I, effective October 22, 2007. Treated process wastewater effluent covered by this general permit includes well drilling slurries, lubricating fluids wastewater, and well purge wastewater. This general permit does not cover well pump testing. The applicable Notice of Intent (NOI) Forms and filing fee shall be submitted at least 30 calendar days before the start of discharge to the:

Department of Health
Clean Water Branch
919 Ala Moana Boulevard, Room 301
Honolulu, Hawaii 96814-4920

The CWB-NOI Forms are available online at http://www.hawaii.gov/health/environmental/water/cleanwater/forms/genl-index.html. Inquiries may be directed to the CWB at (808) 586-4309 or by fax (808) 586-4352.

2. For Well Pump Testing

The discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, best management practices shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.
3. For Construction Activities Disturbing One (1) or More Acres of Total Land Area

By HAR, Title 11, Chapter 55, Appendix C, effective October 22, 2007, an NPDES permit or Notice of General Permit Coverage is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NOI (see Comment No. 1, above) shall be submitted 30 calendar days before to the start of construction activities.
January 14, 2009

Mr. Marcus Frandsen
High Plains Drilling
P.O. Box 756
Rexburg, ID 83440

Dear Mr. Frandsen:

Well Construction/Pump Installation Permit Applications for Well Nos. 0521-12 and -13 (two applications)

We acknowledge receipt, on January 5, 2009, of your completed Well Construction/Pump Installation permit applications and filing fees for two new wells, the Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), to be constructed in a battery on George Hoffberg’s property on Kauai.

Although we have accepted your application for processing, we note that the Hawaii Department of Commerce and Consumer Affairs, Professional and Vocational Licensing Division (DCCA) records show that your license (License ID CT-22700) expired on September 30, 2008. We cannot issue your permits until we receive notice that your license is valid and in good standing. If we receive such notice during our review of your application, you can expect your permits to be issued within 90 days of this acknowledgement letter. However, if we do not receive such notice, we will send you a letter of assurance (LOA) in lieu of the permits. The LOA will provide assurance that your permits will be issued immediately upon receiving confirmation that your license is valid and in good standing, provided that none of the information in your application or the condition at the proposed well site has changed. For your information, the attached table explains the process steps, responsible parties, and required timelines for drilling or modifying a well; installing, modifying, or replacing a pump; and abandoning a well.

By and through this acceptance letter, we are providing notice to the well operator/landowner that water may not be pumped from these wells for purposes other than testing until we have issued a certificate of pump installation completion. Additionally, please be aware that the Commission may require that the permitted pump capacity be reduced if the results of a pumping test do not support the permitted capacity. A certificate of pump installation will not be issued until we have determined that the proposed pump capacity will not adversely affect the aquifer, other nearby wells or streams in the vicinity of the proposed well site.

If you have any questions about your permit application, please contact Denise Mills of the Commission staff at 587-0251 or toll-free from Kauai 274-3141, extension 70251.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

DEM:ss
Attachment

c: George Hoffberg
TO: Honorable Chiyome L. Fukino, M.D., Director
   Department of Health
   Attention: Director’s Office
   Tomas See, Chief, Wastewater Branch
   Stuart Yamada, Chief, Safe Drinking Water Branch
   Alec Wong, Chief, Clean Water Branch
   Dr. Keith Kawaoka, Office of Hazard Evaluation and Emergency Response

FROM: [Signature]
   Laura H. Thielen, Chairperson
   Commission on Water Resource Management

SUBJECT: Two Well Construction/Pump Installation Permit Applications
   Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003:004

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application for any conflicts or inconsistencies with the programs, plans, and objectives specific to your department. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume that you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

RESPONSE:

[ ] This well qualifies as a source which will serve as a source of potable water to a public water system (defined as serving 25 or more people at least 60 days per year or has 15 or more service connections) and must receive Director of Health approval prior to its use to comply with Hawaii Administrative Rules (HAR), Title 11, Chapter 20, Rules Relating to Potable Water Systems, §11-20-29.

[ ] This well does not qualify as a source serving a public water system (serves less than 25 people or more people at least 60 days per year or 15 service connections) and if the well water is used for drinking, the private owner should test for bacteriological and chemical presence before initiating such use and routinely monitor the water quality thereafter. However, if future planned use from this source increases to meet the public water system definition, then Director of Health approval is required prior to implementation.

[ ] It does not appear that this well will be used for consumptive purposes and is not subject to Safe Drinking Water Regulations.

[ ] For the applicant's information, a source of possible wastewater contamination [ ] is / [ ] is not located near the proposed well site (information attached).

[ ] An NPDES permit is required.

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

[ ] In the event that the location of the well changes but is still within the parcel described on this application, our division considers the comments to still be applicable, and we do not need to review the new location.

[ ] No comments/objections

Contact Person: ____________________________ Phone: ______________
Signature: ____________________________ Date: ______________
TO: Morris Atta, Administrator  
Land Division
FROM: Ken C. Kawahara, P.E., Deputy Director  
Commission on Water Resource Management
SUBJECT: Two Well Construction/Pump Installation Permit Applications  
Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003:004

January 14, 2009

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

If you have any questions about this permit application, request additional information, or request additional review time, please contact Denise Mills of the Commission staff at 587-0251.

DEM:ss  
Attachment(s)  
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: ____________
January 14, 2009

TO: Dr. Pualoloakalani Aiu, Administrator
    Historic Preservation

FROM: Ken C. Kawahara, P.E., Deputy Director
      Commission on Water Resource Management

SUBJECT: Two Well Construction/Pump Installation Permit Applications

Aina Wai and Aina Wai II wells (Well Nos. 0521-12 and -13), TMK (4) 4-4-003:004

Transmitted for your review and comment are copies of two Well Construction/Pump Installation permit applications, one for each of the captioned wells which are proposed to be constructed as a battery of wells on Unit 1 within TMK (4) 4-4-003:004 on Kauai. The property location and proposed well location are shown on maps attached to each application.

We would appreciate your comments on the captioned application with regard to the programs, plans, and objectives specific to your division. Please respond by returning this cover memo form by February 14, 2009. If we do not receive comments or a request for additional review time by this date, we will assume you have no comments.

If you have any questions about this permit application or to request additional review time, please contact Denise Mills of the Commission staff at 587-0251. If you require additional specific information regarding the proposed well site, please contact the applicant directly at the contact information provided on the application form.

RESPONSE:

[ ] This is a [ ] public (county or state) project /[ ] private project and [ ] will /[ ] could disturb historic sites.

[ ] We determine that no historic properties will be affected by this project because:

  [ ] Intensive cultivation has altered the land.
  [ ] Residential development/urbanization has altered the land.
  [ ] Previous grubbing and grading has altered the land.
  [ ] An accepted archaeological inventory survey (AIS) found no historic properties.
  [ ] SHPD previously reviewed this project and mitigation has been completed.

[ ] We do not concur that the work described under this permit will not disturb historic sites. We require the following for our concurrence:

Contact Person: _____________________________ Phone: _____________

Signed: _____________________________ Date: _____________
Denise, The proposed wells 0521-12 and -13 are a battery which was not the determined case at the first app. The TMK you have is correct and the site is on unit one (1), as map may illustrate. We would like to request a variance to place 250 feet of sch. 40 PVC pipe grouted down to 200 feet. I have sent fees and requirements to the DCCA and should hold license almost immediately. I will contact Marcus and have him contact you to acknowledge sign-over of applications. The Moanakai 1 well seems to be put on hold for now.

Get a free MP3 every day with the Spinner.com Toolbar. Get it Now.
December 29, 2008

Mr. Marcus Frandsen
c/o Mike ‘Shook’ Lluellen
High Plains Drilling, Inc.
P.O. Box 1227
Kilauea, HI 96754

Dear Mr. Frandsen:

Well Construction/Pump Installation Permit Applications
For Well Nos. 0521-12 and 0521-13

We received your well construction/pump installation permit applications for the Aina Wai Well (Well No. 0521-12; application received on April 23, 2008) and the Aina Wai II Well (0521-13; application received on June 16, 2008). Before we can process these applications, we need you to verify the following information.

1. The TMK provided on both applications is written as “4-4-3:3-4.” Our research on properties owned by George Hoffberg suggests that the correct TMK is 4-3-003:004. This parcel is subdivided into five units. Please confirm the TMK and the unit number where both wells are to be constructed.

2. Your application for the Aina Wai Well states that it will not be part of a battery of wells. However, your application for the Aina Wai II Well states that it will be part of a battery of wells. Please confirm whether Aina Wai is part of the battery you have planned for Aina Wai II.

3. The depth of the completed well using a schedule 40 PVC casing does not comply with the Hawaii Well Construction & Pump Installation Standards (2004), although we note that you are proposing to place the grout seal to a maximum depth of 200 feet. You must request a variance in writing before we can approve the use of schedule 40 PVC for this well.

Once we receive this information, we can begin processing these applications.

If you have any questions, please contact Denise Mills of the Commission staff at 587-0251 or toll-free from Kauai at 274-3141, extension 70251.

Sincerely,

KEN C. KAWAHARA, P.E.
Deputy Director

DEM: ss

c: George Hoffberg
**Professional and Vocational Licensing (PVL) Search - General Licensee**

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<td>MAILING ADDR: P O BOX 756 REXBURG ID 83440</td>
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Click here to enter search criteria for prior complaints history ->  
For prior complaints and disciplinary history, contact licensing and business information center at (808) 587-3295.

License information on this site reflects information in the Professional and Vocational Licensing Division as of December 19, 2008; however applications and forms are subject to standard processing time, and the information here does not reflect pending changes which are being reviewed. The site is updated daily, Monday through Friday, except holidays. The State of Hawaii makes no guarantees as to the accuracy of the information accessed, the timeliness of the delivery of transactions, delivery to the correct party, preservation of the privacy and security of users and makes no warranties, including warranty of merchantability and fitness for particular purpose. User is advised that if the information obtained herein is to be reasonably relied upon, user should confirm the accuracy of such information with the provider thereof.

http://pvl.ehawaii.gov/pvlsearch/app?_a=d&_f=n&lictp=CT&licno=22700&off=&nm=H... 12/19/2008
Dear Mr. Frandsen:

Well Construction/Pump Installation Permit Application Status

Thirteen Unprocessed Applications from High Plains Drilling on File

Since July 30, 2007, we have received several new well construction/pump installation permit applications that have held for processing pending resolution of several business matters on other completed wells or well work in progress. You have resolved most of the issues and we know you are making an effort to resolve the two remaining problems, specifically our questions regarding the Kapaa Highlands well construction (Well No. 0419-05) and Greg Allen’s well (Well No. 0319-02).

In anticipation of these issues being resolved soon, we are prepared to begin processing your applications. As part of this process, our staff asked your representative on Kauai, Mike ‘Shook’ Lluellen, to confirm whether all of your applications should be processed for approval or if any of the owners have decided to cancel or postpone construction of their wells and permits are no longer needed.

Mr. Lluellen has informed us that new wells will not be constructed for Craig Andrews, Brian Koppel, and Janet Tengan (Well Nos. 1123-11, 1123-10, and 0519-08, respectively). Based on this information, we are cancelling these three applications (all for both well construction and pump installation permits) and will not process them further. If these individuals plan to have well construction and pump installation work done in the future, a new application for each well and the $25.00 filing fee for each application must be filed with the Commission for approval, prior to beginning any well construction work.

The table, appended below, lists the remaining applications we received from you between November 2007 and June 2008, in the order received. Unless you request otherwise, we consider these applications to be active and we will begin processing them soon. Please be aware that we have not reviewed these applications for completeness; the completeness review is the first step in processing well construction and pump installation permit applications. We will notify you if we need additional information, if we have questions, or if we note any needed corrections before beginning the formal review process steps.
High Plains Drilling
Active Well Construction/Pump Installation Permit Applications
(Received between November 2007 and June 2008)

<table>
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<tr>
<th>Well Name</th>
<th>Well No.</th>
<th>Landowner/Well Operator</th>
<th>Permit Type</th>
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<td>Aimee Moorhead</td>
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<td>Koohio 2</td>
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<td>Moanakai 1</td>
<td>1323-01</td>
<td>Robert Warren</td>
<td>WC/PI</td>
<td>02/08/2008</td>
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<td>Friedman</td>
<td>1122-03</td>
<td>Melinda Friedman</td>
<td>WC/PI</td>
<td>03/14/2008</td>
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<tr>
<td>Wailua-Smith</td>
<td>0323-01</td>
<td>Gregory Kent Smith</td>
<td>PI</td>
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<td>Aina Wai</td>
<td>0521-12(^b)</td>
<td>George Hoffberg</td>
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<td>Aina Wai II</td>
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<td>Betsy</td>
<td>1122-04</td>
<td>Sonja Geiger</td>
<td>WC/PI</td>
<td>04/23/2008</td>
</tr>
</tbody>
</table>

Notes:
\(^a\) WC = well construction; PI = pump installation
\(^b\) Well Nos. 0521-12 and 0521-13 proposed as battery of wells to serve 11 domestic units.

Please notify us within 30 days of the date of this letter if the applications for the Koppel, Andrews, and Tengan wells should not be cancelled. Also, please advise us if any of the remaining applications should be cancelled.

If you have any questions, please contact Denise Mills of our staff at (808) 587-0251.

Sincerely,

KEN N. KAWAHARA, P.E.
Deputy Director

DM:ss

c: Brian Koppel
Craig Andrews
Janet Tengan
Should acknowledge in writing (email is fine but please copy me) that we're cancelling the permits per Shook's request and note that date in the database "WCP cancelled" date field. They'll drop off the background check as they are cancelled.

Denise E Mills/DLNR/StateHiUS

Roy,

I've learned from Shook Lluellen (for Marcus Frandsen) that three of the WC/PI permit applications we've been holding for processing are no longer needed.

- Two of the applications were accepted as complete on July 30, 2007 (1123-11 and 1123-10), and the review completed in August 2007. The permits were never issued because of the unresolved issues.
- Another application, received on March 14, 2008 (0519-08, Tengan) does not need to be processed. The owner will not be drilling a new well.

I have placed the files for these three wells in the file drawer, and made notes in the database. For Tengan, I left the 10 copies of the application in the file, in case they decide to move forward at a later date, at least for some period of time when we would still consider the application to be valid.

This leaves 10 unprocessed applications from High Plains that are active. I have an order of priorities requested by the driller for processing, which will help in parsing the work.

Please let me know if I need to do anything else with three applications that are no longer needed. I'm not sure how you record this in the database, so they don't show up on background checks or other reports.

--Denise
Hi Shook,

I'm sending a list of the well construction/pump installation permits we have received from Marcus since July 2007. Can you review this and let us know which applications we should begin processing. When we talked a few weeks ago (just before your exam), you mentioned that at least two of the applications are for wells that will probably not be drilled. Your help with this list will help us prioritize these applications for processing. Except for the Koppell and Andrews wells, we have not yet assessed the applications for completeness.

Thanks, Denise

Date received / Well Owner-Operator / Well No. Assigned / Ready to Issue

2. Jul 30, 2007 / Calvin Andrews / 1123-10 (Wailapa 23) / Yes
3. Nov 29, 2007 / Elliott Rosenblum / 1323-02 / No
4. Nov 29, 2007 / Aimee Moorhead / 1222-08 / No
5. Jan 29, 2008 / Koohio Realty Trust / 1120-51 (Koohio 2) / No
6. Jan 29, 2008 / Brandon Miranda / 1121-12 / No
7. Feb 8, 2008 / Robert Warren / 1323-01 (Moanakai 1) / No
8. Mar 14, 2008 / Melinda Friedman / 1122-03 / No
9. Mar 14, 2008 / Janet Tengan / 0519-08 / No
10. Apr 10, 2008 / Gregory Kent Smith / 0323-01 (Wailua-Smith) / No -- Pump installation only
11. Apr 23, 2008 / George Hoffberg / 0521-12 (Aina Wai) / No -- in battery with 0521-13
12. Jun 16, 2008 / George Hoffberg / 0521-13 (Aina Wai II) / No
13. Apr 23, 2008 / Sonja Geiger / 1122-04 (Betsy Well) / No
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**REMARKS:**

LINE (1) 900 Trust-Kuhio Well
LINE (2) Aina Wai II Well
LINE (3) Wilt #1 to #4 Wells
LINE (4)
LINE (5)
LINE (6)
LINE (7)
LINE (8)
LINE (9)
LINE (10)
WELL LOCATION INFORMATION

1. STATE WELL Number (already assigned) 0521-13 4
2. WELL NAME 'Na M Alii Ii
3. ISLAND Kauai
4. TMK 4-3-3

The following must be attached before this application is accepted for completion:
- Portion of 7.5-Minute Series USGS topographic map (scale 1:24,000) with well location labeled and include the name of the quad map
- Property tax map, showing well field referenced to established property boundaries
- Photograph of the proposed well site
- A schematic diagram showing the well site, access road and proposed well infrastructure
- For new wells attach a grading plan with erosion control structures existing and future grades.

M. WELL OPERATOR’S NAME/COMPANY

George A. O’Beirne
Well Operator’s Contact 808-364-2626

LANDOWNER’S NAME/COMPANY

George A. O’Beirne
Well Operator’s Mailing Address 808-364-2626

Landowner’s Name

George A. O’Beirne
Well Operator’s Phone 808-364-2626

Landowner’s Phone

George A. O’Beirne
Well Operator’s Fax 808-364-2626

Landowner’s Fax

George A. O’Beirne
Well Operator’s Email Address 808-364-2626

Landowner’s Email Address

George A. O’Beirne

PROPOSED CONSTRUCTION

7. Proposed Work

7.1 Construct New Well

7.2 Modify Existing Well

7.3 Abandon/Seal Well

8. Construction Type

8.1 Drilled

8.2 Jetted

8.3 Screened

9. Proposed Rate

9.1 GPM

9.2 GPM

10. Proposed Work

10.1 Install New Pump

10.2 Replace Pump

11. Proposed Pumping Rate, gpm (gallons per minute)

11.1 LPS

11.2 LPS

13. Method of Flow measurement

13.1 Flowmeter

13.2 Other

14. Proposed Surveyor name and license number (a surveyor is required for all Well Construction Permits and may be required for some Pump Installation Permits)

PROPOSED USE

☐ 15. Municipal (water systems serving greater than 25 individuals or 15 service connections)

☐ 16. Domestic

☐ 17. Industrial (describe)

☐ 18. Irrigation (describe crop and no. of acres)

☐ 19. Military (describe)

☐ 20. Other (describe)

OTHER LEGAL REQUIREMENTS

If required, Items 21. and 22. must be obtained before the Commission can legally issue a permit:

21. Conservation District Use Permit (CDUP)

☐ Well is in Conservation District

☐ Required, CDUP #

☐ Not Required

☐ I have not checked with OACCL about whether or not a CDUP is required. I understand that checking with OACCL prior to making this application will expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

☐ Well is not in a Conservation District

☐ I have not checked if well is in or out of Conservation District. I understand that checking if the well is in a Conservation District may expedite my review. I further understand that issues raised may delay or result in denial of the permit issuance, or revocation of the permit after it is issued.

22. Special Management Area Permit (SMUP)

☐ Required, SMUP #

☐ Not Required

☐ I have consulted with the County about whether or not an SMUP Permit is required. I understand that checking with the County prior to making this application may expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance or revocation of the permit after it is issued.

23. State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources

☐ I have consulted with the HPD regarding potential impacts of well construction activities on historic sites. I have attached applicable documentation from the HPD.

☐ I have not consulted with the HPD regarding potential impacts of well construction activities on historic sites. I understand that checking with the HPD prior to making this application may expedite my review. I further understand that issues raised by this agency may delay or result in denial of the permit issuance, or revocation of the permit after it is issued. Additionally, the history of past land use is attached.

Additional remarks, explanations, etc. (attach additional sheet if more space is needed)

NOTE: Signing below indicates that the signatories understand and agree that the information provided is accurate and true to the best of their knowledge. Further, the signatories understand that upon permit approval: 1) the proposed work to be completed within two (2) years of the approval date; 2) the contractor shall submit to the Commission a well completion/abandonment report within 60 days after the completion date of the permitted work; 3) in the event that the application is not completed correctly, any permit may be suspended until the item is brought in to compliance, and any work done while the permit is in suspension may result in fines of up to $200/day.

24. WELL DRAILER (Must be filled out if application is for Well Construction)

High Plains Drilling 22-700

Licensee business name

C-61 License No.

Signature Print Date

25. PUMP INSTALLER (Must be filled out if application is for Pump Installation)

High Plains Drilling 22-700

Licensee business name

C-57A License No.

Signature Print Date

Correction/clarification for 1/12/09 e-mail message from Mike Linellen for High Plains Drilling: Jan 9/1/09
PROPOSED WELL SECTION

Please attach schematic if different from diagram provided below.

HOLE DIAMETER: \( \frac{1}{4} \) in.

Elevation at top of casing: 7 ft. MLS

Minimum of 2' Radius & 4' Thick Concrete Pad (to contain benchmark surveyed to nearest 0.01 ft.)

Ground Elevation: 7.0 ft. MLS

Cement Grout: 2 in. ft. (min. 10% of distance from ground elevation to top of water surface or 500 ft., whichever is less.)

Annular space between hole and casing (1.5" for positive displacement, 3" for other methods):

\( \frac{1}{4} \) in.

Solid Casing: (0.80% x (Ground Elev. - Water Level Elev.))

Total Length: 210 ft.

Nominal Diameter: \( \frac{1}{2} \) in.

Wall Thickness: \( \frac{1}{8} \) in.

Bottom Elevation: 7.0 ft. MLS

Open Casing: [ ] Perforated

[ ] Screen

Total Length: 40 ft.

Nominal Diameter: \( \frac{1}{2} \) in.

Wall Thickness: \( \frac{1}{8} \) in.

Bottom Elevation: 3.0 ft. MLS

note: Neither bentonite nor mud should be used in saturated zone during drilling.

Open Hole:

Length: \( \frac{1}{2} \) ft.

Diameter: \( \frac{1}{2} \) in.

Bottom Elevation: 3.0 ft. MLS

Grouting method:

[ ] Positive displacement

[ ] Other

Annular space between hole and casing (1.5" for positive displacement, 3" for other methods):

\( \frac{1}{4} \) in.

Rock or Gravel Packing:

[ ] Crushed Basalt

[ ] Rounded Gravel

Estimated Water Level:

5.0 ft. MLS

Solid Casing:

Carbon Steel: conforming to ASTM A335 (monitor wells)

[ ] Schedule 40

[ ] Schedule 80

[ ] Schedule 120

Stainless Steel: [ ] ASTM A213 (monitor wells)

And compliant with (check one or more): [ ] Type L [ ] Type G [ ] Type K [ ] Type N [ ] Other

ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one):

[ ] Schedule 40

[ ] Schedule 80

PVC Plastic conforming to ASTM F490 and ASTM D1785 (or ASTM D2241): (check one):

[ ] Schedule 40

[ ] Schedule 80

Thermoplastic: (check one):

[ ] Fluorocarbon Tubing conforming to ASTM D2926

[ ] FEP Fluorocarbon Tubing conforming to ASTM D2926

[ ] Glass Fiber Reinforced Resin Pressure Pipe conforming to AWWA C950

[ ] PTFE Fluorocarbon Tubing conforming to ASTM D3296

Open Casing Material:

Carbon Steel: [ ] ANSI/AWWA C200

[ ] API Spec. 5L

[ ] ASTM A53

[ ] ASTM A139

And compliant with (check one or more): [ ] ASTM A242 (or A500) [ ] Type E [ ] Type S [ ] Grade B [ ] Other

Stainless Steel: (check one):

[ ] ASTM A213 (monitor wells)

[ ] ASTM A409 (production wells)

[ ] ASTM A519

[ ] Other

ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one):

[ ] Schedule 40

[ ] Schedule 80

PVC Plastic conforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one):

[ ] Schedule 40

[ ] Schedule 80

Thermoplastic: (check one):

[ ] PTFE Fluorocarbon Tubing conforming to ASTM D2926

[ ] FEP Fluorocarbon Tubing conforming to ASTM D2926

For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or,

Bottom Elevation of Well Limit = \( \frac{1}{4} \) x Aquifer Elev. minus (Ground Elev. - Water Level Elev.)

Example: Estimated x 2 ft. Water Level Elev. \( \rightarrow \) Bottom Elevation of Well Limit = \( \frac{2}{4} \times 18.5 \) ft.

Solid Casing Material:

Carbon Steel: compliant with (check one or more): [ ] ANSI/AWWA C200

[ ] API Spec. 5L

[ ] ASTM A53

[ ] ASTM A139

And compliant with (check one or more): [ ] ASTM A242 (or A500) [ ] Type E [ ] Type S [ ] Grade B [ ] Other

Stainless Steel: (check one):

[ ] ASTM A213 (monitor wells)

[ ] ASTM A409 (production wells)

[ ] ASTM A519

[ ] Other

ABS Plastic conforming to ASTM F490 and ASTM D1527: (check one):

[ ] Schedule 40

[ ] Schedule 80

PVC Plastic conforming to ASTM F490 and (ASTM D1785 or ASTM D2241): (check one):

[ ] Schedule 40

[ ] Schedule 80

Thermoplastic: (check one):

[ ] PTFE Fluorocarbon Tubing conforming to ASTM D2926

[ ] FEP Fluorocarbon Tubing conforming to ASTM D2926

* The approximate elevation must be referenced to mean sea level (MLS) at the time of application filing. Final elevations of well components shall be submitted in the Well Completion/Well Abandonment reports and referenced to a benchmark which has been established by a surveyor licensed by the State.

For non-salt water Basal Wells - bottom elevation of well should not be deeper than 1/4 of aquifer thickness or, Bottom Elevation of Well Limit = \( \frac{1}{4} \) x Aquifer Elev. minus (Ground Elev. - Water Level Elev.) Example: Estimated x 2 ft. Water Level Elev. \( \rightarrow \) Bottom Elevation of Well Limit = \( \frac{2}{4} \times 18.5 \) ft.

Solid Casing Material:

Carbon Steel: compliant with (check one or more): [ ] ANSI/AWWA C200

[ ] API Spec. 5L

[ ] ASTM A53

[ ] ASTM A139

And compliant with (check one or more): [ ] ASTM A242 (or A500) [ ] Type E [ ] Type S [ ] Grade B [ ] Other
Hi Debi,
I'm sending the materials I tried to fax earlier this afternoon. I tried to send this to Marcus's fax number in Rexburg, Idaho, as well as your fax number, without success.

I've included the fax cover sheet with this e-mail to explain the information provided, which has been compiled in response to a request from Marcus Fransden. You or Marcus can call me at (808) 587-0251 if you have questions.

Thank you for your help!!

-- Denise

Denise E. Mills
HYDROLOGIST

Hawaii Department of Land and Natural Resources
Commission on Water Resource Management
1151 Punchbowl Street, Room 227
Honolulu, Hawaii 96813
Phone: (808) 587-0251
Denise.E.Mills@hawaii.gov
To: Marcus Fransden  

Company: High Plains Drilling  
Fax Number: (208) 356-6806  
cc: Bittner Construction: (808) 822-9631  
Phone Number: (208) 356-5582  

From: Denise Mills  
Date: July 7, 2008  

Subject: Requested Information on Ruddell Well (State Well No. 1325-04) and January 25, 2008 letter  

Notes/Comments:  
Dear Marcus,  

I am following up on your request for information, which we received on June 16, 2008:  

- Copy of letter from Ken Kawahara, dated January 25, 2008, regarding pending well construction and pump installation applications  
- Copy of Well Completion Report Part I and Part II for Ruddell well (State Well No. 1325-04). Included with these reports is a letter, dated December 4, 2007, stating the additional information required for the Commission to finally accept these reports.  
You also asked us to verify receipt of permit applications for Rosenblum, Hoffberg, and Moorhead. We have received applications for each of those wells, but we are unable to accept them for processing until we receive the information we have requested for the Ruddell Well (see CWRM letter dated December 4, 2007) and in our January 25, 2008 letter.  

Please call me at (808) 587-0251, or toll-free at 274-3141 (Kauai), extension 70251, if you have questions.  

Thank you,  

Denise E. Mills  
Hydrologist  

P.O. BOX 621, HONOLULU, HAWAI'I 96809  
PHONE: (808) 587-0251  
FAX: (808) 587-0219  
EMAIL: dnr.cwrm@hawaii.gov
Notes/Comments:

Dear Marcus,

I am following up on your request for information, which we received on June 16, 2008:

• Copy of letter from Ken Kawahara, dated January 25, 2008, regarding pending well construction and pump installation applications

• Copy of Well Completion Report Part I and Part II for Ruddell well (State Well No. 1325-04). Included with these reports is a letter, dated December 4, 2007, stating the additional information required for the Commission to finally accept these reports.

You also asked us to verify receipt of permit applications for Rosenblum, Hoffberg, and Moorhead. We have received applications for each of those wells, but we are unable to accept them for processing until we receive the information we have requested for the Ruddell Well (see CWRM letter dated December 4, 2007) and in our January 25, 2008 letter.

Please call me at (808) 587-0251, or toll-free at 274-3141 (Kauai), extension 70251, if you have questions.

Thank you,

Denise E. Mills
Hydrologist
Sirs;

Please send a copy of the Jan. 25, 2008 letter or an updated version along with a copy of the well completion report part 1 of the Ruddell well no. 1325-04.

Also did the commission receive permit applications for a Rosenblum, a Hoffberg, and a Moorhead?

Thank you for help and patience as we have been recently tried in too areas.

High Plains Drilling
P.O. Box 756
Rexburg, Id. 83440

Please cc your reply to:

Marcus Frandsen
c/o Bittner Const.
P.O. Box 456
Anahola, Hi 96703

Fax (808) 822-9631
Ph (808) 822-4053  Deloi

deloi@bittnerconstruction.com
May 27, 2008

Mr. Marcus Frandsen  
High Plains Drilling  
P.O. Box 756  
Rexburg, ID 83440

Dear Mr. Frandsen:

Well Construction/Pump Installation Permit Applications  
Wailua-Smith (Well No. 0323-01)  
Betsy Well (TMK: (4) 5-1-034:002)  
Aina Wai Well (TMK: (4) 4-3-003:004)

We have received your Well Construction/Pump Installation permit applications and filing fees for the captioned wells. However, as noted in our letter dated January 25, 2008, there is unfinished business from other wells which must be addressed before accepting these applications for processing.

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

If you have any questions about your permit application, please contact Charley Ice of the Commission staff at (808) 587-0251.

Sincerely,

[Signature]

KEN C. KAWAHARA, P.E.  
Deputy Director

Cc:  Greg Smith  
     Sonja Geiger  
     George Hoffberg