2016 FEB -5 AM 9:42

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Wailuku, Hawai'i 96793
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Cell: (808) 359-9076

WATER USE PERMIT APPLICANT PRO SE

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Nā Wai 'Ehā Surface Water Management Areas of Waihe'e, Waiehu, 'Īao, & Waikapū Streams, Maui	)	Case No. CCH-MA15-01 TESTIMONY OF LESLIE VIDA, JR.; EXHIBITS "2188-VIDA-1" - "2188-VIDA-2"

TESTIMONY OF LESLIE VIDA, JR.

1. This testimony is provided in support of my Surface Water Use Permit Application ("SWUPA") No. 2188 filed with the Commission on Water Resource Management on April 9, 2009 for Tax Map Key ("TMK") No. (2) 3-5-004:091. My Registration of Stream Diversion Works and Declaration of Water Use was filed in May 1989.

2. I am Kanaka Maoli (Native Hawaiian). We are a Native Hawaiian 'ohana who are descendants of Native Hawaiians who inhabited the Hawaiian Islands prior to 1778. Pursuant to Article XII, Section 7 of the Hawai'i Constitution and Hawai'i Revised Statutes ("HRS") section 174C-101, our intended use of stream water is a traditional and customary cultural practice that is a protected public trust purpose.

3. Our domestic water use is a protected public trust purpose.

4. My ʻohana and I reside at 135 Pilikana Place in Waikapū. I have lived in Waikapū my entire life, 63 years. My wife Michele Vida and I inherited this property from my parents and grandparents, who inherited it from theirs and so forth since the time of the Māhele.

5. Based on the information set forth below, I request recognition of appurtenant rights for TMK No. (2) 3-5-004:091 in the amount of 108,000 gallons per day. I request a Surface Water Use Permit for my reasonable-beneficial use for TMK No. (2) 3-5-004:091 of 11,725 gallons per day.

QUANTIFICATION OF APPURTENANT RIGHTS

6. Our ʻohana resides on kuleana lands. Our land, TMK No. (2) 3-5-004:091, is a portion of Land Commission Award ("LCA") No. 76 to William Shaw, confirmed by Royal Patent 7694. I am attaching various Māhele documents that confirm water use on TMK No. (2) 3-5-004:091 at the time of the Māhele.

7. Attached hereto as "2188-VIDA-1" is a true and correct copy of a portion of the County tax map for TMK No. (2) 3-5-004:091, which I have marked to show LCA No. 76.

8. Attached as "2188-VIDA-2" is a true and correct copy of LCA No. 76 to William Shaw.

9. LCA No. 76 to William Shaw has been passed on to his Hawaiian heirs since the time of the Māhele, including TMK No. (2) 3-5-004:091, which was passed down to Michele and I. This land and all the appurtenant rights that come with it has been in our ʻohana for many generations going back to the time of the Māhele.

10. LCA No. 76 to William Shaw includes a 10.34-acre farm called Auwailimunui and Waiolimu in Waikapū, and is bounded on the West and East by Pilipili, on the North by Aa (Kaaa) and on the South by Auwailimuuku.

11. Today, our property is situated at the top of the LCA 76 Vida Subdivision, to the South is Claire and Robert Pinto's property (aunt and uncle), to the East is Michael Vida's property (brother). On the South side of our property is the Waiolani Pikake Subdivision. To the West is the Yamaoka Family, who has lived there since the early 1900's. The entire Vida property and their families are on separate parcels due to subdivisions that were done. The bottom portion of the 10.34 acres is the portion where the Waiolani Subdivision and roadway exist. Above the ditch that runs from North to South is property the Vida's own.

12. Included in the LCA is the family cemetery, TMK No. 3-5-004:045. Elizabeth "Becky" Shaw, William Shaw's daughter, is buried here along with many family members who sacrificed through hard work and love to make sure that this kuleana land and all appurtenant rights that came with it would be passed down to their native Hawaiian heirs for future generations.

13. LCA No. 76 to William Shaw, Survey of No. 3 Waiolimu in Waikapū Part 1, in 2188-VIDA-2, provides a survey and map of Auwailimunui/Waiolimu, Waikapū of 10.34 acres. The LCA describes the land as a "farm" and refers to the existence of kalo patches terraced down along to Pilipili, a house, and a stone wall. This establishes that Waiolimu in Waikapū was abundant with kalo patches at the Māhele. The 10.34 acres is a part of the land where we reside.

14. LCA No. 76 to William Shaw, continuation of Survey of No. 3 Waiolimu in Waikapū Part 2, in 2188-VIDA-2, provides a survey and map of the 3.43 acres near the stream which was named Haaua back in the time of the Māhele is showing the Waikapū Stream and the water run. The map shows how the water ran freely. This was the source of our kuleana water. The map shows stream water at the time of the Māhele, and for many years thereafter it flowed to our property in Waikapū.

15. The documents in 2188-VIDA-2 referring to LCA No. 76 and the terracing and slope of our property and rock formations on our land confirm that the majority of the 10.34 acres, including all of our parcel, was cultivated primarily in wetland kalo at the time of the Māhele.

16. My land, TMK No. (2) 3-5-004:091, is 0.36 acres.

17. It is my understanding that, on average, taking into account fallow lo'i and uncultivated areas such as banks between lo'i, healthy wetland kalo requires between 100,000 and 300,000 gallons of water per acre per day ("gad"), and that areas with greater proportions of lo'i in cultivation will require an amount closer to the upper end of this range.

18. Thus, in my best estimation, the water right appurtenant to TMK No. (2) 3-5-004:091 is 108,000 gallons per day ("gpd") (0.36 acres x 300,000 gad).

AMOUNT REQUESTED UNDER PERMIT

19. Our property is North of the Waikapū Stream. As shown in 2188-VIDA-2, this 'āina was historically taro patches, and an 'auwai (kuleana water ditch) flowed and brought water from the Waikapū Stream to our 'āina and the surrounding kuleana parcels.

20. As a young boy growing up in Waikapū, I have fond memories and recollect our kuleana water coming from the Waikapū Stream and at one time ran alongside our property. We had a luawai (reservoir) where my property now exists from water that ran off onto our property. Our 'ohana would make ditches to water the kalo, crops, and animals on the property.

21. The 'auwai ditch water used to come from above us. The Waikapū Stream was in an 'auwai that flowed down to our property. The 'auwai had to be cleaned to keep the flow of water. As years passed, the Wailuku Sugar Company changed the system to a drip system, piping water for their cane fields, and thereby stopping the water running alongside the entire

LCA No. 76 property. We then would pipe the water to our property through the Wailuku Sugar Company.

22. Within the last ten years, the Wailuku Water Company has since diverted the water. We now receive our water from the 'Īao Stream. The 'Īao -Waikapū Ditch System water comes from 'Īao Stream and is piped down to our properties by Wailuku Water Company, who maintains and repairs the system. Although our source of water has changed due to circumstances out of our control, we have always been existing kuleana users.

23. At present, we use kuleana water on our property at TMK No. (2) 3-5-004:091 for wetland kalo and domestic plants, including our landscaping, fruit trees, and Native Hawaiian/medicinal plants. Our two wetland taro patches total approximately 1,100 square feet, or 0.025 acres, and we intend to restore another 500 square feet, or 0.0115 acres of lo'i kalo.

24. Although we did not have this information when we filed our Water Use Permit Application in 2009, we now understand that the water duty for kalo is 300,000 gad, and we believe this amount is necessary for the cultivation of healthy wetland kalo in the traditional manner. Thus, we estimate we need 7,500 gpd for our existing wetland kalo (0.025 acres x 300,000 gad) plus 3,450 gpd for our future kalo patches (0.0115 acres x 300,000 gad). We estimate that 7,500 gpd was the amount in use as of April 30, 2008.

25. Subtracting the footprint of our house, about 1,000 square feet, and the area of our existing kalo patches, about 1,100 square feet, from the total area of our property (15,460 square feet), I estimate that we currently use kuleana water on about 13,360 square feet, or 0.31 acres, of our property. This is our 'ohana's labor of love, where we have grown crops and medicinal plants for consumption, to share with 'ohana and the community. In addition to growing wetland kalo in the traditional manner, we practice our traditional customary Native Hawaiian rights by

having and using our imu for kalua pig and kalo. We also use some kuleana water for domestic purposes like washing our hands and for preparation of our imu.

26. Although we did not have this information when we filed our Water Use Permit Applications in 2009, we now understand that in the Waiāhole case, the Water Commission applied a water duty of 2,500 gad for diversified agriculture like ours. We believe this amount is sufficient for our uses. thus, we estimate we use 775 gpd for our yard and plants (0.31 acres x 2,500 gad). We also estimate that this was the amount in use as of April 30, 2008.

27. In summary, at this time, we request a water use permit for TMK No. (2) 3-5-004:091 in the amount of 11,725 gpd (7,500 gpd + 3,450 + 775 gpd) for our lói kalo and other domestic uses, of which 8,275 gpd was the existing use as of April 30, 2008.

Reasonable-Beneficial Analysis

28. Our existing use is "reasonable-beneficial," defined 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 public interest." Hawai'i Revised Statutes § 174C-3.

29. The quantity we are requesting is necessary for the economic and efficient irrigation of our lo'i kalo, home garden, yard, and traditional plants, which provides us with sustenance and aesthetic enjoyment. Our use of stream water is "economic and efficient" because we only use the amount we need. We also take steps to make our water use efficient. For instance, we use hoses where appropriate to minimize water loss.

30. Our existing use of stream water is consistent with state and county land use plans and the public interest, because it is for domestic purposes and for the exercise of our Native Hawaiian traditional and customary rights. Therefore, our water use is "reasonable-beneficial."

Alternatives Analysis

31. Because our land has an appurtenant right to stream water, which is in the nature of an easement that was conveyed with the land at the time of the Māhele, we do not need to demonstrate that we have no practicable alternative water source. Similarly, our traditional and customary right as Native Hawaiians is to cultivate kalo on our land in the traditional manner, not in some other manner using alternative, non-traditional sources, and this traditional and customary right is constitutionally protected. Even if we did not have protected rights to stream water, there is no potentially available alternative source that is feasible or economically practicable. Our domestic water service is chlorinated, which is detrimental and unsuitable for wetland kalo and the cost would be prohibitive. Similarly, wastewater reuse is not appropriate for wetland kalo. Alternate ditch systems do not consistently have enough water to support additional users. Installing and operating a well and pump for ground water use would be unprecedented and extremely burdensome and expensive.

32. Requiring me to pay for these alternatives instead of using the small amount of stream water we have always used would impose an unfair and impracticable cost on me and my 'ohana, given that we are a small, non-commercial, domestic water user.

SUMMARY

33. In sum: (1) my domestic water use is a protected public trust purpose; (2) my 'ohana's traditional and customary right to grow kalo is a protected public trust purpose; (3) the exercise of my appurtenant right is a protected public trust purpose; (4) because I have appurtenant rights for TMK No. (2) 3-5-004:091, I am entitled to 108,000 gallons per day; (5) at this time, I request a permit for our reasonable-beneficial uses on the property of 11,725 gpd, of which 8,275 gpd was the existing use as of April 30, 2008, which is used for cultivation of

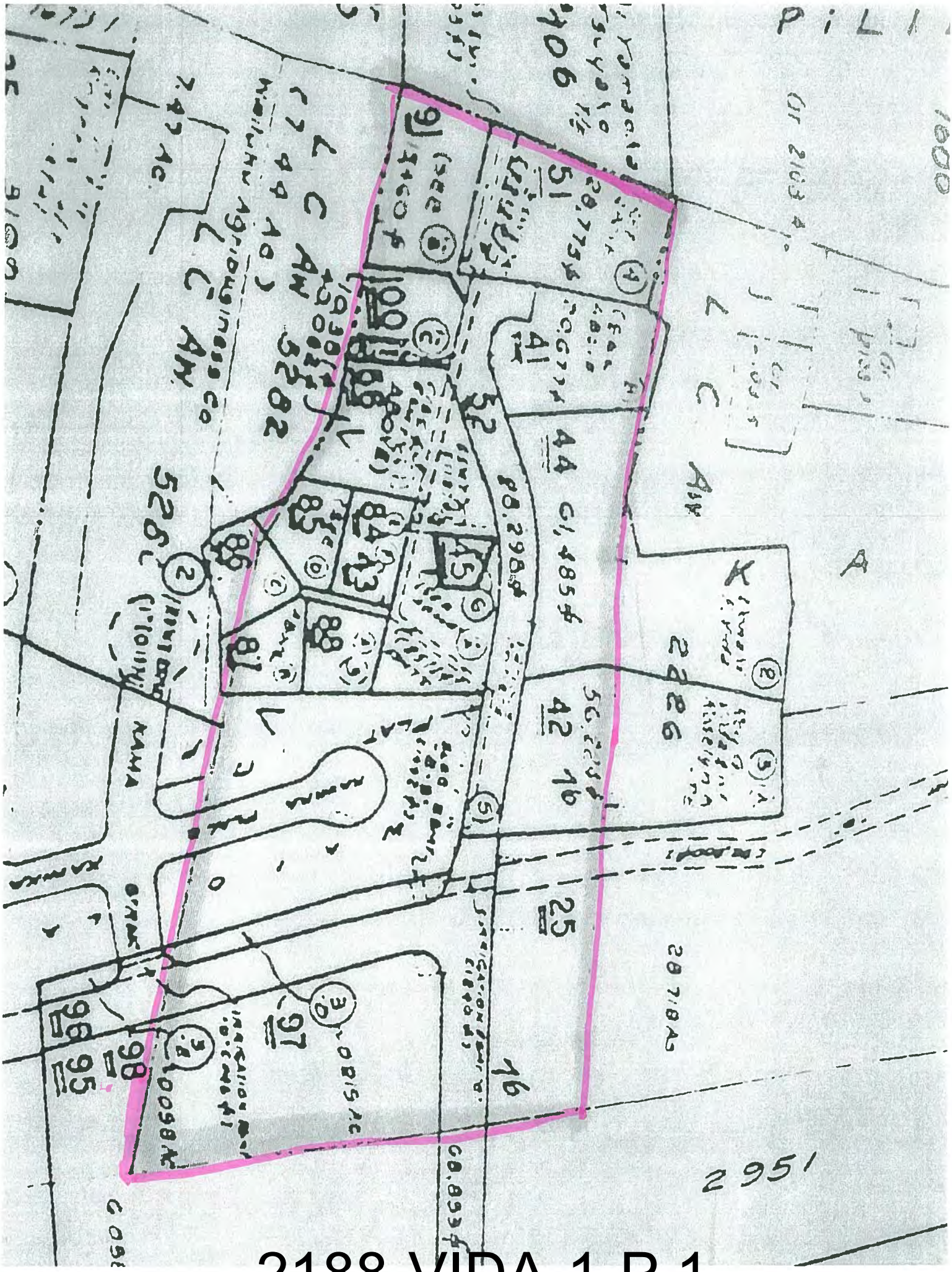
wetland kalo and domestic uses, which is a reasonable-beneficial use of stream water for which there is no practicable alternative.

I, Leslie Vida, Jr., do declare under penalty of law that the foregoing is true and correct.

Dated: Waikapū, Hawai'i, 1/28/16, 2016.

Leslie Vida Jr.

LESLIE VIDA, JR.
WATER USE PERMIT APPLICANT PRO SE



2188-VIDA-1-P.1

Board of Commissioners for Land Claims
Adjudication of C. No. 62 B. Kaahou — Dr.

To incidental expences of advertising Claimants &c	1	
" Action &c in the matter of her Claim on 28 July 1846	1	
" draft deposition reduced & relating to her interest in the Claim Fol 2	1	
" Citation		50
" draft testimony reduced & eng.d on 5 Aug & 11th 1846	1	50
" Moiety of S. Metcalfs Charge for joint Survey Proportion of 2	3	50
" Engrossing Copy of Survey Fol 2	1	
" Report of Commissioners this day rendered in the above Claim.	5	
	14	50

W. L. Lee
Kamaki
D. Naauwai
C. Namauu
W. Smith

Hale Kauwila
25 July 1848

Claim No 76 William Shaw. in Kaanapali 5 Aug

This is a claim to four farms or pieces of land on the Island of Maui, and is based upon a certain written agreement, made between the claimant and Hoapili Wahine, late Governess of Maui; with the approbation of his present Majesty and Kekauonohi, the late Premier, on the 17th day of December 1840: said agreement reads as follows:—

"I, Hoapili Wahine hereby confirm for ever to William Shaw, and his Hawaiian-born heirs, a certain Farm in Honokawai, by the name of Haenamii, which farm has a fishing ground connected with it."

"I also give him another farm by the name of Koinui, which extends up into the mountains"

"I also further give to the said Shaw and his heirs, a certain farm in Waikapu by the name of—

Waiolimu".

"Said lands, with all their Privileges are Confirmed forever, to the said Shaw, and his Hawaiian-born heirs:- the farms are held, however, in every respect, subject to the laws of the Kingdom."

"The said Shaw, moreover, agrees on his part, that a certain farm, now possessed by him at Koolau, named Keakuapauaela, shall, at his death, revert to the former owners, or their heirs, and shall not descend to the heirs of the said Shaw."

"All the said lands are on the Island of Maui".

In testimony of our mutual agreement to the above, We have hereunto subscribed our name this 17th. day of December 1840 - at Lahaina Maui.

Witness William Richards.

Signed Hoapili Wahine
William + Shaw "

We hereby give our approbation to the foregoing

Witness William Richards.

Signed
Kamehameha III
Kekauonohi "

(Seal)

The claimants title is made clear by the above agreement, and we do therefore, Confirm and Award to the Claimant William Shaw, the Lands "Kaenanui", "Loinui", and "Waiolimu", on the Island of Maui, according to the annexed Surveys of Theophilus Metcalf Esquire, to have and to hold, to him, and his hawaiian-born heirs for ever.

And we do further Confirm and award to the Claimant William Shaw, the land in Koolau on the Island of Maui, known by the name of "Keakuapauaela", according to the annexed Survey of T. Metcalf Esq.r to have and to hold during his natural life.

2188-VIDA-2-P.2

Survey of No. 1. "Haenanui"

"Survey of Haainanui (Haenanui) for Wm. Shaw in Kanapali Maui." "Commencing at Rock, Mauka and near junction of Kumukahi & Haainaiki Valleys (point of Comm'n. of survey of Preveer's Kumukahi land) and running N. 76° W. 9 ¾ Ch. to path crossing gulches the S. E. Corner of Preveer Kula & Kalo land - Waikolo - Thence N. 86° 30' W. 6 Ch. 26 ft. along Preveers land to angle - thence N. 80° 30' W. 10 Ch. 37 ft. along Ridge to point within 5 Ch. of Preveers S. W. Corner - thence S. 5° E. 9 Ch. 52 ½ ft. across Gulch along Kapili to land called Ahupuaa - thence S. 73° 30' E. 9 Ch. 59 ½ ft. along Ahupuaa to rock near house - thence S. 66° E. 2 Ch. 13 ft. to Rock angle - thence S. 20° W. 1 Ch 60 ½ ft. along Ahupuaa Rock - thence S. 11° 30' W. 8 ¾ Ch. along Ahupuaa stake angle - thence S. 74° E. 10 Ch. 12 ft. along Ahupuaa (2nd), and Loinui to Rock - angle. thence N. 29° E. 1 ½ Ch. to pt. - thence N. 36° 30 E. 11 ¼ Ch. to long stone (buried) at S. edge of Haainanui valley thence S. 71 E. 180 Ch. cross? intersection of Haainanui & Palaha valleys, following along up the brink of S. side of Haainanui Valley, leaving out Puu Kahuwai to large thin bushy topped Ohia standing near Waikiki Valley (the same that leads around into Honokawai Valley & by Preveers Kumukahi land) then crossing Haainanui Valley and along makai side of Waikiki Valley to Ohia tree 33 Ch. standing on boundary line between this & Preveers Kumakahi land - thence N. 78° 30' W. 117 Ch. along down boundary line between this & Preveers to stake on narrow point of Ridge between Haainanui & Haainaiki valleys opposite Puu Kahuwai - thence S. 75° 45' W. 1 Ch 20 ft. along between this and Preveers to angle - thence N. 73° 30' W. 9 Ch. 39 ½ ft. along middle of Ridge to angle. thence N. 72° 45' W. 3 Ch. 62 ½ ft. to angle - thence N. 76° 45' W. 11 Ch. 26 ft. to angle - thence N. 70° 15' W. 9 Ch. 43 ft. to rock near makai junction of Haainanui and Kumukahi Valleys. thence N. 43° 30' W. 10 ch. across Kumakahi Valley to place of Commenc't. Including an area of about

320
310 9°
32 80
9 70
675.40

Acres 320

Continued next page.

2188-VIDA-2-P.3

from preceding Page.

"Survey of Haainanui dwelling house lot."

"Commencing at Eleio - a large Rock on E. side of Kekaa near high water mark and running S. 50° 30' E. 19 ¾ Ch across sand Beach & road to Rock the extreme S. point of this land - thence N ½° W. 3 ch 6 ½ ft. along mauka side of Road to large Rock - thence N. 2° ½ E. 59 Ch along parallel with Road between this and a land called Lahaina to large Rock (40 ft.) makai of ending of stone wall little East and mauka of Cocoa-nut trees. thence N. 4° 30' W 14 ch. 12 ft along S across stone wall to point - thence N. 12° W. 8 Ch. 39 ½ ft. to stone near ditch - thence N. 61° E. 7 Ch. 36 ft. along ahupuaa to point by new wall - thence N. 47° E. 6 ½ ch. along E. side of new wall point. thence N. 69° 30' E. 4 Ch. 45 ft. along wall point - thence N 89° 30' E. 5 ch. 41 ½ ft. to Rock - thence S. 80° 30' E. 11 Ch 29 ½ ft. along old Road and between this land and Ahupuaa to Rock - thence S. 75° E. 20 Ch. 46 ft. along by S. Edge of Kauine to angle P.t - thence S. 71° 15' E. 12 ch. 43 ft. along Gulch across Road to P.t - thence S. 79° E. 10 ch. 62 ½ ft. across intersection of two Gulches to point on high ground between - thence S. 81° 30' E. 10 ch. to p.t 1.st from left Gulch - thence S. 77° 15' E. 19 ½ Ch. along Ahupuaa (still) to old Road - thence N. 84° E. 13 ch. 26 ft. along between this and Lahaina to angle. thence N. 16° W. 9 ch. 6 ½ ft. across Gulch to path by new Road - thence S. 88° 45' E. 16 Ch. 52 ½ ft. to Rock S.W. corner of Pohakiki (Trees) thence N. 14° 30' W. 9 ¾ Ch. along between this and Pohakiki to new Road - Rock - thence N. 87° W along new Road and Ahupuaa and Kapili to point - thence S. 89° 30' W. 11 ½ Ch. along Road and Ahupuaa to Haainaiki - thence S. 3° W. 9 ½ Ch. to old Road stone - thence N. 72° W. 7 Ch. 60 ft. along old Road - angle. thence N. 48° 30 W. 9 Ch - to new Road Haainaiki thence N. 81° 45' W. 16 ¾ Ch. along Road Haainaiki point - thence N. 76° 30 W. 21 Ch. along Road point - thence N. 78° 45 W. 16 ½ Ch. along new Road to old -

2188-VIDA-2-P.4

thence S. 86° W. 4½ Ch. to new stone wall and ditch - thence S. 79° 15' W. 13 Ch. along down Pali to pile of stones on flat - thence S. 78° 45' W. 23 Ch. along old stone wall of Haainaiki to stone mauka (2nd pahu) of mud house - and Road along beach - thence N. 4° 30' W. 10 ch. 30 ft. along mauka side of houses parallel with Sea - to water Course - thence N. 5° E. 12½ Ch. to point between 2 Rocks S. of houses - thence N 30° 30' W. 16 Ch. 7 ft. across Road and part of dwelling house lot claimed by J. A. Prevear (vide dotted line on map) to mouth of Honokawai River - then following along Course of the Sea to place of Commt. Including an area of -

Acres 317

deducting the part claimed by Prevear 6 1/10 acres leaves 310 9/10 acres (as conceded to Prevear by W. Shaw & notified to L. Commissioner under date 15 May 1849 Lahaina Maui by W. Shaw dated 15 May 1849 Sec.)

Interlineation 17 May 1849 by Sec. W.S.

"Survey of that Part of Haainaiki joining and mauka of Pohakiki belong to Prevear.

"Commencing at pile of stones at N. E. Corner of Pohakiki and running S. 3° 30' W. 5 ch. 43 ft. along Pohakiki and running S. 6° 45' W. 2 Ch. 29 ft. to 2 Rocks S. E. Corner of Pohakiki, old Road - thence S. 68° 15' E. 5 ch. 13 ft. along old Road to stone - thence S. 1° 45' E. 7 ch. 26 ft. across Gulch along Haainaiki to old stone wall at Hapili - thence S. 87° E. 6 ch 59½ ft. along old wall (stone) and across center of Bullock pen to Rock angle - thence N. 6° 30' W. 7 ch 43 ft. along Ahupua across and by bottom of Gulch to stone - thence N. 75° 15' E. 6½ Ch. along bottom Ravine, stone - thence S. 88° E. 6 Ch. 12 ft. along bottom Ravine, Rock - thence S. 67° 15' E. 9 Ch. 39½ ft. along bottom Ravine, Rock thence N. 3° 30' E. 10 Ch. 43 ft. along ahupua to Road and Rock - thence N. 86° W. 33½ Ch. along Road to place of Commencement - Including an area of -

Acres 32 8/10

"Survey of the Kula and Kalo land belonging to Haainaiki joining J. A. Prevear.

"Commencing at Point in path crossing Gulches on Ridge. being S. E. Corner of Prevears Kula and Kalo ground (Waikale) and running S. 76° E. 5 ch. 23½ ft. along top

of Ridge to P. E. corner - thence N. 10° 45' E. 6 ch 13 ft. along Popohaku to stone angle - thence N. 58° 30' E. 3 ch. 20 ft. to edge of Honokawai Pali - thence N 17° E. 4 ch. 53 ft. down Pali and across Honokawai River to Rock, corner of Kalo patch beside River - thence N. 56° ½ W. 1 ch. to Rock - thence along lapui called Honokawai N. 84 W. 1 ch 25 ft. to Rock - thence N. 57° 15' W. 1 ch. 36 ft. to rock. thence N. 84° 30 W. 2 ch. 8 ft. across River to Rock. thence N 85° W. ½ ch. along Honokawai land to angle - thence N. 42° W. 1 ch. 10 ft. to Anai's land. thence S. 84° W. 32½ ft. along Anai's to Preveers - thence S. 45° W. 31½ ft. along Preveers to rock at foot of Pali. thence S. 29° 30' W. 3 ch. 56 ft. up Pali along Preveers to edge of Pali - then S. 1° 30 W. 6 ch 25 ft. along Preveers to point - thence S. 4° 45' W. 3 ch. 28 ft. to place of Comm't - includ'g. an area of Acres 9 7/10

Survey of No 2 Loinui in Honokawai Valley.

"Kalo land Mauka loa"

"Commencing at Rock on N. side of River joining land called Mommuku and Running S. up Pali to Edge - then from P.t of Com.t run N. 39½ E. 64 ft. along Momuku on N. side of River to Rock. thence N. 56° E. 2 ch 51 ft along left side of River to p.t Pali - thence S. 72° 30' E. 3 ch. 10 ft along River pass Kukui tree to Rock - thence S. 66° E. 1 ch. 26 ft. along and across River P.t - thence N. 88° 30' E. 4 ch. 59 ft. to large Kukui tree left side of River at Momuku - thence S. 34° E. 4 ch. along River to Rock - dam end of Kalo ground - includ'g. about 2 Acres of Kalo ground

Note. This Loinui is said to contain all the S. Pali of Honokawai Valley - extending to the heads of the Mountain joining Waihee, and also all of Honokawai River - from its source to its mouth - this could not be conveniently measured.

Jan.y 2. 1847.

See Diagrams for these several Surveys in Page 564

Survey of No. 3. "Waiolimu" in Waikapu.

2 lands

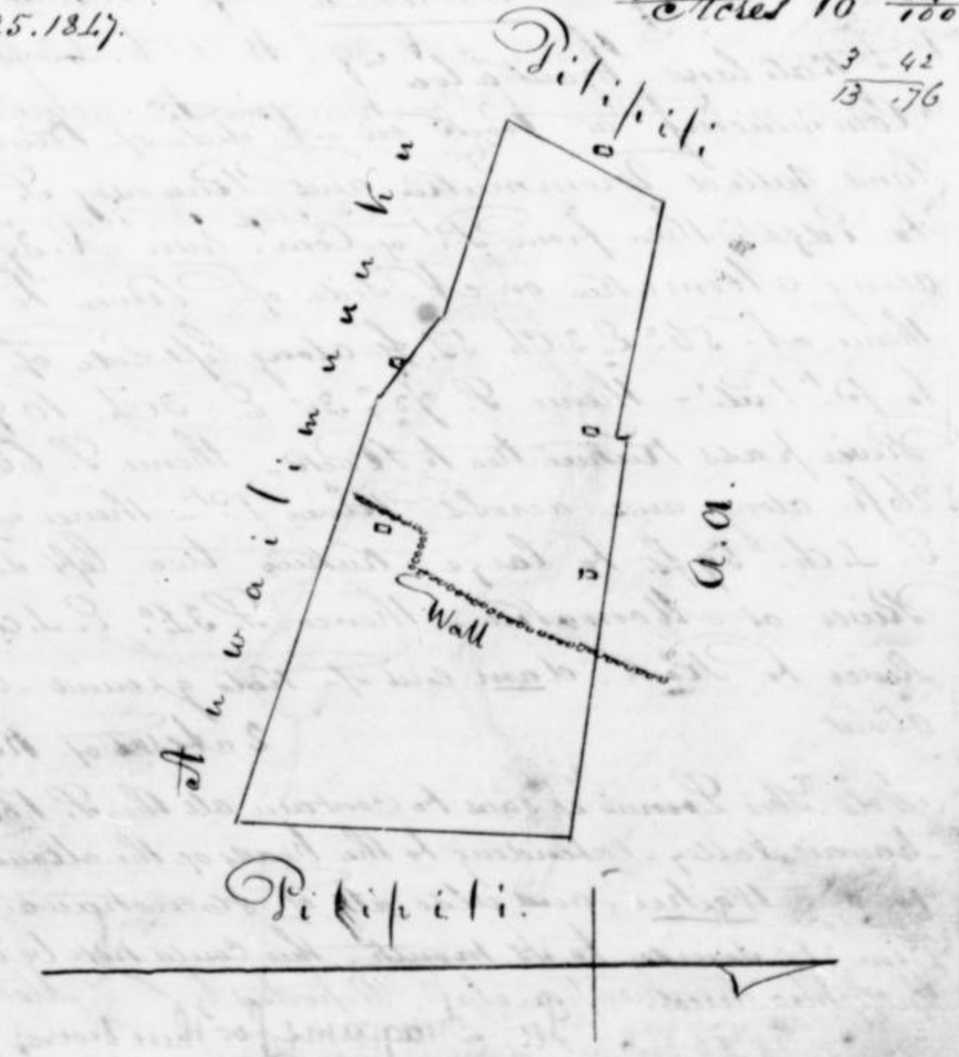
Part 1

Called in the survey Auwailimuuu.

"Commencing at stone wall (at getting over place) by Kato patch, little below Cauhata tree and running North 80° W. 5 ch. along between this and a land called, aa, to angle - then offset 15 ft to left. Thence North 77° 15' W. 6 ch. 3½ ft. along aa to N. W. corner of this land joining Pilipili - Thence S. 26° 30' W. 4 ch. 20 ft. along line between this and Pilipili to Auwailimuuu - Thence South 71° E. 5 ch. 3½ ft. along Auwailimuuu to stone angle - Thence S. 52° E. 2 ch. 36½ ft. along post corner of house to edge of Katopatu Thence S. 70½° E. 19 ch. 61½ ft. down across wall and along old wall to Pilipili - Thence N. 4° E. 7 ch. 59½ ft. along Aupuni wall between this land and Pilipili to aa - Thence N. 78° 30' W. 4 ch. 51½ ft. to place of Commencement, including an area of - Acres 10 34/100

Jan 25. 1847.

3 42
13 76



2188-VIDA-2-P.7

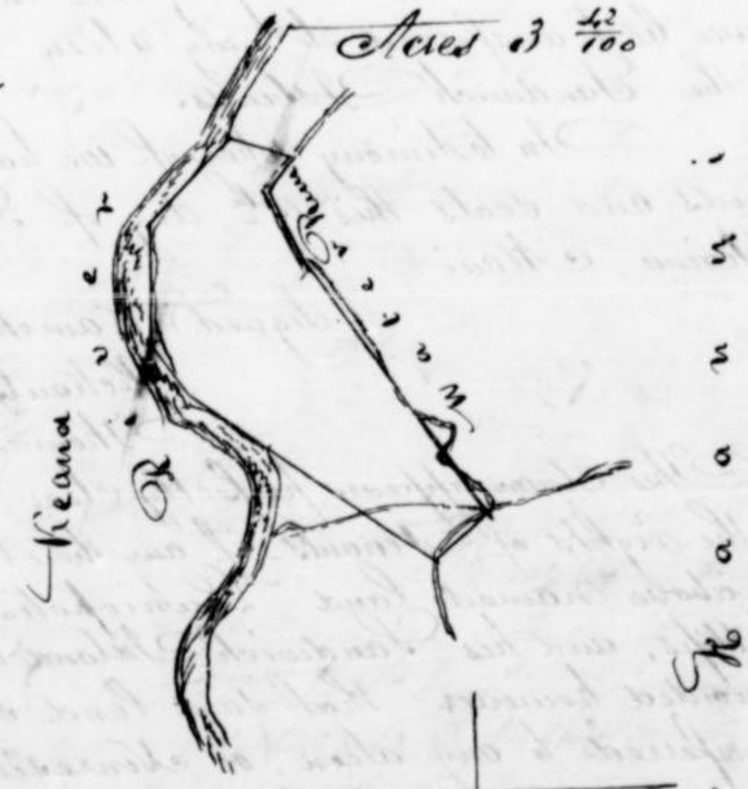
Continuation of Survey of No. 3 Waiolimu in Waikapu

Haana

"Commencing at Rock at most northern part of this land, and at intersection of Water run, with little gullet coming down from Haanui mountain and running South 55°. 30' W. 7 Ch. 3 ft. along water run on side of Pali to point below large rock. Thence S. 65°. 15' W. 2 Ch. 27½ ft. along water run to angle. Thence N. 18°. 30' W. 1 Ch. 8 ft. along water run to little gullet coming down from Haanui, the N.W. Corner of this Land. Thence S. 19°. 30' W. 1½ Ch. down gullet to rock by edge of River: Thence S. 43°. 30' E. 2 Ch. 56 ft. along stream to angle: Thence N. 88°. 30' E. 2¾ Ch. along River to large rock on S. edge. Thence N. 62°. 1 Ch. 57 ft. along River to angle: Thence N. 36°. 15' E. 6 Ch. 62 ft. along River across little gullet (first mentioned) up Pali to stones by Water run: Thence N. 39°. W. 1 Ch. 43 ft. along water run to place of Commencement: including an area of.

Acres 3 $\frac{42}{100}$

Jan.y 25. 1847.

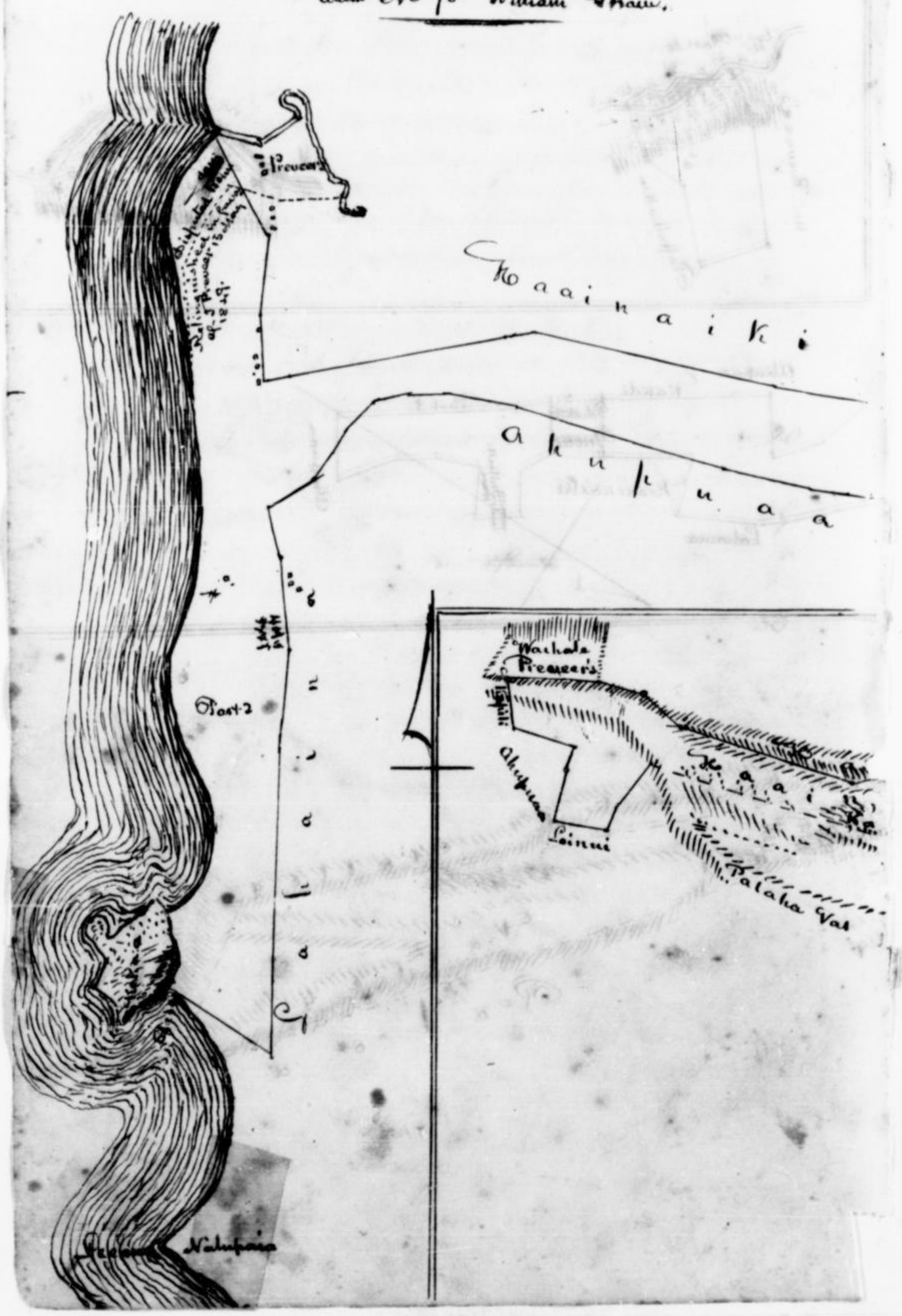


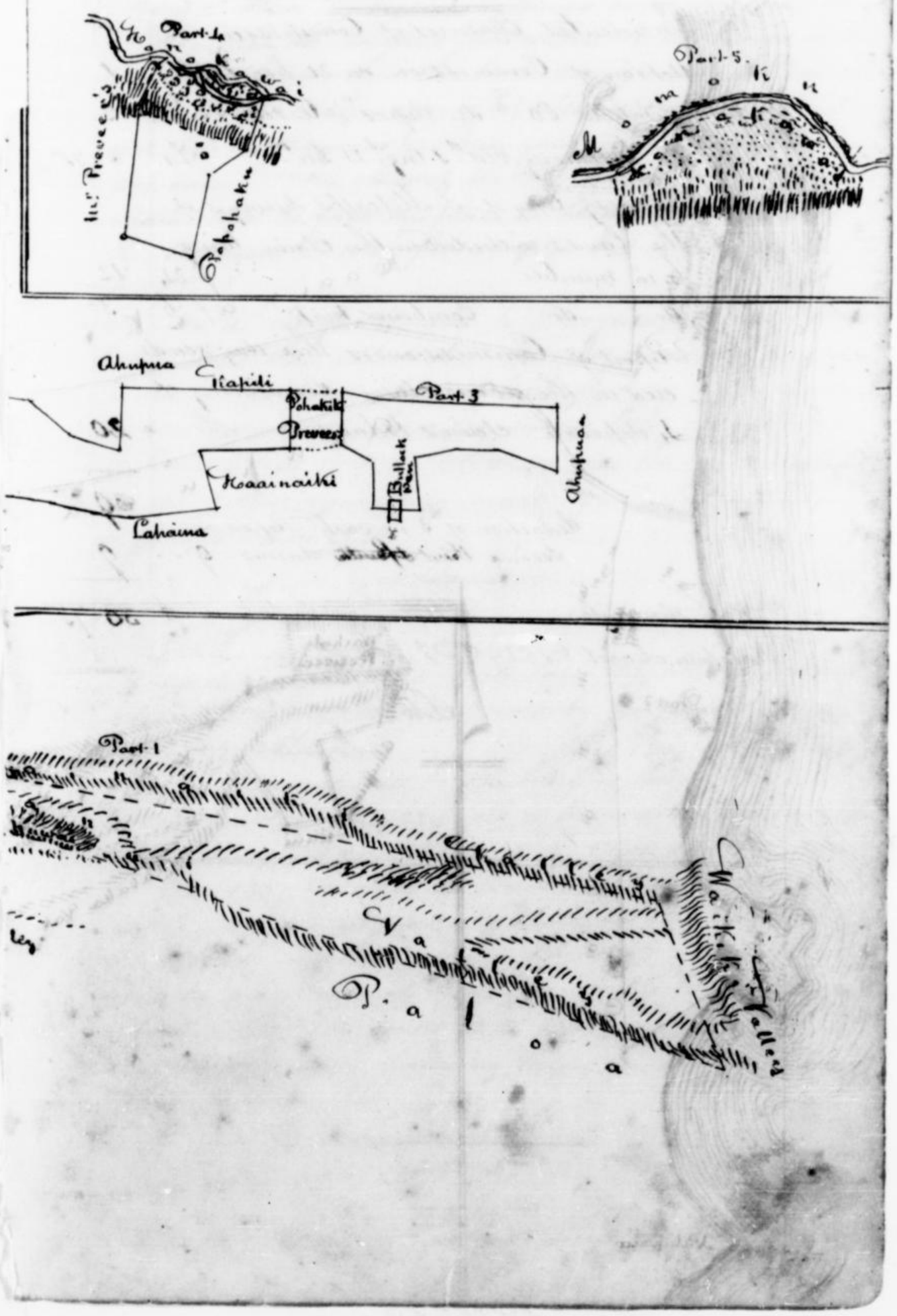
A. No. 1. Keakuapauela - Reported by J. Metcalf
to be too small for Survey.
See acc.t of Costs Page 506

56½

Continued from Page 230

Claim No 76 William Shaw.




Part 4
Part 5.
Part 3
Ahupua
Kapili
Pohakiki
Preuses
Kaainaiki
Lahaina
Ahupua
Part 1
Pa

566

Board of Commissioners for Land Claims
Adjudication of Cl. No. 76 William Shaw — Dr.

To Incidental Expences of Commission &c	1	
Action of Commission on 21 Dec 1846	1	
Citation 50 Cts dt. depos. of Cl. recd. $3.50	2	
dt. testimony recd. & Eng. 21 Dec. $1		75
Engrossg Copy of J. Metcalf's survey of the lands included in this Claim - being 6 in number $24	12	
do — do Combined map - $6	3	
Report of Commissioners this day rendered in the above claim consisting of 4 seperate claims to land	20	
	39	75
deduction of $3 in each Report on second ~~third fourth~~ claims - 9	9	
	30	75

Hale Kauwida William L Lee
Honolulu March 5. 1849 J. H. Smith
his Kaauwai
S. M. Kamakau
Lorenzo

2188-VIDA-2-P.11

LESLIE VIDA, JR.
135 Pilikana Place
Wailuku, Hawai'i 96793
Tel: (808) 242-9139
Cell: (808) 359-9076

WATER USE PERMIT APPLICANT PRO SE

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Nā Wai 'Ehā Surface Water Management Areas of Waihe'e, Waiehu, 'Īao and Waikapū Streams, Maui	)	Case No. CCH-MA15-01
	)	
	)	WITNESS LIST
	)	
	)	
	)	
	)	
	)	

WITNESS LIST

PARTY: LESLIE VIDA, JR.

NAME/ ORGANIZATION/ POSITION	SUBJECT MATTER	EXHIBIT(S) TO BE INTRODUCED BY WITNESS
Leslie Vida, Jr.	Need for and use of Nā Wai 'Ehā water	2188-VIDA-1 to -2

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WATER USE PERMIT APPLICANT PRO SE

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Surface Water Use Permit Applications, Integration of Appurtenant Rights and Amendments to the Interim Instream Flow Standards, Nā Wai 'Ehā Surface Water Management Areas of Waihe'e, Waiehu, 'Īao and Waikapū Streams, Maui	)	Case No. CCH-MA15-01 EXHIBIT LIST

EXHIBIT LIST

PARTY: LESLIE VIDA, JR.

EXHIBIT NUMBER	DESCRIPTION	REFERENCES	REC'D INTO EVIDENCE
2188-VIDA-1	County tax map for TMK No. (2) 3-5-004:091, showing location of LCA No. 76	Testimony of Leslie Vida, Jr.	
2188-VIDA-2	LCA No. 76	Testimony of Leslie Vida Jr.	