

CLIFFORD AND CRISTAL KOKI  
PO Box 442  
Wailuku, Hawai'i 96793  
(808) 757-1014

2019 FEB 13 AM 9:59

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 CLIFFORD AND  
Standards, Nā Wai 'Ehā Surface Water ) CRISTAL KOKI; EXHIBITS "2252-KOKI-  
Management Areas of Waihe'e, Waiehu, ) 1" – "2252-KOKI-5"  
'Āao, & Waikapū Streams, Maui )  
)  
)  
)  
\_\_\_\_\_ )

TESTIMONY OF CLIFFORD AND CRISTAL KOKI

1. This testimony is provided in support of Surface Water Use Permit Application ("SWUPA") Nos. 2252 and 2253N, filed with the Commission on Water Resource Management on April 23, 2009, for three parcels in Waihe'e, Tax Map Key ("TMK") Nos. (2) 3-2-003:004, :032, and :037.

2. This land has been in our 'ohana since the time of the Māhele.

3. 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 current and intended use of stream water is a traditional and customary cultural practice that is a protected public trust purpose.

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

5. Based on the information set forth below, we request recognition of appurtenant rights for TMK Nos. (2) 3-2-003:004, :032, and :037 in the amount of 378,000 gallons per day (“gpd”). We request a Surface Water Use Permit for our current and future reasonable-beneficial uses for TMK Nos. (2) 3-2-003:004, :032, and :037 of 222,368 gpd, of which 1,568 gpd was the existing use as of April 30, 2008.

#### **QUANTIFICATION OF APPURTENANT RIGHTS**

6. TMK No. (2) 3-2-003:004 is comprised of a portion of Land Commission Award (“LCA”) No. 4377:1 to Keawe, confirmed by Royal Patent No. 4105. We are attaching various Māhele documents that confirm water use on TMK No. (2) 3-2-003:004 at the time of the Māhele.

7. TMK No. (2) 3-2-003:032 is comprised of a portion of LCA No. 4405-E:1 to Puhau, confirmed by Royal Patent No. 5274. We are attaching various Māhele documents that confirm water use on TMK No. (2) 3-2-003:032 at the time of the Māhele.

8. TMK No. (2) 3-2-003:037 is comprised of portions of LCA No. 4377:1 to Keawe, confirmed by Royal Patent No. 4105; LCA No. 4426:1 to Kahinu, confirmed by Royal Patent No. 4937; and LCA No. 425 to Pi, confirmed by Royal Patent No. 3345. We are attaching various Māhele documents that confirm water use on TMK No. (2) 3-2-003:037 at the time of the Māhele.

9. Attached as “2252-KOKI-1” is a true and correct copy of LCA No. 4377:1 to Keawe, as well the native testimony supporting the award (both the original and a transcription and English translation).

10. Attached as “2252-KOKI-2” is a true and correct copy of LCA No. 4405-E:1 to Puhau , the original native and foreign testimonies supporting the award, and a partial transcription and English translation of the native testimony.

11. Attached as “2252-KOKI-3” is a true and correct copy of LCA No. 4426:1 to Kahinu and the foreign testimony supporting the award (the original as well as a partial transcription).

12. Attached as “2252-KOKI-4” is a true and correct copy of LCA No. 425 to Pi (the original and a partial transcription and translation) and the foreign testimony supporting the award (the original as well as a transcription).

13. Attached as “2252-KOKI-5” is a true and correct copy of the tax map for TMK Nos. (2) 3-2-003:004, :032, and :037.

14. The documents in 2252-KOKI-1, referring to LCA No. 4377, state that ‘āpana 1, in the ‘ili of Halepahu, contained a “section of loi”.

15. The documents in 2252-KOKI-2, referring to LCA No. 4405-E, state that ‘āpana 1 was “moo kalo,” translated as “a section of kalo.”

16. The documents in 2252-KOKI-3, referring to LCA No. 4426, state that ‘āpana 1 included “16 lois and one kula in the ili of Halepahu, Waihee, Maui.” Given the existence of ancient lo‘i kalo rocks walls and the location of the ‘auwai on our land, we believe that the portion of the LCA on which our land is now situated is the area of LCA No. 4426 that was in kalo cultivation at the time of the Māhele.

17. The documents in 2252-KOKI-4, referring to LCA No. 425, state that the land “consists of one piece on which his house is situated, and several kalo patches.” Given the existence of ancient lo‘i kalo rocks walls and the location of the ‘auwai on our land, we believe

that the portion of the LCA on which our land is now situated is the area of LCA No. 425 that was in kalo cultivation at the time of the Māhele.

18. My land, TMK No. (2) 3-2-003:004, is 0.5 acres. As established by the documents in 2252-KOKI-1 relating to LCA No. 4377:1, TMK No. (2) 3-2-003:004 was cultivated in wetland kalo at the time of the Māhele.

19. My land, TMK No. (2) 3-2-003:032, is 0.16 acres. As established by the documents in 2252-KOKI-2 relating to LCA No. 4405-E:1, TMK No. (2) 3-2-003:032 was cultivated in wetland kalo at the time of the Māhele.

20. My land, TMK No. (2) 3-2-003:037, is 0.6 acres. As established by the documents in 2252-KOKI-1, 2252-KOKI-3, and 2252-KOKI-4 relating to LCA No. 4377:1, LCA No. 4426, and LCA No. 425, TMK No. (2) 3-2-003:037 was cultivated in wetland kalo at the time of the Māhele.

21. Based on the documents in 2252-KOKI-1 through 2252-KOKI-4, the quantification of the appurtenant rights is the amount of water sufficient to grow wetland kalo on 1.26 acres (0.5 acres + 0.16 acres + 0.6 acres) using traditional methods.

22. It is our 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.

23. Thus, in our best estimation, the water right appurtenant to TMK No. Nos. (2) 3-2-003:004, :032, and :037 is 378,000 gpd (1.26 acres x 300,000 gad).

## **AMOUNT REQUESTED UNDER PERMIT**

24. Currently, we access water from the kuleana 'auwai on the north side of the Waihe'e River via pipes and open ditch for growing kalo on TMK No. (2) 3-2-003:032 and attempting to grow kalo on TMK No. (2) 3-2-003:004. Unfortunately, water flow is still inconsistent and insufficient to grow healthy, robust kalo. We also utilize some water for TMK No. (2) 3-2-003:037 to water our yard, domestic plants, and fruit trees.

25. We estimated our existing domestic 2008 water use of 1,568 gallons per day by multiplying the 2002 State of Hawai'i Water System Standard for Maui County of 3,000 gad by the total acreage of our property used to cultivate our domestic plants and fruit trees (a total of 0.5225, or approximately 0.46 acres on TMK No. (2) 3-2-003:037 and 0.0625 acres on TMK No. (2) 3-2-003:004).

26. When we have sufficient and consistent water flow, we will restore our wetland kalo cultivation to historic levels, or a total of 0.736 acres (all of TMK Nos. (2) 3-2-003:004 and (2) 3-2-003:032 and about 1/8 of TMK No. (2) 3-2-003:037). We estimated that we will need 220,800 gallons of water per day by multiplying 0.736 acres by 300,000 gad, the average amount of water we understand is required to grow healthy wetland kalo.

27. Thus, we request a total of 222,368 gpd (1,568 gpd + 220,800 gpd) for our current and future uses.

## **Reasonable-Beneficial Analysis**

28. "Reasonable-beneficial use" is 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. Our use of stream water is consistent with state and county land use plans and the public interest. It is also “economic and efficient” because we only use the amount we need. We take steps to make our water use efficient. For instance we use pipes where appropriate to minimize water loss, and our property is terraced to prevent erosion and runoff. Our farming practices include the use of mulch and volunteer cover crops. Therefore, our use is “reasonable-beneficial.”

### **Alternatives Analysis**

30. Because our land has appurtenant rights to stream water in the nature of an easement that was conveyed at the time of the Māhele, and because we have traditional and customary rights as a Native Hawaiian ‘ohana to grow kalo, we are not required to provide an alternatives analysis to show that we have no practicable alternative source of water. Our appurtenant right is for stream water, not for water from any other source, and our exercise of this right enjoys maximum protection and first priority under the law. Nonetheless, the Alternatives Analysis set forth in SWUPAs No. 2252 and 2253N remain applicable, true, and correct.

31. There is no potentially available alternative source that is economically practicable. We use our kuleana water to grow kalo and other plants like banana, noni, ti and tropical flowers. The vegetables and flowers we grow feed our ‘ohana and are shared with neighbors and community members. We also seek to cultivate healthy kalo on our land for cultural and subsistence purposes. As shown in SWUPA Nos. 2252 and 2253N, each potentially available alternative water source imposes a cost on exercising our protected rights and is impracticable for a small user like us.

**SUMMARY**

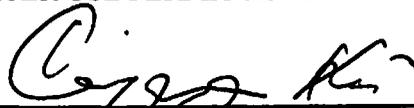
32. In sum: (1) our domestic water use is a protected public trust purpose; (2) our 'ohana's traditional and customary right to grow kalo is a protected public trust purpose; (3) the exercise of our appurtenant right is a protected public trust purpose; (4) because we have appurtenant rights for TMK Nos. (2) 3-2-003:004, :032, and :037, we are entitled to 378,000 gallons per day; (5) at this time, we request a permit for my current and future reasonable-beneficial uses on the property of 222,368 gallons per day, of which 1,568 gallons per day was the existing use as of April 30, 2008, and this modest amount will be used to irrigate my non-commercial garden and lo'i kalo, which is a reasonable-beneficial use of stream water, for which there is no practicable alternative.

We, CLIFFORD AND CRISTAL KOKI, do declare under penalty of law that the foregoing is true and correct.

Dated: Waihe'e, Hawai'i, 12/22/2015.



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CRISTAL KOKI  
WATER USE PERMIT APPLICANT PRO SE

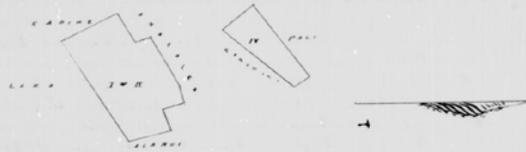


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CLIFFORD KOKI  
WATER USE PERMIT APPLICANT PRO SE

Hem. 55 1/2; Aik 56; Ah. ma ka Laupahala, Ah. 51 1/4; Aik 277; Ah. ma ka Konehiki; Ah. 57;  
 Kom. 55; Ah. ma Tahala Kula, Kom. 53; Kom. 274; Ah. ma ka Tali; a hiki ma kahi; a hiki  
 maha'i; a maha'i oia Anapuni, 28 1/2; Eka.  
 Ap. ana III Aia ana hua Iloka o ke kai

Wailuku, July 7, 1852.

J. W. S. Lewis  
Ma ana aia



Ulu Pau Sea 1 5  
 P. H. Lee  
 G. W. Robertson  
 W. L. Smith  
 Ch. Ch. Kaula

Honolulu, 16, Oct 1852.

Hulu 4377 Keawe

Ma ana aia

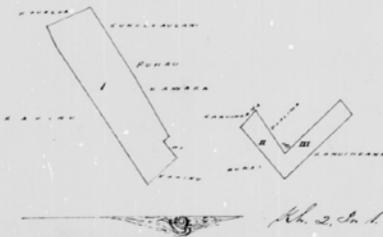
Ap. ana I Ah. Kaula, Chomaka ki ana ma ka Ahi, Kaula, a hiki ana  
 ma ka Kaula, Ah. 57; Aik 277; Ah. ma ka Uuwa; Ah. 57; Aik 231; Ah.  
 ma ka Kaula, Kom. 57 1/2; Aik 24; Ah. ma ka Li, Ah. 54 1/2; Aik 71; Ah.  
 ma ka Li, Kom. 57 1/2; Aik 135; Ah. ma ka Kaula, Kom. 55 1/2; Kom. 53; Ah.  
 ma ka Kaula, Kom. 67 1/2; Kom. 70; Ah. ma ka Kaula, Ah. 24 1/2; Kom.  
 154; Ah. ma ka Kaula, a hiki ma kahi; komaka; a maha'i oia Anapuni 28 1/2  
 Eka.

Ap. ana II Ah. Kaula, Kaula, Kaula, Kaula, Kaula, Chomaka  
 ki ana ma ka Ahi, hua o Kaula, Ah. 57 1/2; Kom. 54; Ah. ma ka Ka  
 nui ana Kom. 54 1/2; Kom. 62; Ah. ma ka Kaula, Kom. 54 1/2; Aik 231  
 Ah. ma ka Kaula, Kom. 54; Kom. 170; Ah. ma ka Kaula, Kom. 57 1/2; Aik 74  
 Ah. ma ka Kaula, Ah. 57 1/2; Aik 233; Ah. ma ka Kaula, a hiki ma kahi;  
 komaka; a maha'i oia Anapuni; 28 1/2; Eka.

Ap. ana III Ma ana aia, Keawe o kaula; hua Ap. ana

Wailuku, July 7, 1852

J. W. S. Lewis  
Ma ana aia



Ah. 2, Ch. 1





**Transcription and Translation of Native Testimony for Land Commission Award No. 4377**

Iulai 25

Kahinu Hoohikiia

Ua ike au i 4 apana makeia mau ili ma Waihee

Ap. 1. Pauku loi i Halepahu

“ 2. 4 loi ma Kalainuinaehihe

“ 3. 5 loi “ Pahukauila

“ 4. 3 loi “ Kahilinamaia

No‘u aku ka apana mua i ka 1839. No Kelewaa mai ka apana 2. ia wa no. No Kanuihema mai ka apana 3. i ka 1842. He aina kahiko no ko Kanuihema. No Kamaka mai ka apana 4. i ka wa o Z. Kaauwai. Aole mea keakea.

1. Mauka Ili o Lauhue. Ma Kahakuloa. Ma Kahakuloa Ili o Kahilinamaia. Makai a Ma Wailuku owau no.

2. Mauka Kanuiheana Ma Kahakuloa a Makai Poalima. Ma Wailuku Kahawai

3. Ua hui pu keia apana me ka apana 2. Nailima nae makai o keia apana 3.

4. Mauka Poalima. Ma Kahakuloa a Makai o Kamaka. Ma Wailuku ka apana mua.

## Kahinu Sworn

I know of 4 parcels in these ili in Waihee

No. 1. Section of loi in Halepahu

No. 2. 4 loi at Kalainuinuhehe

No. 3. 5 loi at Pahukauila

No. 4. 3 loi at Kahilamaia

It is from myself the first parcel in the year 1839. It is from Kelewaa parcel no. 2 at the same time [1839]. It is from Kanuihema parcel no. 3 in the year 1842. It is a very old land belonging Kanuihema. It is from Kamaka parcel no. 4

1. Mauka Ili of Lauhue. Towards Kahakuloa. Towards Kahakuloa the Ili of Kahilamaia. Makai and towards Wailuku it is me.

2. Mauka is Kanuiheana Kahakuloa and makai is a Poalima. Towards Wailuku is the river

3. This parcel is combined with parcel no. 2 Nailima however, is below this parcel no. 3.

4. Mauka is a Poalima. Towards Kahakuloa and Makai is Kamaka. Towards Wailuku is the first parcel.

476

Ulu-pauka \$5.00

N. H. H. & M. Robertson  
S. M. Smith

Honolulu January 3, 1853

S. M. Smith

Helu 4405 E. Tahau (Naibu Maui)

Apana I Ni Kahlonamoa. E hoomaka ke ana ma ke hiki komehana

Samaka				
Hi	29 1/2	Ke	48	Ke ma ke Auwai
Hi	36 1/2	Ke	58	Palama
Hi	36	Ke	1.16	
Hi	39	Ke	3.78	Kahlonamoa
A	57	Ke	1.16	Leve
A	55	Ke	1.67	Palama
A	46 1/2	Ke	1.16	
A	49 1/2	Ke	3.25	Komeka a hiki ma ke faka ana.

A mabke oia Anupuni 1 1/2 Eka

Apana II Na au au, Tahau e ana ike e ke kuleana. P.

A. I. G. & M. Robertson



3 KOLEMAN - 10000

Ulu-pauka \$4.00

N. H. H. & M. Robertson  
S. M. Smith

Honolulu January 3, 1853

S. M. Smith

Helu 4405 Me Palau (Naibu Maui)

Apana I Ni Tahonche. E hoomaka ke ana ma ke hiki kome. Leve

A	13 1/2	Ke	62	Ke ma ke Leve
A	61 1/2	Ke	1.05	
A	55 1/2	Ke	5.35	
A	65	Ke	3.14	
A	71 1/2	Ke	75	Palama, Epuni, Palama
A	16 1/2	Ke	70	Kapoho
Ke	77	Ke	1.16	Palama
Ke	79 1/2	Ke	77	
Ke	68	Ke	2.79	Mahe
Ke	55 1/2	Ke	5.62	
A	66 1/2	Ke	79	Auwai a hiki ma ke faka ana.

A mabke oia Anupuni 1 1/2 Eka

Apana Palama I. E hoomaka ke ana ma ke hiki Apan e ke kuleana. P. Ke 1.27 Eka

Ke	46 1/2	Ke	57	Ke
A	52	Ke	57	



Waikae

45

C. 445 D. Kaulakoa

L. H. Briggs for His claim was sent in before Feb. 10. 1858.  
 The Claimants land is one piece of kula and kula in the di. of the  
 pahukauwala, Waikae, Maui.  
 The Claimant is a son of the land obtained this piece before 1829. His  
 title is not disputed. There are 4 portions, two in this piece.  
 No. 1 is bounded Waikae, by Kaulakoa's land, Kahakaha, by the  
 Kahakaha land, Waikae, by the di. of Kaulakoa, by the di. of Waikae.

C. 445 E. Pihai

L. H. Briggs for. I made out and sent in this claim Feb 1<sup>st</sup> 1858.  
 as near as I can remember.  
 The land consists of two pieces in Waikae, Maui.  
 No. 1 is 2<sup>nd</sup> front of kula in Kahakaha.  
 " 2 " 6<sup>th</sup> lot in Kahakaha.  
 The Claimant received them from me in 1829. His title is  
 not disputed. There are two portions, two in No. 1.  
 No. 1 is bounded Waikae, by Kahakaha's land, Kahakaha,  
 by the back, Waikae, by my land, Kahakaha, by Kaulakoa's land.  
 No. 2 is bounded Waikae, and all sides, by Pihai's land.

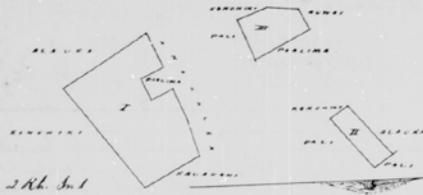
C. 445 F. Kaulakoa

L. H. Briggs made out to sending this claim before Feb. 10. 1858.  
 Pihai for. The land consists of 2 pieces in Waikae, Maui.  
 No. 1 is 2<sup>nd</sup> front in Kahakaha.  
 " 2 " 6<sup>th</sup> lot in Kahakaha.  
 The Claimant received them from L. Kaulakoa in 1829. His  
 title is not disputed. There is one portion, two in No. 1.  
 No. 1 is bounded Waikae, by my land, Kahakaha, by the  
 front lot, Waikae, by Pihai's land, Kahakaha, by the di. of Kahakaha.  
 No. 2 is bounded Waikae and all sides, by Kaulakoa's land.

**Partial Transcription and Translation of Native Testimony for Land Commission Award  
No. 4405-E**

Ap. 1 Moo kalo

Parcel 1. a section of kalo.



Ulu Lau, Feb 1853  
 J. M. Robertson  
 J. T. Smith  
 J. Sitakaulaha

Honolulu, 16 Oct 1853

Holetu 4426 Hoahinu

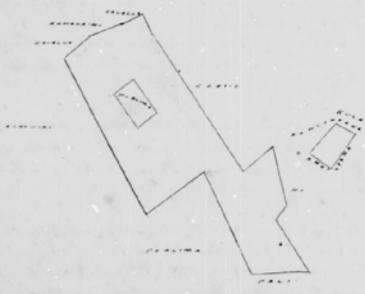
Waikou, Hawaii

Apana I. Ki. Kalfahu. E hiamaka he ana ma he hiki hiki ana - Kanaloa.  
 Ak. 1/4 Num 115 Ak. ma Kanaloa, Ak. 2/4 Num 118 Ak. ma Kanaloa; Ak. 2 1/2 Num 119  
 Ak. ma Kanaloa, Ak. 6 1/4 Ak. 120 Ak. ma Kanaloa, Ak. 5 1/2 Ak. 121 Ak. ma Kanaloa, Ak. 5 1/2  
 Num 122 Ak. ma Kanaloa, Ak. 7 1/2 Ak. 123 Ak. ma Kanaloa, Num 52 Ak. 124 Ak. ma Kanaloa,  
 Ak. 56 Ak. 125 Ak. ma Kanaloa Num 2; Ak. 1 1/4 Ak. ma Kanaloa, Num 6 Num 126 Ak.  
 ma Kanaloa, Num 127; Ak. 2 1/2 Ak. ma Kanaloa Num 6; Num 128 Ak. ma Kanaloa, Num 62.  
 Num 129 Ak. ma Kanaloa; a hiki ma hiki hiamaka a muli ma anafani 2 1/2 Ak.

Apana 1. Pualima; hiki. E hiamaka he ana ma he paha lapa - Kira Kaula. Ak. 11 Num 111  
 Ak. a hiki ma he hiki. Kira, Ak. 3 1/2 Num 112 Ak. Num 113 Num 114 Ak. Num 115 Num 116 Ak.  
 117 Ak. Num 118 Ak. a hiki ma he paha lapa, a muli ma Pualima 1/2 Ak.

Apana II. He Kapaheka. E hiamaka he ana ma he hiki hiki ana - Kira Kaula.  
 Ak. 5 1/2 Num 119 Ak. ma Kapaheka, Num 5 1/2 Ak. 120 Ak. ma Kapaheka, Num 5 1/2  
 Num 121 Ak. ma Kapaheka, Ak. 56 Num 122 Ak. ma Kapaheka, a hiki ma he paha  
 lapa a muli ma anafani 1/2 Ak.  
 Matutu July 7, 1853

John S. Lamer  
 Ma ana aia



Ak. 2.1



**Partial Transcription Foreign Testimony for Land Commission Award No. 4426**

“Pi Sw. The claimant has three pieces of land but I know only one of them well. This is a piece of 16 loīs and one kula in the ili of Halepahu, Waihee, Maui”

Urupaula 85.00

W. L. Lee  
E. W. Robertson  
J. W. Smith  
J. Sekaulaha

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Himelulu Aigote 9. 1864

Hele 425 Himelulu Aigote

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He ama kipi ma ka ihi. Kaitiakiamaia.

O pomaia ma ka kipi kipi ma ka Uraui a e kipi

Ama 57 <sup>1</sup> / <sub>2</sub>	Kamohana 113	He. ma ka kipi	
Ama 53 <sup>1</sup> / <sub>2</sub>	Kamohana 71		Kiwe
Ama 52 <sup>1</sup> / <sub>2</sub>	Kamohana 71		
Ama 47 <sup>1</sup> / <sub>2</sub>	Kamohana 56		Kiweka
Ama 53 <sup>1</sup> / <sub>2</sub>	Kipiua 138		Awai
Ama 30 <sup>1</sup> / <sub>2</sub>	Kipiua 135		
Ama 13 <sup>1</sup> / <sub>2</sub>	Kipiua 132		
Ama 20 <sup>1</sup> / <sub>2</sub>	Kamohana 163		
Ama 63 <sup>1</sup> / <sub>2</sub>	Kipiua 207		Kiweka
Ama 36 <sup>1</sup> / <sub>2</sub>	Kipiua 299		Kiweka
Ama 56 <sup>1</sup> / <sub>2</sub>	Kamohana 84		Kipiua
Ama 31 <sup>1</sup> / <sub>2</sub>	Kipiua 87		
Ama 40 <sup>1</sup> / <sub>2</sub>	Kamohana 232		
Ama 41 <sup>1</sup> / <sub>2</sub>	Kipiua 103		
Ama 50 <sup>1</sup> / <sub>2</sub>	Kipiua 111		
Ama 27 <sup>1</sup> / <sub>2</sub>	Kipiua 313		

to Oa  
Amao Aigote a kipi ma ka kipi ma 27<sup>1</sup>/<sub>2</sub> Oa.

Kaitiaki Aigote 13. 1864

O. P. P. (Kaitiaki)

2th. ihi

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Urupaula 86.00

W. L. Lee  
E. W. Robertson  
J. W. Smith  
J. Sekaulaha

Himelulu Aigote 9. 1864

**Partial Transcription and Translation for Land Commission Award No. 425**

“He aina Kalo ma ka ili o Kahilinamaia”

“Taro land in the ili of Kahilinamaia”.

N<sup>o</sup> 377 John Pelletier. R.P. 1877

H. L. Brooks, sworn, knows the land occupied by claimant. It was given to him by the King in the year 1837. He built houses and lived on the place up to the year 1849, when he went to California. He left his wife in charge of his property. She was taken sick and died in their house at Lahaina. Claimant planted sugar cane and kalo on this land. Witness was present when the King gave claimant the land.

Pauw, sworn, knows the land in Waialeale given by the King to claimant in the year 1834. It is bounded Mauka by the Hele land. Makapuu by Iimani. Makai by Nuvaheai land. Wahee by Paka. Claimant possessed and cultivated the land up to the time he went to California, when he left it in charge of witness. There are several Helecanas in the land.

Knows the home lot of claimant in Lahaina. Knows that he lived there previous to his obtaining the land at Waialeale. It joins W. Butler's land. Claimant's wife died there since he went to California.

(cont. at page 107)

N<sup>o</sup> 425. Tii.

He, sworn, knows claimant's land at Wahee. It consists of one piece on which his house is situated, and several Kalo patches.

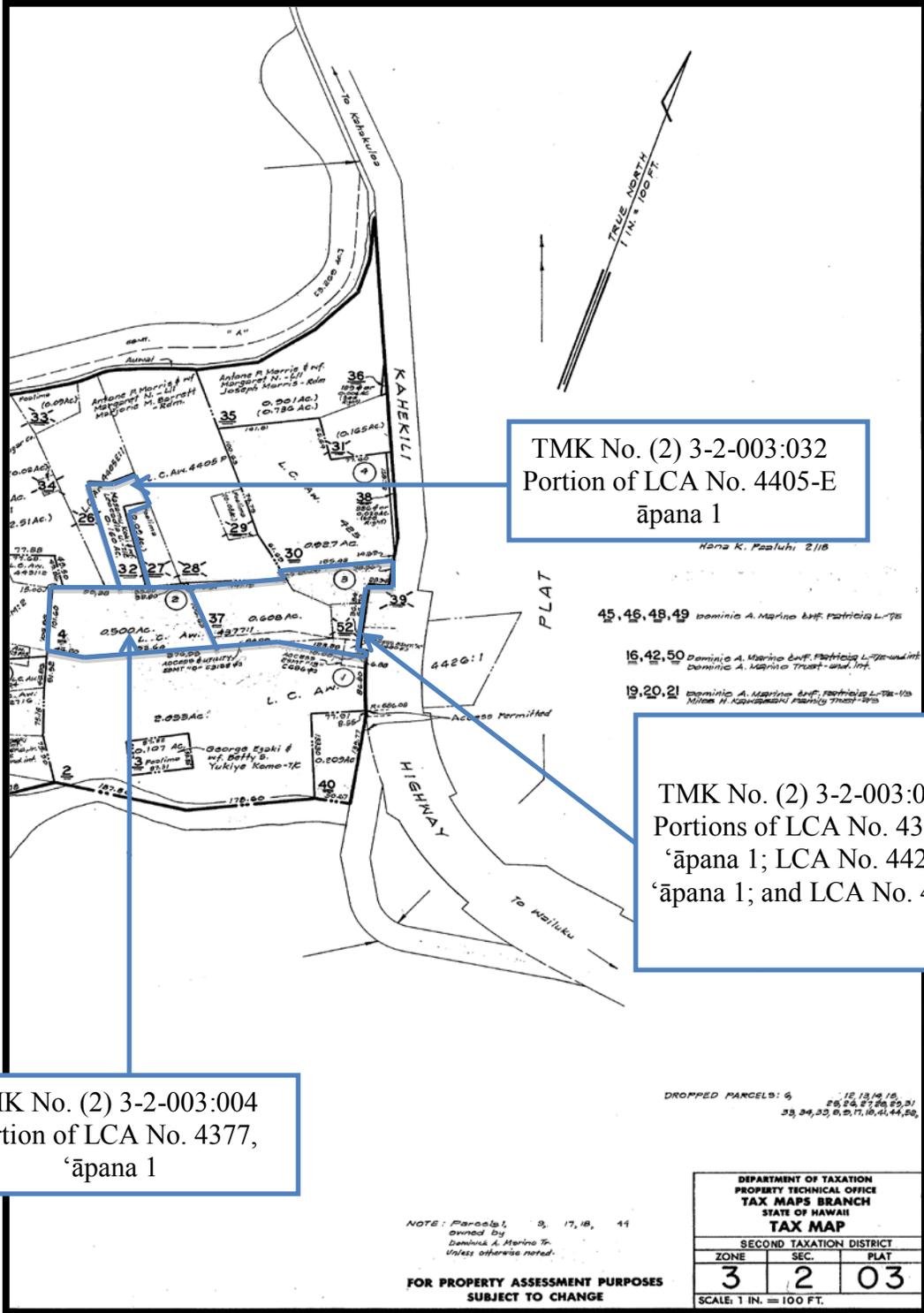
It is bounded, Mauka, by Kaniaka's land. Kahakuloa, by water course and pati. Makai by the Kouhiki's land. Wahee, by Puhani's land.

Claimant got this piece of land from J. Kaauwai in the time of Hoapili, and has held uninterrupted possession of it up to this time.

J. Kaauwai, sworn. - Witness gave the

**Partial Transcription Foreign Testimony for Land Commission Award No. 425**

Aa, Sworn. Knows claimant's land at Waihee it consists of one piece on which his house is situated, and several kalo patches."



**CLIFFORD AND CRISTAL KOKI**

PO Box 442

Wailuku, Hawai'i 96793

(808) 757-1014

**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 ) WITNESS LIST  
Standards, Nā Wai 'Ehā Surface Water )  
Management Areas of Waihe'e, Waiehu, 'Īao )  
and Waikapū Streams, Maui )  
\_\_\_\_\_)  
)

**WITNESS LIST**

**PARTY: CLIFFORD AND CRISTAL KOKI**

<b>NAME/ ORGANIZATION/ POSITION</b>	<b>SUBJECT MATTER</b>	<b>EXHIBIT(S) TO BE INTRODUCED BY WITNESS</b>
Cristal Koki	Need for and use of Nā Wai 'Ehā water	2252-KOKI-1 to -5

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)  
)  
)

**EXHIBIT LIST**

**PARTY: CLIFFORD AND CRISTAL KOKI**

<b>EXHIBIT NUMBER</b>	<b>DESCRIPTION</b>	<b>REFERENCES</b>	<b>REC'D INTO EVIDENCE</b>
2252-KOKI-1	LCA No. 4377, Native Testimony, Native Testimony Translation	Testimony of Cristal Koki	
2252-KOKI-2	LCA No. 4405, Native Testimony, Native Testimony Translation, Foreign Testimony, Foreign Testimony Transcription	Testimony of Cristal Koki	
2252-KOKI-3	LCA No. 4426, Foreign Testimony, Foreign Testimony Transcription	Testimony of Cristal Koki	
2252-KOKI-4	LCA No. 425, LCA No. 425 Translation, Foreign Testimony, Foreign Testimony Transcription	Testimony of Cristal Koki	
2252-KOKI-5	Tax map for TMK Nos. (2) 3-2-003:004, :032, and :037	Testimony of Cristal Koki	