

2016 FEB -5 AM 9:45

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WATER USE PERMIT APPLICANT PRO SE

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAI'I

Surface Water Use Permit Applications,)	Case No. CCH-MA15-01
Integration of Appurtenant Rights and)	
Amendments to the Interim Instream Flow)	TESTIMONY OF MARY ANN VELEZ;
Standards, Nā Wai 'Ehā Surface Water)	EXHIBITS "2241-VELEZ-1" - "2241-
Management Areas of Waihe'e, Waiehu,)	VELEZ-5"
'Īao, & Waikapū Streams, Maui)	
)	
)	

TESTIMONY OF MARY ANN VELEZ

1. This testimony is provided in support of Surface Water Use Permit Applications ("SWUPAs") No. 2241 and No. 2242N, filed with this Commission on Water Resource Management on April 23, 2009, for two parcels in Wailuku, Tax Map Key ("TMK") Nos. (2) 3-4-004:016 and (2) 3-4-004:017 (the "Properties"), shown in Exhibit "2241-VELEZ-1."

2. Both SWUPAs were filed by Darrell Higa, my former partner and a partial fee simple owner of the Properties at the time, who has since passed away. My mother, Perolina Domogma, has always been the majority owner of the Properties, and I have been managing the Properties for my mother since Darrell passed.

3. As described in my SWUPAs filed on April 23, 2009, it is my understanding that the Properties have appurtenant rights to water based on the land use at the time of the Māhele,

and I am providing further information regarding water use at the time of the Māhele, as requested by this Commission.

4. My domestic water use is a protected public trust purpose.

5. Based on the information set forth below, I request recognition of the Properties' appurtenant rights in the amount of 273,900 gallons per day ("gpd"). Pursuant to SWUPA No. 2241, I request a Water Use Permit for my current reasonable-beneficial use of 1,200 gpd, which was the existing use as of April 30, 2008. Pursuant to SWUPA No. 2242N, I request an allocation for my reasonable-beneficial use of an additional 138,000 gpd, to return a portion of the Properties to kalo cultivation, as detailed in SWUPA No. 2242N.

QUANTIFICATION OF APPURTENANT RIGHTS

6. As set forth in the TMK Map attached as "2241-VELEZ-1," the Properties comprise a total of 39,754 square feet, or 0.913 acres ("ac").

7. Exhibits "2241-VELEZ-1," "2241-VELEZ-2," and "2241-VELEZ-3," are true and correct copies of a TMK map and screen shots from the Kīpuka Database, which depict how two Land Commission Awards ("LCAs") overlap with the Properties. As set forth in those exhibits, my Properties lie entirely within LCA Nos. 3339:2 to Napue, confirmed by Royal Patent ("RP") No. 6251, and 2532:4 to Kamakahano, confirmed by RP No. 5515. I am attaching true and correct copies of various Māhele documents and translations that confirm water use on both Properties for lo'i kalo cultivation at the time of the Māhele.

8. Attached as "2241-VELEZ-4" are true and correct copies of LCA No. 3339:2 to Napue and the native register (original and partial English translation). In describing the land use at the time of the Māhele, the preamble to the 'āpana survey says "he aina kalo," which means: "it is kalo land." The native register builds on this and explains in lines 2-4: "he mau loi kou

kuleana he 24 aia i ka ili aina i kapaia o Kalua ma Wailuku,” which means “my kuleana is 24 lo‘i in the ili of Kalua, Wailuku.” This, along with the layout of my property, which is directly fed by an ancient ‘auwai that runs along what is now Kalua Street, confirms the use of the land for kalo cultivation at the time of the Māhele.

9. Attached as “2241-VELEZ-5” are true and correct copies of LCA No. 2532:4 to Kamakahano and other Māhele documentation supporting this award. Although some sources (including the Kīpuka Database) refer to my property as “Āpana 4,” a Hawaiian language translation of the LCA and native testimony reveals that what was surveyed as ‘Āpana 4 in the LCA was actually described as ‘Āpana 3 in the testimony. This is evident from the description of the bounds of the ‘āpana (on Waihe‘e by Napue (LCA 3339:2) and Kamakona towards Maalaea (which is the LCA on the opposite side of Napue)). The native and foreign testimony for ‘Āpana 3 describe it as “a mo‘o of kalo,” which means: “narrow strip of land in taro.” This corresponds to the layout of my land, which is a narrow strip within LCA No. 2532, as shown in 2241-VELEZ-3. In addition, a translation of relevant portions of the LCA confirms that ‘Āpana 5 is the houselot: “Āpana 5 Pahale.” which means “Parcel 5. Houselot.” It is my understanding that issues like this were not uncommon in Nā Wai ‘Ehā Māhele surveys and other documents where a pō‘alima was between two ‘āpana and the pō‘alima was awarded to someone else, thus breaking one ‘āpana into two and causing a re-numbering of the parcels in the LCA. This Māhele documentation, along with the layout and historical features of my property, which is directly fed by an ancient ‘auwai, further confirms the use of the land for kalo cultivation at the time of the Māhele.

10. It is also 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, like mine, will require an amount closer to the upper end of this range.

11. Thus, in my best estimation, the water right that was conveyed at the time of the Māhele, and which remains appurtenant to the Properties, is:

$$(0.913 \text{ ac}) \times (300,000 \text{ gad}) = 273,900 \text{ gpd}$$

AMOUNT REQUESTED UNDER SWUPA NO. 2241

12. As documented in my SWUPAs filed on April 23, 2009, I use water from a kuleana ‘auwai that runs through Wailuku town. It is my understanding that this ‘auwai receives water from Waihe‘e Ditch, south of ‘Īao Stream. The Wailuku town ‘auwai receives water via a pipe in the Waihe‘e Ditch and the water travels in pipes and ditches through Wailuku town and eventually passes our land on Kalua Road. Although the flow is inconsistent, when the water flows, we access some of it via a pipe from the ‘auwai. Because the amount of flow is inconsistent, my existing use has been limited by the availability of water.

13. In the years since my SWUPA was filed, the swale on the edge of my property that historically conveyed water from the ‘auwai to my property has been filled in by others. I request that this swale be restored to its former condition, so that it can resume providing ‘auwai water to irrigate my property.

14. As also described in my SWUPAs, and in accordance with the 2002 State of Hawai‘i Water System Standard for Maui County, I request a permit under SWUPA No. 2241 for my existing domestic uses, i.e., 600 gpd for each of the two houses on the Properties, for a total of **1,200 gpd**.

AMOUNT REQUESTED UNDER SWUPA NO. 2242N

15. As described in my SWUPAs filed April 23, 2009, I would like to re-establish lo'i kalo on a portion of each property: 0.235 acres on TMK No. (2) 3-4-004:016, and 0.225 acres on TMK No. (2) 3-4-004:017, for a total of 0.460 acres.

16. Therefore, under SWUPA No. 2242N, I request an allocation for the following amount, which is only a fraction of the total appurtenant right:

$$(0.460 \text{ ac}) \times (300,000 \text{ gad}) = 138,000 \text{ gpd}$$

Reasonable-Beneficial Analysis

17. As described in detail in my SWUPAs filed April 23, 2009, the quantity I am requesting is necessary for the economic and efficient irrigation of my home garden, which includes cultivating foods and other useful plants such as kukui, ti leaf, mai'a or banana, ulu or breadfruit, eggplant, okra, and pumpkin, and for the lo'i that I would like to re-establish on my land. I intend to grow these crops for use and consumption by myself, 'ohana, and neighbors, and to provide me and my neighbors with aesthetic enjoyment. My use of the 'auwai water is economic and efficient, as I will use only the amount needed to irrigate my lo'i, garden, and lawn. Additionally, I intend to continue to implement measures to minimize water loss, including implementing traditional methods of kalo cultivation, and using piping and a 2,000-gallon tank to store the water that irrigates our plants every day, which reduces evaporation and leakage.

18. My use of 'auwai water to irrigate my garden is also consistent with the state and county land use plans and the public interest. My land is classified by the State as urban, and zoned by the County as urban. My water use on my land for domestic cultivation is in the public interest and fulfills a public trust purpose.

Alternatives Analysis

19. Because my land has appurtenant rights to stream water in the nature of an easement that was conveyed at the time of the Māhele, I am not required to provide an alternatives analysis to show that I have no practicable alternative source of water. My appurtenant right is for stream water, not for water from any other source, and my exercise of this right enjoys maximum protection and first priority under the law. Nonetheless, the Alternatives Analysis set forth in my SWUPA remains applicable, true, and correct.

20. As described in detail in my SWUPAs, I have always used a reasonable amount of 'auwai water to maintain my non-commercial garden of fruits and vegetables, along with other community members along this traditional 'auwai, and plan to do so with the lo'i kalo I intend to restore. Other alternatives, such as municipal water, reclaimed wastewater, water from other ditch systems, desalinized water, and groundwater, are not practicable alternatives to the 'auwai water. Requiring me to pay for these alternatives instead of diverting a small amount of water via our 'auwai would impose an unfair and impracticable cost on me and my family, given that we are a small, non-commercial, domestic water user who has always used the water from this 'auwai.

SUMMARY

21. In sum: (1) my existing domestic water use is a protected public trust purpose; (2) the exercise of my appurtenant right is also a protected public trust purpose; (3) because I have appurtenant rights for TMK Nos. (2)3-4-004:016 and (2)3-4-004:017, I am entitled to 273,900 gpd; (4) at this time, I request a permit under SWUPA Nos. 2241 and 2242N in the amount of 139,200 gpd, to support my existing domestic use (of 1,200 gpd) and to pursue the reasonable-beneficial use of restoring lo'i kalo on portions of each of the Properties; (5) I further request that

the permitted water be required to flow on a consistent, daily basis, as required to support lo'i kalo cultivation; and (6) I finally request that the ancient swale along the edge of my property that used to convey 'auwai water be restored to its previous conditions, so that it can resume supplying my water. This requested quantity amounts to only approximately half of the appurtenant water rights that were attached to the land at the time of the Māhele. These modest quantities will be used to for lo'i kalo and domestic cultivation, which is a reasonable-beneficial use of stream water, and for which there is no reasonable alternative.

I, MARY ANN VELEZ, do declare under penalty of law that the foregoing is true and correct.

Dated: Wailuku, Hawai'i, FEB 3, 2016.



MARY ANN VELEZ
WATER USE PERMIT APPLICANT PRO SE

Exhibits:

- 2241-VELEZ-1: TMK Map
- 2241-VELEZ-2: Map Showing LCAs associated with TMK No. (2)3-4-004:016
- 2241-VELEZ-3: Map Showing LCAs associated with TMK No. (2)3-4-004:017
- 2241-VELEZ-4: Māhele documents for LCA No. 3339
- 2241-VELEZ-5: Māhele documents for LCA No. 2532

Land Award

Type: Land Commission Award

Claimant: Napue

Helu: 3339:2

Tax Map Key Parcel

TMK#: 234004016

Owner: DOMOGMA, PEROLINA P /etal

Ahupua'a: Wailuku

Moku: Pū'ali Komohana

Mokupuni: Maui

Parcel 016

LCA 3339:2



2241-VELEZ-2



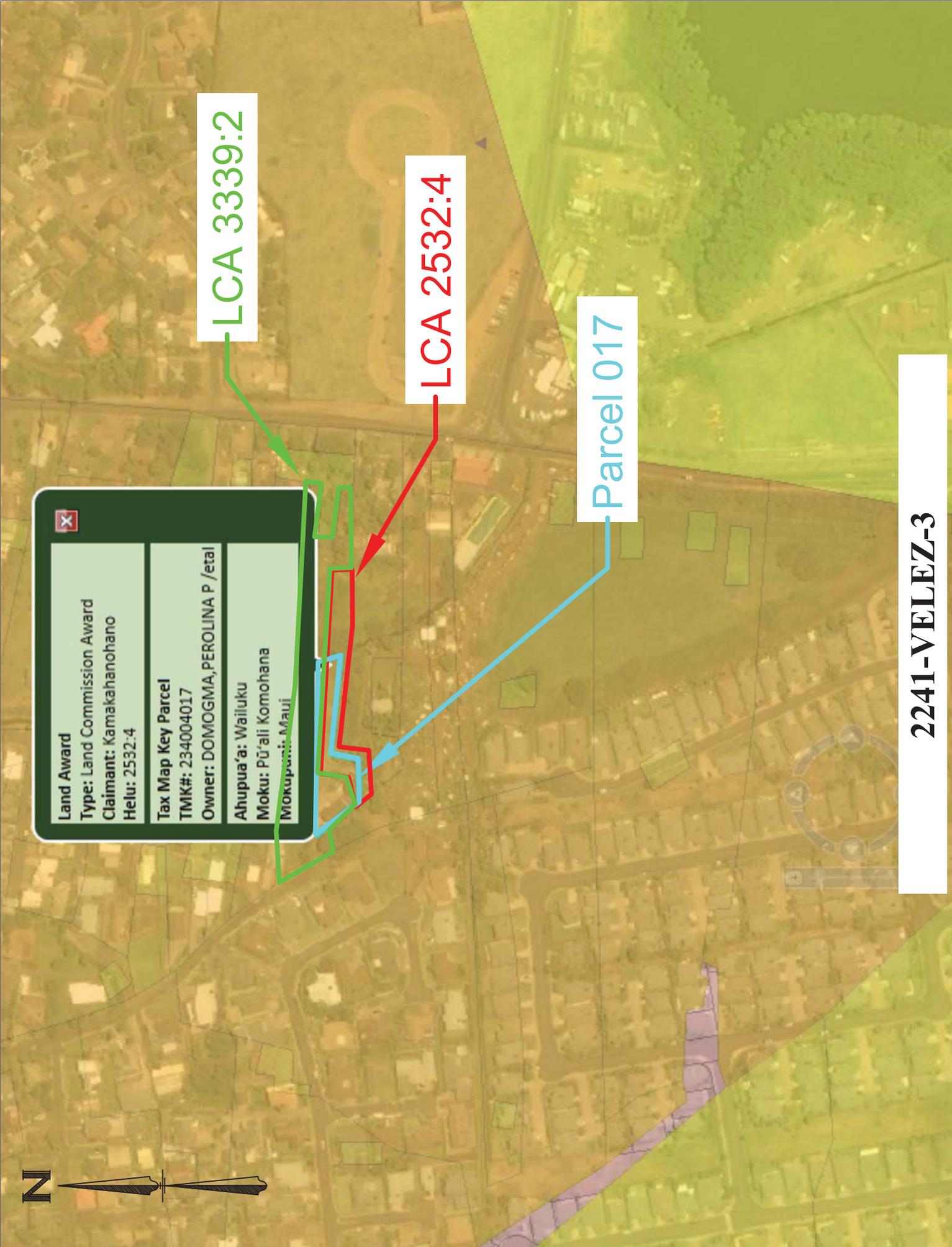
Land Award
Type: Land Commission Award
Claimant: Kamakahanoano
Helu: 2532:4
Tax Map Key Parcel
TMK#: 234004017
Owner: DOMOGMA, PEROLINA P /etal
Ahupua'a: Wailuku
Moku: Pū'ali Komohana
Moku: Pū'ali Komohana
Moku: Pū'ali Komohana

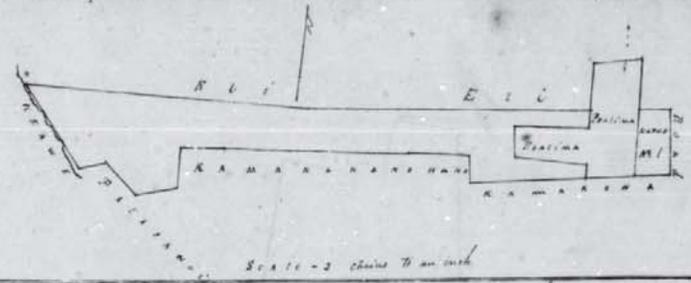
LCA 3339:2

LCA 2532:4

Parcel 017

2241-VELEZ-3





Ulu Pau la 554
 W. L. Her
 G. M. Robertson
 J. Kikaulaha
 J. H. Smith

Anulu Aug 24 1851
 Oda 5228 Kaulaha ✓ Kaulaha Manu

Pala lalo ma ke ana ana o ke waiwai 5228 au Kaulaha ma ke ana o Kaula o Waiwai
 oke kaulaha o Ana Ana 1 ke kaula

P. Kaulaha ma ke kaula Kaulaha Manu o kaula ana ma ke ana Kaulaha o Kaula o ana
 Kaulaha a o kaula ana A 55 25' 0" 7 33 Kaulaha ma ke Kaula o Kaulaha o ke Kaulaha

46 28'	46 4 30	Kaulaha	ma ke ana ana
46 2 25'	46 3 51	Kaulaha	
46 36 21'	46 1 78		
46 3 25'	46 1 14		
46 36 15'	46 2 21		a kaula o ke Kaulaha
A 78 30'	A . 77	Kaulaha	
46 11 15'	46 1 23		a kaula o ke Kaula
A 77'	A . 34		Kaula ma ke Kaulaha o Kaulaha
A 48'	A 3 56		
A 36 15'	A 3 22		
A 21'	A . 12	Kaulaha	
A 8'	A 1 23		
A 32'	46 1 40	Kaula	ma ke kaula
A 7 15'	A 2 27		a kaula o kaula Kaulaha

Kaulaha o Kaula Ana 6 Yee Kaula
 Ana Ana 2 P. Kaulaha ma ke kaula Kaulaha Manu o Kaula Ana ma kaula Ana o kaula
 ana ma ke Kaulaha o kaula ana A 31' A 125 30 Kaulaha ma ke Kaulaha

46 78 46'	46 4 30		ma ke ana
46 34 25'	46 1 7		
46 77 31'	46 2 30	Kaulaha	
46 32 15'	46 2 52		a kaula o ke Kaula
A 21 30'	A . 62		Kaula a kaula o kaula

o Kaulaha o ana ana ma ke ana Ana 6 Yee Kaula
 Kaulaha
 Kaulaha

palena. ma ka Akau o Pohakukauhii, a ma
ka Hihina he pa aina. He ma ili aina o
Makole. Komohana pa aina.
Waikapu Ka Samailou
17 Januari 1848.

3337 Sapue

Aloha euhou na Lina Heona. He
hoopii aha nei au i koe kuleana. He mau
loi koe kuleana he 24, aia ma ka ili aina
i Hoopua o Kaula ma Waikuku i Maui, he
20 makahiki iia. Heho ana matou. A
peni na palena. Akau na loi o Akale. Hiki
na he pa aina. He ma na loi o Makahana-
hono. Komohana he Auwai. He ka Mahalo
Waikuku (17 Dec. 1847). Ka Sapue

Waikapu Hawaii Jan 13. 1848

3340 Sakauua

Auha euhou ma Lina Heona
kuleana aia. He hoopii aha nei au ia euhou
ma koe mau kuleana loi oia ma ka ili aina o
Aheana. Hihina. Makahatoheta. Komohana
Kawahii. Hihina. Akau ka Auwai. He ma ke
kahuwai. Oia ma ka mui oia loi oia a ma
na. Opuhuhala oia ma mau kuleana loi.
Peni i kuleana ai au ia mau loi, mai
ka wa e da ana koe mahuahine, a mahe
ia, heho mau ma keia mau loi ma ka wa
o Komohamoha. A hiki ma i kua manana
oia hiki. He mala wauhe naia, aia
ma ka ili aina o Awawo Lina. Hihina o
Puhete, Komohana o Ahumohamoha. Akau o
Waikapu. He ma Heonaua, ma ka

Native Register
3339 Napue

Lines 2-4: “he mau loi kou kuleana he 24 aia i ka ili aina i kapaia o Kalua ma Wailuku”

Lines 2-4: “my kuleana is 24 lo‘i in the ili of Kalua, Wailuku”

2241-VELEZ-5-P.1

Uku pau loa

B 9-

W. Hei
 G. M. Robertson
 J. H. Smith
 J. Kekaulahao

Honolulu Augake 4. 1851

Heleu 2532 Kamakahānaho

Kalua Waiuku Maui

Palapala ma ke ana ana o ke kuleana 2532 no Kamakahānaho e waiho ana ma ka ili o Kalua Waiuku Mokihānui o Maui. Apana 1 E hoʻomaka ma ke kīhi Komohānākau o heia apana e pili ana ma ke Hamanalanu, a e holo ana 4. 85° 15' hi 200 kaulahao ma ke Hamanalanu, alaila 4. 88° 50' hi 4 29 kaulahao ma ke Hamanalanu, alaila 4. 85° hi 4. 15 kaulahao ma ke Hamanalanu ahiki i ke kīhi alanui, alaila 4. 5° 30' hi 87 kaulahao ma kapa alanui alaila 4. 88° 45' hi 243 kaula, ma ke Honai, alaila 4. 85° 30' hi 7. 91 kaula ma ke Kumaaikeu alaila 4. 10° hi 1. 06 kaulahao ma ke Kamoku ahiki i kahi i hoʻomaka i Eka ma ia apana. ($\frac{93}{100}$ in survey)

.55
 16
 72
 53
 92
 2, 8, 3
 43
 326

Apana 2 pauku 1 E hoʻomaka ma kona kīhi Komohānāhema a e holo ana 4. 53° 45' hi 106 kaulahao ma ke auwai, alaila 4. 85° hi 1. 91 kaulahao ma ke kīhi alanui, alaila 4. 1° 45' hi 84 kaulahao, ma ke poalima alaila 4. 87° hi 1. 08 kaulahao ma ke Eli ahiki i kahi i hoʻomaka i Eka ma ia o heia pauku.

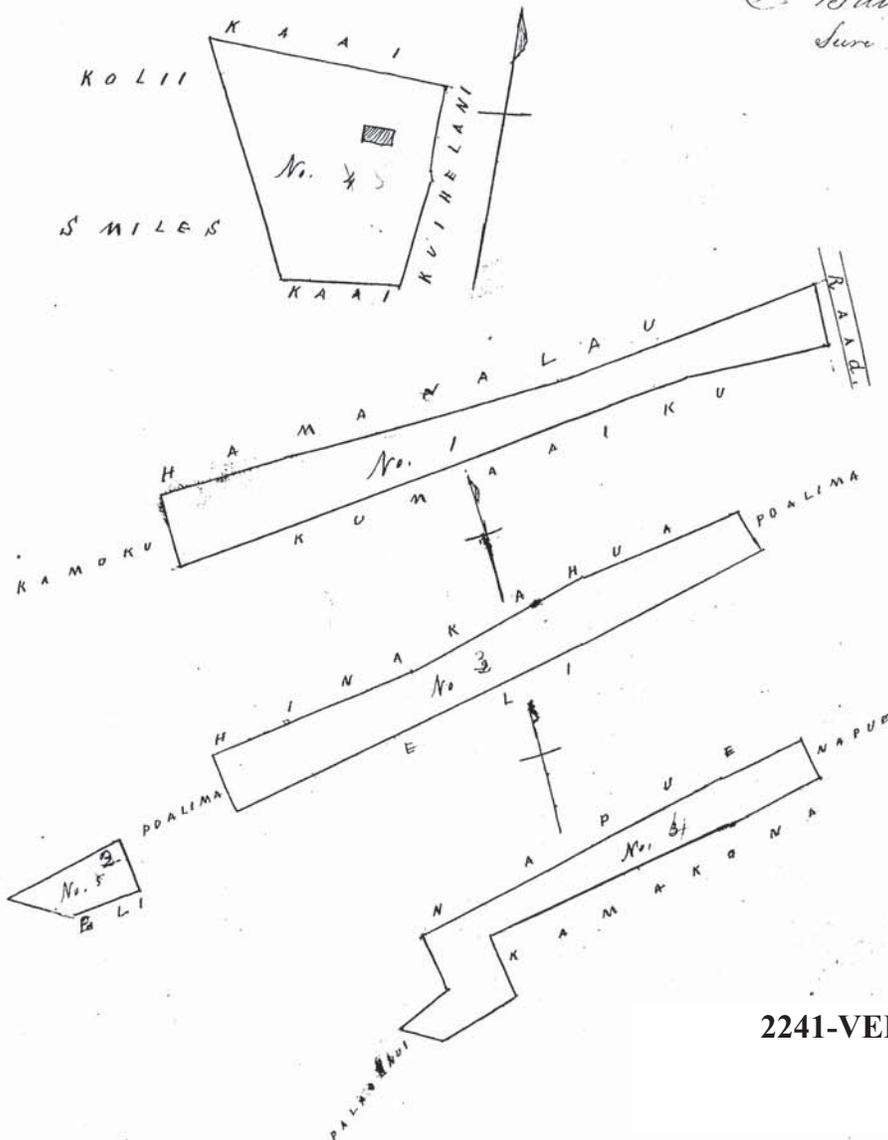
Apana 3. pauku 2 E hoʻomaka i ke kīhi Komohānākau, a e holo ana kem. 89° hi 3 29 kaulahao ma ke Hinakahua alaila 4. 82° 45' hi 3. 00 kaulahao

Ma ia aina ma me ka poalima alaila $A. 84^{\circ}$ $H. 2.57$ kaulahao malaila
 no ahiki; ka poalima alaila $H. 3^{\circ} 30'$ $H. 64$ kaulahao ma ka poalima
 alaila $H. 88^{\circ} 30'$ $K. 3.14$ kaulahao ma ko Eli, alaila $H. 86^{\circ}$ $K. 5.87$ kaula
 ma ko Eli ahiki i ka poalima alaila $A. 45^{\circ}$ $H. 94$ kaulahao ma ka
 poalima ahiki i kahi i hoomakai ~~75~~ Eka maloko o keia pauna.

Apana 4 E hoomaka ma ke kahi ^{Kono} ~~Kono~~ ^{Kono} ~~Kono~~ o keia
 apana e pili ana me Pahaaruni, a e holo ana $A. 49^{\circ}$ $H. 64$ kaulahao ma
 ko Pahaaruni, alaila $A. 72^{\circ} 45'$ $H. 94$ kaulahao alaila $A. 1^{\circ}$ $K. 90$ kaulahao
 alaila $A. 84^{\circ} 30'$ $H. 5.17$ kaulahao, alaila $A. 86^{\circ} 45'$ $H. 1.35$ kaula, alaila $H. 9^{\circ} 45'$
 $H. 61$ kaulahao ma ko Napue apana, alaila $H. 81^{\circ}$ $K. 138$ kaulahao alaila
 $H. 87^{\circ} 30'$ $K. 4.36$ kaulahao, alaila $H. 30^{\circ}$ $K. 95$ kaulahao, alaila $H. 79^{\circ} 15'$ $K.$
 1.42 kaulahao ma ko Kamakona wale no ahiki i kahi i hoomakai
~~53~~ ~~102~~ Eka maloko o keia Apana.

Apana 5 Pahale. E hoomaka ma ke kahi komohana akau,
 a keia Apana e pili ana me ko Kaai, a me Koli, a holo ana $H. 55^{\circ}$ $H. 51$
 $H. 3.85$ kaulahao ma ko Koli a me S. Miles alaila $A. 74^{\circ}$ $H. 30$ $H. 1.77$ kaula
 ma ko Kaai, alaila $A. 3^{\circ} 30'$ $K. 1.76$ malaila no, alaila $A. 20^{\circ}$ $K. 12$ kaulahao
 alaila $A. 8^{\circ}$ $K. 128$ kaulahao ma ko Kuikelani wale no, alaila $A. 84^{\circ}$ $H.$
 $K. 371$ kaulahao ma ka pahale o Kaai, ahiki i kahi i hoomakai
~~92~~ ~~100~~ Eka maloko o keia Pauna.

E. Bailey
 Sure



Uku paau loa

#7-

N. Bee
S. M. Robertson
J. H. Smith
J. Kikaulahao

Honolulu Augako 4 1851

Hulu 2432 Kabilikaula

Wailuku M. Maui

Palapala no ke ano i ke kulanana 2432, no Kabilikaula
 Apana 1 E moe ana ma ka ili o Halaula 1 Wailuku Moku Puni o Maui.
 E hoemaka ana ke kili he ma ma ka auwai oia ke kili, kauwe a i holo
 ana A. 66° Hi 4.79 kaulahao, ma ka auwai, alaila A. 57° Hi 3.59 kaulahao
 ahiki i ke kili o ke Kawahalama, alaila, A. 35° 15 K. 2.92 kaulahao, ma ke
 Kawahalama ahiki i ke ma kili Komohanaakaw. Alaila 37° 45 K. 2.35 kaulahao
 ma ke Apiki a me Makalele ahiki i ke kae o ka pali kokoke i ke kahawai
 alaila He. 42°-45 K. 68 kaulahao ma ke kae o ka pali ahiki i ke kili Hi-
 kinaakaw o Kalapa, alaila He. 29°-30 Hi 1.88 kaulahao ma ke Kalapa,
 alaila, Hi 74°-45 K. 1.95 kaulahao ma ma aima o Kalapa, Kapela, Kaumu.
 ahiki i ke ala, alaila He. 20°-15 Hi 3.12 kaulahao ma ke D. J. Conde, pualima
 a me ke Kaumu, alaila He. 66° K. 63 kaulahao ma ke Kaumu, alaila
 A. 35°-15 K. 68 kaulahao ma ke Kaumu alaila He. 81°-15 K. 33 kaulahao
 ma ke pualima alaila A. 35°-30 K. 50 kaulahao ma ke pualima,
 alaila, He. 67° K. 2.77 kaulahao ma ke D. J. Conde, alaila A. 29°-
 15 K. 90 kaulahao. ma ke D. J. Conde, ahiki i ke pali, alaila He. 50°-
 15 K. 1.10 kaulahao, ma ke kae o ka pali alaila He 33° Hi 4.38
 kaulahao, ma ke pualima, a me ke Kauwe, ahiki i kahi ho-
 makai 2. $\frac{47}{30}$ Eka malako o keia paau.

Apana 2. Ma ka ili o Halaula 2. E hoemaka ana ke
 kili Komohanaakaw, o ke Pae i pili ana ma keia a i holo ana
 He. 45°-30 Hi 1.44, kaulahao ma ke Pae alaila He. 42°-30 Hi.
 340 kaulahao ma ke Pae, ahiki i luma o ka pali, alaila He
 53°-45 K. 1.00 kaulahao, ma ke Kahawai ahiki i ke kili o
 ke Kaumu alaila A. 40°-30 K. 3.68 kaulahao ma ke Kaumu
 alaila He ma Naonohi i hiki i kahawai alaila A. 55°-30 Hi
 1.00 kaulahao ma kahawai, ahiki i kahi i hoemakai
 50 Apana malako oia paau.

E Bailey
Mea Ana.

LCA 2532 Kamakahano
Translation of an excerpt

* * *

Parcel 4.

Beginning at the South West corner of this parcel adjoining Palaaunui,
running North 49° 45 West 64 chains
thence North 84° 30 East 5.17 chains,
thence North 86° 45 East 1.35 chains,
thence South 9° 45 East 61 chains along all of Napue's,
thence South 81° West 138 chains
thence South 87° 30 West 4.26 chains,
thence South 30° West 95 chains,
thence South 79° 15 West 1.42 chains along Kamakona
until place of commencement
53/100 acre within this parcel.

Parcel 5 Houselot.

Beginning at the northwest corner of this parcel adjoining Kaai and Koli,
running South. 35° 30 East 3.85 chains along Koli and S. Miles
thence North 74° 30 East 1.77 chains along Kaai
thence North 3° 30 West 1.76 from there,
thence North 20 West 12 chains thence North 8° West 1.28 chains along Kuihelani,
thence. South 84° 15 West 371 chains along the houselot of Kaai,
until the place of commencement.
92/100 acre within this parcel.

is no opposition. There is one po'alima in it. It is bounded mauka by George L., Waihee, by Eli, makai by government lot, Maalaea by Akolea.

No. 2532 - Makahanohano

Hinakahua sworn: I know his land in Wailuku, four parcels.

Parcel 1.	Taro	<u>mo'o</u>	and	<u>kula</u> ,	in the	' <u>Ili</u>	of	Kalua
" 2.	"	"	"	"	"	"	"	"
" 3.	"	"	"	"	"	"	"	"
" 4.	House	lot						

He had it from Hoapilikane in 1837. There is no opposition. One po'alima is in Parcel 1.

1. is bounded mauka by Ohule, Waihee by Hamanalau, makai by land boundary wall, Maalaea by Kaolelo.

2. is bounded mauka by the konohiki, M. Kekuanaoa, Waihee by Hinakahua, makai by the konohiki, Maalaea by Eli.

3. is bounded mauka by Kekua, Waihee by Napue, makai by government lot, Maalaea by Kamakona.

4. is bounded mauka by the 'Ili of Kuunaheana, Waihee by government lot, and Kaai, makai by Kaai, Maalaea, the same.

Maawaiki sworn: I know his mala of sweet potatoes in the Ahupua'a of Keauhou, at Honuaula. It was from me in 1844. There is no opposition. It is bounded mauka by Nawaiki, Kahikinui, by Makalele, makai by Maawaiki, Kula, the same.

No. 3491 - Kuapuu

Kawaililii sworn: I know his land in the 'Ili of Keahupio

Page 611

Wailuku. His land was from Kaihekahi in the time of Kamehameha I. There is no opposition. It is bounded mauka by Naea, Waihee by the Pali of Wailuku, makai by Kauakahi, Maalaea by Kekuapahipahi.

No. 8364 - Kawahinekuapuu July 9, 1849

This is not a claim -- it is a will by Keahi at Waihee.

Nos. 3494 & 5469 - Keaka

Koanaole sworn: I know his taro land in the 'Ili of Halemano, Wailuku. His land was from Auwae in the time of Kamehameha I. There is no opposition, nor any po'alima in it. It is bounded mauka by Koanaole, Waihee by Kahale, makai by Kahale and Naea, Maalaea by Nuhi.

No. 3493 - Kamaka

Kamaka has appeared before the Land Commissioners and states that "I have returned my land claim at Paukukalo to the konohiki, and the one lo'i at Waihee is the one I am thinking of."

C. 2513. Kamakaha.

517

Kamakaha su. I know the land of the Ct. It is one piece of kula land, in the ili of Nahunā, Waialealā, Maui.

The Ct. rec^d this land from me in the year 1837. His title has never been disputed. There is one palama in it.

It is bounded. Mauike, by George Lawrence's land. Waikae, by Eli's land. Makai, by Pā Aupuni. Maalaea, by Akul's land.

C. 2532. Makahanokūno

Makahanokūno su. I know the lands of the Ct. They consist of 4 pieces in the ili of Nahunā, Waialealā, Maui.

N^o 1. is a Pono of kula

" 2. " " " " "

" 3. " " " " "

" 4. " " House lot

The Ct. rec^d these lands from Kōpūli Kōno, in the year 1837. His title has never been disputed. There is one Pōhō in his land.

N^o 1. is bounded. Mauike, by Akul's land. Waikae, by Amamalan's land. Makai, by Pā Aupuni. Maalaea, by Makole's land.

N^o 2. is bounded. Mauike, by Kōkuanana's land. Waikae, by My Land. Makai, by Pōhō. Maalaea, by Eli's land.

N^o 3. is bounded. Mauike, by Akul's land. Waikae, by Kōpūli. Makai, by Pā Aupuni. Maalaea, by Kamakaha.

N^o 4. is bounded. Mauike, by the ili Kōkuanana. Waikae, by Pā Aupuni. On other two sides, by Kōkū's land.

Makahanokūno su. I know the Ct's kula land in Kōkūno, Ammāula, Maui.

The Ct. rec^d it from me in the year 1844. His title has never been disputed.

N^o 5. is bounded. Mauike, by Kōkū's land. Makai, by Makalele. Makai & Maui sides, by my land.

MARY ANN VELEZ
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WATER USE PERMIT APPLICANT PRO SE

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

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

WITNESS LIST

PARTY: MARY ANN VELEZ

NAME/ ORGANIZATION/ POSITION	SUBJECT MATTER	EXHIBIT(S) TO BE INTRODUCED BY WITNESS
Mary Ann Velez	Need for and use of Nā Wai 'Ehā water	2241-VELEZ-1 to -5

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)
)

EXHIBIT LIST

PARTY: MARY ANN VELEZ

EXHIBIT NUMBER	DESCRIPTION	REFERENCES	REC'D INTO EVIDENCE
2241-VELEZ-1	County Tax Map	Testimony of Mary Ann Velez	
2241-VELEZ-2	Screen Shot of LCA No. 3339 and Parcel 16	Testimony of Mary Ann Velez	
2241-VELEZ-3	Screen Shot of LCA Nos. 3339 and 2532 and Parcel 17	Testimony of Mary Ann Velez	
2241-VELEZ-4	LCA No. 3339, Native Register and Native Register Transcription and Translation	Testimony of Mary Ann Velez	
2241-VELEZ-5	LCA No. 2532, LCA Translation, Native Testimony, Native Testimony Translation and Foreign Testimony	Testimony of Mary Ann Velez	

