

APRIL GOO
2120 C Kahekili Hwy
Wailuku, Hawai'i 96793
(808) 244-3598

2010 FEB -01 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 APRIL GOO; EXHIBITS
Standards, Nā Wai 'Ehā Surface Water)	"2365-GOO-1" – "2365-GOO-2"; EXHIBITS
Management Areas of Waihe'e, Waiehu,)	"2233-GOO-1" – "2233-GOO-2"; EXHIBITS
'Āao, & Waikapū Streams, Maui)	"2231-GOO-1" – "2231-GOO-2"
)	
)	

TESTIMONY OF APRIL GOO

1. This testimony is provided in support of Surface Water Use Permit Application ("SWUPA") SWUPA No. 2365N for Tax Map Key ("TMK") Nos. (2) 3-2-004:008 and :010 ("Parcels 8 and 10"); SWUPA Nos. 2233 and 2234N for TMK No. (2) 3-2-004:007 ("Parcel 7"); and SWUPA No. 2231 for TMK Nos. (2) 3-2-011:006, :019, :065, :066, :067, and :079 and SWUPA No. 2232N for TMK Nos. (2) 3-2-011:078 and :079 (both formerly part of TMK No. (2) 3-2-011:007) (collectively, TMK Nos. (2) 3-2-011:006, :019, :065, :066, :067, :078, and :079 are referred to herein as the "Makai parcels"), all filed with the Commission on Water Resource Management ("Water Commission") on behalf of our 'ohana by my mother, Diannah Goo, on April 23, 2009.

2. My 'ohana owns land on both the mauka and makai portions of Waihe'e. My 'ohana's land up mauka (Parcel 7 and Parcels 8 and 10) is from my mother's side of the family

(the Lais), and is made up of TMK Nos. (2) 3-2-004:007, :008, and :010. My mother's 'ohana has held this land since the time of the Māhele, and she still has the original deeds in her possession. Our 'ohana's Makai parcels are from my father's side of the family (the Goos) including TMK Nos. (2) 3-2-011:006, :019, :065, :066, :067, :078, and :079. This land, in the mauka and makai sections of Waihe'e, has been in our family for generations, and we have no evidence, indication, or other reason to believe that our appurtenant rights to Parcels 8 and 10, Parcel 7, or the Makai parcels have been reserved.

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 Parcels 8 and 10 in the amount of 315,000 gallons per day. We request a Surface Water Use Permit for our future reasonable-beneficial use for Parcels 8 and 10 of 315,000 gallons per day.

6. Based on the information set forth below, we request recognition of appurtenant rights for Parcel 7 in the amount of 217,200 gallons per day. We request a Surface Water Use Permit for our current and future reasonable-beneficial use for Parcel 7 of 217,200 gallons per day, of which 54,300 gallons per day was the existing use as of April 30, 2008.

7. Based on the information set forth below, we request recognition of appurtenant rights for the Makai parcels in the amount of 435,000 gallons per day. We request a Surface

Water Use Permit for our current and future reasonable-beneficial uses on the Makai parcels of 141,600 gallons per day, of which 3,600 gallons per day was the existing use as of April 30, 2008.

QUANTIFICATION OF APPURTENANT RIGHTS

Parcels 8 and 10

8. At the time of the Māhele, Parcels 8 and 10 (TMK Nos. (2) 3-2-004:008 and 010) were awarded to Kauwahine by Land Commission Award (“LCA”) No. 3507:2, confirmed by Royal Patent No. 4114. Parcel 8 is all of ‘āpana 2, mahele 1 of LCA No. 3507 and Parcel 10 is all of ‘āpana 2, mahele 2 of LCA No. 3507. We declared our water use on this land with the Water Commission in 1989. I am attaching various Māhele documents that confirm water use at the time of the Māhele.

9. Attached as “2365-GOO-1” is a true and correct copy of LCA No. 3507 to Kauwahine and the foreign testimony supporting the award (original as well as a transcription).

10. Attached as “2365-GOO-2” is a true and correct copy of a screen shot from the Kipuka database, which I have marked to show the approximate location of Parcels 8 and 10 and LCA No. 3507, ‘āpana 2, and the approximate location of Parcel 7 and a portion of LCA No. 7713:24.

11. The documents in 2365-GOO-1, referring to LCA No. 3507, confirm that ‘āpana 2 was “a section of lois” in the ‘ili of Waiaukuu. The LCA map for LCA No. 3507, ‘āpana 2 depicts a pō‘alima separating mahele 1 and mahele 2 of ‘āpana 2, further supporting that this area was cultivated in kalo at the time of the Māhele.

12. Parcel 8 is 0.85 acres. Parcel 10 is 0.20 acres.

13. As established by the documents in 2365-GOO-1, Parcels 8 and 10 were cultivated in wetland kalo at the time of the Māhele. Therefore, Parcels 8 and 10 have appurtenant rights, and the quantification of the appurtenant rights for Parcels 8 and 10 is the amount of water sufficient to grow wetland kalo on 1.05 acres (0.85 acres + 0.20 acres) using traditional methods.

Parcel 7

14. At the time of the Māhele, Parcel 7 (TMK No. (2) 3-2-004:007) was a portion of LCA No. 7713:24 awarded to Victoria Kamamalu. We declared our water use on this land with the Water Commission in 1989. I am attaching various Māhele documents that confirm water use at the time of the Māhele.

15. Attached as “2233-GOO-1” are true and correct copies of a portion of a 1922 map prepared by E.D. Baldwin depicting Parcel 7 and two photographs depicting the ancient lo‘i kalo terraces on Parcel 7.

16. Attached as “2233-GOO-2” is a true and correct copy of the County tax map for Parcel 7 depicting the area of water use shaded, the general location of the North Waihe‘e ‘auwai pipe adjacent to our land, and our approximate intake location.

17. The documents in 2233-GOO-1 confirm that Parcel 7 was cultivated in wetland taro at the time of the Māhele. My ‘ohana received this land many years ago from C. Brewer in exchange for a parcel of land up mauka that had been in my ‘ohana since the time of the Māhele. It is our belief that Parcel 7 was a pō‘alima of LCA No. 7713:24 at the time of the Māhele. This is supported by the fact that the entire property is made up of ancient lo‘i kalo terraces, which we used to grow wetland kalo in the traditional manner for generations. The photographs in 2233-GOO-1 depict these ancient lo‘i kalo terraces.

18. Parcel 7 is 0.724 acres.

19. As established by the documents in 2233-GOO-1, Parcel 7 was cultivated in wetland kalo at the time of the Māhele. Therefore, Parcel 7 has appurtenant rights, and the quantification of the appurtenant rights is the amount of water sufficient to grow wetland kalo on 0.724 acres using traditional methods.

Makai Parcels

20. At the time of the Māhele, the Makai parcels were a portion of LCA No. 8366:1 and 2 to Kapua, confirmed by Royal Patent No. 5327. We declared our water use with the Water Commission in 1989. I am attaching various Māhele documents that confirm water use at the time of the Māhele.

21. Attached as “2231-GOO-1” is a true and correct copy of LCA No. 8366 to Kapua, as well as the foreign testimony supporting the award (original as well as a transcription).

22. Attached as “2231-GOO-2” is a true and correct copy of the County tax map for the Makai parcels depicting the current and proposed areas of water use and ‘auwai location.

23. The documents in 2231-GOO-1, referring to LCA No. 8366, state that both ‘āpana 1 and ‘āpana 2, in the ‘ili of Maka‘aka, were each “a section of kalo and kula land”. Given the existence of two pō‘alima lo‘i in ‘āpana 1 and five pō‘alima lo‘i in ‘āpana 2, as referenced in the foreign testimony, and the high concentration of lo‘i kalo in the Waihe‘e area generally, we believe that a majority of ‘āpana 1 and ‘āpana 2 was in wetland kalo cultivation at the time of the Māhele, as opposed to kula.

24. TMK No. (2) 3-2-011:006 is 0.27 acres; TMK No. 3-2-011:019 is 0.15 acres; TMK No. (2) 3-2-011:065 is 0.28 acres; TMK No. (2) 3-2-011:066 is 0.22 acres; TMK No. (2)

3-2-011:067 is 0.07 acres; TMK No. (2) 3-2-011:078 is 0.23 acres; and TMK No. (2) 3-2-011:079 is 0.23 acres.

25. As established by the documents in 2231-GOO-1, the Makai parcels were cultivated in wetland kalo at the time of the Māhele. Therefore, the Makai parcels have appurtenant rights, and the quantification of the appurtenant rights is the amount of water sufficient to grow wetland kalo on 1.45 acres (0.27 acres + 0.15 acres + 0.28 acres + 0.22 acres + 0.07 acres + 0.23 acres + 0.23 acres) using traditional methods.

Total Quantification of Appurtenant Rights

26. 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.

27. Based on the documents in 2365-GOO-1, in my best estimation, the water rights appurtenant to Parcels 8 and 10 is 315,000 gallons per day ("gpd") (1.05 acres x 300,000 gad).

28. Based on the documents in 2233-GOO-1, in my best estimation, the water rights appurtenant to Parcel 7 is 217,200 gpd (0.724 acres x 300,000 gad).

29. Based on the documents in 2231-GOO-1, in my best estimation, the water rights appurtenant to the Makai parcels amount to 435,000 gpd (1.45 acres x 300,000 gad).

AMOUNT REQUESTED UNDER PERMIT

Parcels 8 and 10

30. Parcels 8 and 10 are on the north side of the Waihe'e River. This land historically received water from an open ditch 'auwai that brought water directly from Waihe'e River. The water flowed through our lo'i kalo, then back into the river.

31. My 'ohana intends to restore the lo'i kalo we historically cultivated on the entire acreage of Parcels 8 and 10, totaling 1.05 acres. We estimate we will require 315,000 gpd to restore our kalo cultivation to historic levels using the kalo water duty of 300,000 gad (1.05 acres x 300,000 gad).

32. Therefore, we request a permit for Parcels 8 and 10 in the amount of 315,000 gpd for the future cultivation of wetland kalo.

Parcel 7

33. Parcel 7 is on the south side of the Waihe'e River. We currently have access to kuleana water from the pipe that brings water across the river to a kuleana 'auwai on the north side of Waihe'e River. There is a valve on the pipe that allows us to access water from the pipe on our land.

34. As of April 30, 2008, we cultivated wetland kalo on 0.181 acres of Parcel 7. We estimated our water use of 54,300 gpd using the kalo water duty of 300,000 gad (0.181 acres x 300,000 gad). We also use some of this water on our bananas and other crops, before the remaining water flows back to Waihe'e River.

35. My 'ohana would like to resume kalo cultivation on the remainder of the parcel (0.543 acres), as we historically did. We estimate we will require an additional 162,900 gpd to restore our kalo cultivation to historic levels using the kalo water duty of 300,000 gad (0.543 acres x 300,000 gad).

36. Therefore, we request a permit for the current and future cultivation of wetland kalo on Parcel 7 of 217,200 gpd (54,300 gpd + 162,900 gpd).

Makai Parcels

37. The Makai parcels receive water from the kuleana 'auwai on the south side of Waihe'e River. Our 'ohana is currently among the last kuleana water users on this 'auwai.

38. Our existing water use on the Makai parcels as of April 30, 2008 is for domestic, non-commercial purposes for six house lots. Six different households use kuleana water for cultivation of fruits and vegetables, like mountain apple, bananas, squash, papaya, and herbs, which feed our 'ohana and that we share with friends and neighbors, and to water our yards and tropical flowers.

39. We estimated our existing domestic water use on the Makai parcels of 3,600 gpd by applying the 2002 State of Hawai'i Water System Standard for Maui County of 600 gpd per single family home (6 single family homes x 600 gpd).

40. We intend to open a total of 0.46 acres of wetland kalo on two of the Makai parcels (TMK Nos. (2) 3-2-011:078 and :079). Based on the water duty for kalo of 300,000 gad, we estimate we will need an additional 138,000 gpd (0.46 acres x 300,000 gad) to irrigate our kalo.

41. Therefore, we request a permit for our current domestic uses and future cultivation of wetland kalo on the Makai parcels of 141,600 gpd (3,600 gpd + 138,000 gpd).

Reasonable-Beneficial Analysis

42. Our existing and future uses 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.

43. Our use of stream water is consistent with state and county land use plans. Parcels 7, 8, and 10 are classified by the State as agricultural, and zoned by the County as agricultural. The Makai parcels are classified by the State as urban, and zoned by the County as R-3.

44. Our use of stream water is consistent with the public interest. Our use of stream water for domestic gardening and to grow kalo in the traditional manner is in the public interest because we are exercising our Native Hawaiian rights to grow kalo in the traditional manner, the food we grow is for subsistence and domestic purposes, and our kalo and other plants helps to maintain ecological balance and scenic beauty.

45. Our water use is “economic and efficient” because we only use the amount we need. We take steps to make our water us efficient. For instance, we use pipes where appropriate to minimize water loss, and our farming practices include the use of mulch to protect the soil from erosion and minimize the use of water. Water from our lo'i kalo returns to the Waihe'e River or the kuleana 'auwai.

Alternatives Analysis

46. Because our land has appurtenant rights to stream water in the nature of an easement that was conveyed at the time of the Māhele, we are not required to provide an alternatives analysis to show that we have no practicable alternative source of water. Our appurtenant rights are for stream water, not for water from any other source, and our exercise of our rights enjoy maximum protection and first priority under the law. Similarly, our traditional and customary rights 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 our traditional and customary rights are constitutionally protected. Nonetheless, the

Alternatives Analysis set forth in our SWUPAs remains applicable, true, and correct.

47. There is no potentially available alternative source that is economically practicable. The kalo, vegetables, and flowers we grow feed our 'ohana and are shared with neighbors and community members. Each potentially available alternative water source is impracticable for small, non-commercial user like us.

SUMMARY

48. In sum: (1) our 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 our appurtenant rights is a protected public trust purpose; (4) because we have appurtenant rights for Parcels 8 and 10 (TMK Nos. (2) 3-2-004:008 and :010), we are entitled to at least 315,000 gpd; (5) at this time, we request a permit for our future reasonable-beneficial use on Parcels 8 and 10 of 315,000 gpd for wetland kalo cultivation, for which there is no practicable alternative; (6) because we have appurtenant rights for Parcel 7 (TMK No. (2) 3-2-004:007), we are entitled to at least 217,200 gpd; (7) at this time, we request a permit for our current and future reasonable-beneficial uses on Parcel 7 of 217,200 gpd for wetland kalo cultivation, of which 54,300 gallons per day was the existing use as of April 30, 2008, and for which there is no practicable alternative; (8) because we have appurtenant rights for the Makai parcels (TMK Nos. (2) 3-2-011:006, :019, :065, :066, :067, :078, and :079), we are entitled to at least 435,000 gpd; (9) at this time, we request a permit for our current and future reasonable-beneficial uses on the Makai parcels of 141,600 gpd for domestic water use and wetland kalo cultivation, of which 3,600 gpd was the existing use as of April 30, 2008, and for which there is no practicable alternative.

I, April Goo, do declare under penalty of law that the foregoing is true and correct.

Dated: Waihe'e, Hawai'i, Jan. 11, 2016.

April Goo
APRIL GOO
WATER USE PERMIT APPLICANT PRO SE

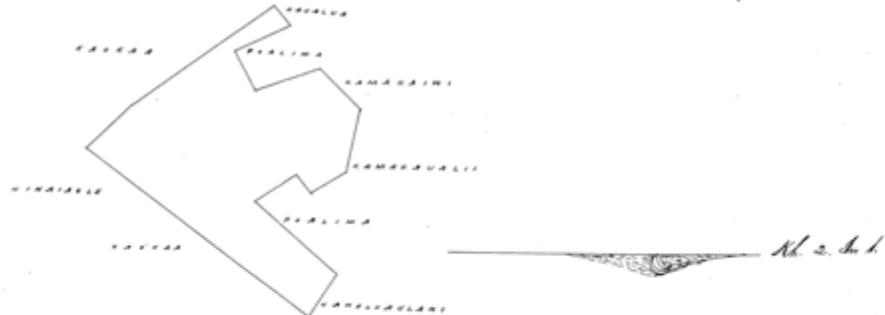
284 Hele 2003 Konaupuni

Waihee, Maui

Ili Hoolei Chomaka ke ana ma ke Pihikiki. Karkaa, Ak. 50 1/2; Hikit 55 Kh. ma ka Kanahele, Hem. 27 1/2; Hikit 140 Kh. ma ka Pualima, Ak. 63 1/2; Hikit 109 Kh. ma ka Pualima, Ak. 22; Hem. 16 1/2 Kh. ma ka Pualima, Ak. 4 1/2; Hikit, 136 Kh. ma ka Kamakauai; Hem. 30; Hikit 146 Kh. ma ka Kamakauai; Hem. 38 1/2; Hikit 103 Kh. ma ka Kamakauai; Hem. 58 1/2; Hem. 52; Kh. ma ka Kamakauai; Hem. 34; Hikit 121 Kh. ma ka Kamakauai; Hem. 41; Hikit 252 Kh. ma ka Kukele'aulani; Hem. 57 1/2; Hikit 118 Kh. ma ka Kukele'aulani; Hem. 37 1/2; Hem. 668 Kh. ma ka Karkaa, Ak. 42 3/4; Hem. 151 Kh. ma ka Karkaa, Ak. 36; Hem. 409 Kh. ma ka Karkaa, a hiki ma ka hiki i homaka'i a maloko iia anapuni, 29/100 Eka.

Waihehu July 2, 1852.

John S. Sauer
Ma ana aina



Ulu Pau Lea #6
J. M. Robertson
St. Smith
J. A. Kaula

Honolulu, 16 Oct. 1852

Hele 3507 Konaupuni

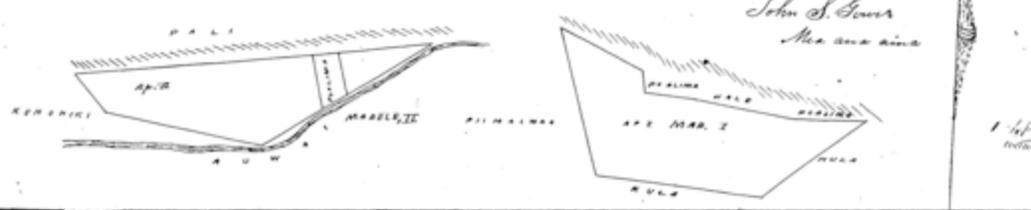
Waihee, Maui

Apana I Ili. Waiantau Chomaka ke ana ma ke Pihikiki. Kama Hikiina o Punaivaa, Hem. 78; Hikit 399 Kh. ma Kula, Ak. 57 1/2; Hikit 303 Kh. ma Kula, Ak. 84; Hem. 16 1/2 Kh. ma ka Pualima, Ak. 75 1/2; Hem. 231 Kh. ma Kula, Ak. 77 1/2; Hem. 112 Kh. ma Pualima, Ak. 2 1/2; Hem. 49 Kh. ma Pualima, Ak. 57 1/2; Hem. 223 Kh. ma Pualima, Hem. 8 1/2; Hikit 362 Kh. ma Punaivaa, a hiki ma ka hiki i homaka'i a maloko iia ana puni 1/10 Eka.

Apana II Ili. Konaupuni Chomaka ke ana ma ke Pihikiki. Kama Hikiina o Kula, Hem. 59 1/2; Hikit 115 Kh. ma Kula, Hikiina 383 Kh. ma Auwai, Ak. 47; Hikit 165 Kh. ma Auwai, Ak. 22; Hem. 121 Kh. ma Pualima, Hem. 73 1/2; Hem. 570 Kh. ma Tali, a hiki ma ka hiki i homaka'i, maloko iia anapuni, 85/100 Eka.

Mahala II Ili. Konaupuni Chomaka ke ana ma ke Pihikiki. Kama Hikiina o Kula, Hikit 225 Kh. ma Auwai, Hem. 73 1/2; Hem. 215 Kh. ma Tali, Hem. 24 1/2; Hikit 75 Kh. ma Pualima, a hiki ma ka hiki i homaka'i a maloko iia anapuni, 20/100 Eka.
Waihehu, July 20, 1852.

John S. Sauer
Ma ana aina



C. 357. 9. 18. 18.

Wahke

2

The Old land consist of two pieces in Wahke. One
 A 1/2 acre of land in Wahke.
 The land was never disputed. The same piece in Wahke
 A 1/2 acre of land in Wahke by the side of the creek. The
 A 1/2 acre of land in Wahke by the side of the creek. The
 A 1/2 acre of land in Wahke by the side of the creek. The

C. 376. 10. 18. 18.

The Old land consist of one piece of 25 acres and a
 half in the city of Wahke. Wahke, Kan.
 The land was never disputed. The same piece in Wahke
 A 1/2 acre of land in Wahke by the side of the creek. The
 A 1/2 acre of land in Wahke by the side of the creek. The

C. 412. 11. 18. 18.

The Old land consist of two pieces in Wahke. One
 A 1/2 acre of land in Wahke.
 The land was never disputed. The same piece in Wahke
 A 1/2 acre of land in Wahke by the side of the creek. The
 A 1/2 acre of land in Wahke by the side of the creek. The

Transcription of Foreign Testimony for Land Commission Award No. 3507

Cl. 3507 Kuahine.

Hale Sw. The Clt's land consists of two pieces in Waihee Maui,

No 1. is a section of lois in Waiaukuu

“ 2. “ “ “ “ “ Honuakaua

The Claimant received them from Auwai [Z. Kaauwai] in the year 1829. His title was never disputed. there was poalima in each pieces

No 1. is bounded Mauka by the ili of Ohia. Kahakuloa by the Pali, on other two sides, by the creek.

No 2 is bounded mauka by the ili of Alae. Kahakuloa, by the Pali. Makai, by the ili of Ohia, Wailuku, by the Pali.

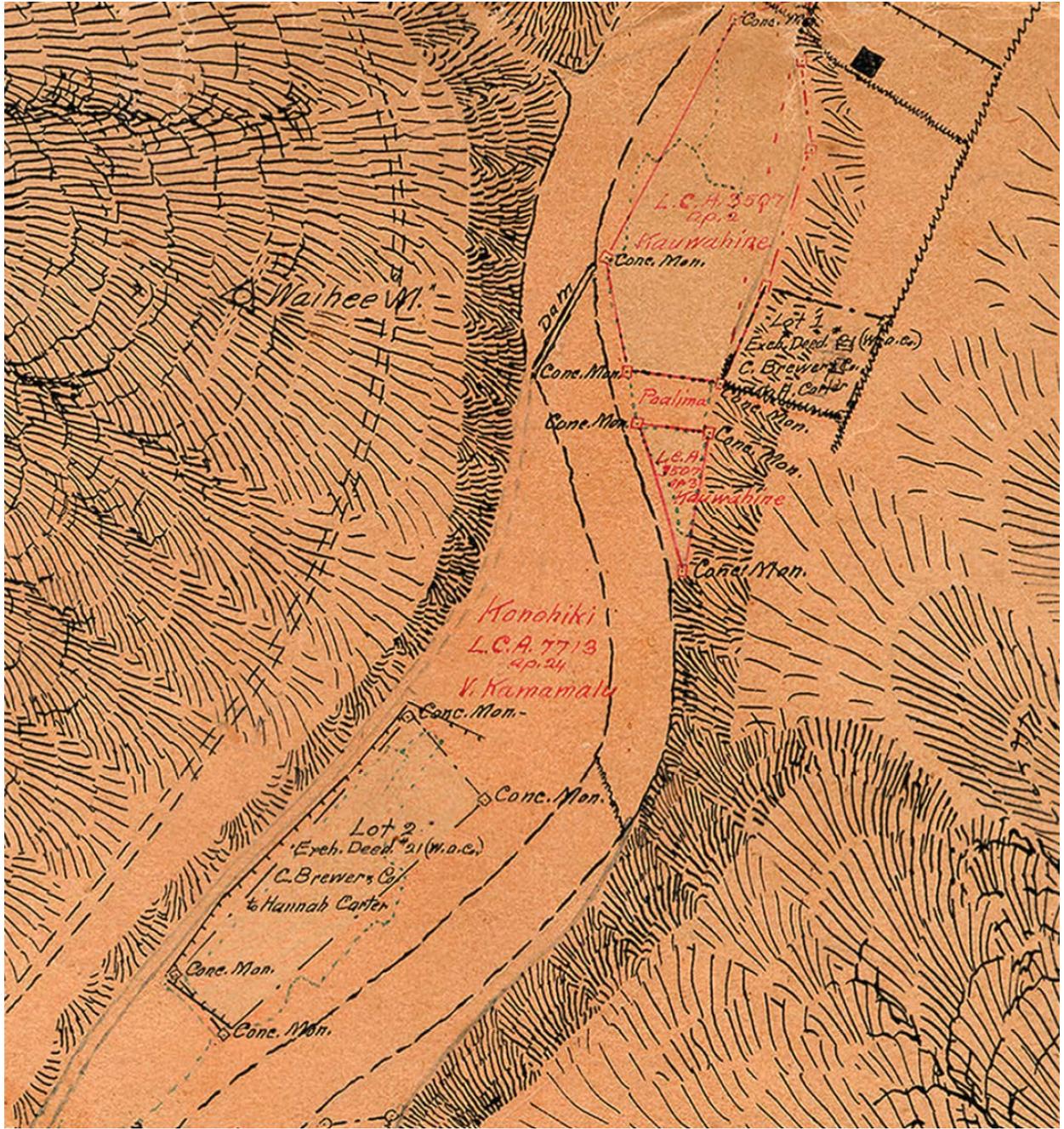
TMK No. (2) 3-2-004:010
LCA No. 3507
‘āpana 2, mahele 2

TMK No. (2) 3-2-004:007
Portion of LCA No. 7713
‘āpana 24



TMK No. (2) 3-2-004:008
LCA No. 3507
‘āpana 2, mahele 1

2365-GOO-2-P.1



2233-GOO-1-P.1

TMK No. 3-2-004:007: Picture of our existing use for wetland kalo, bananas.

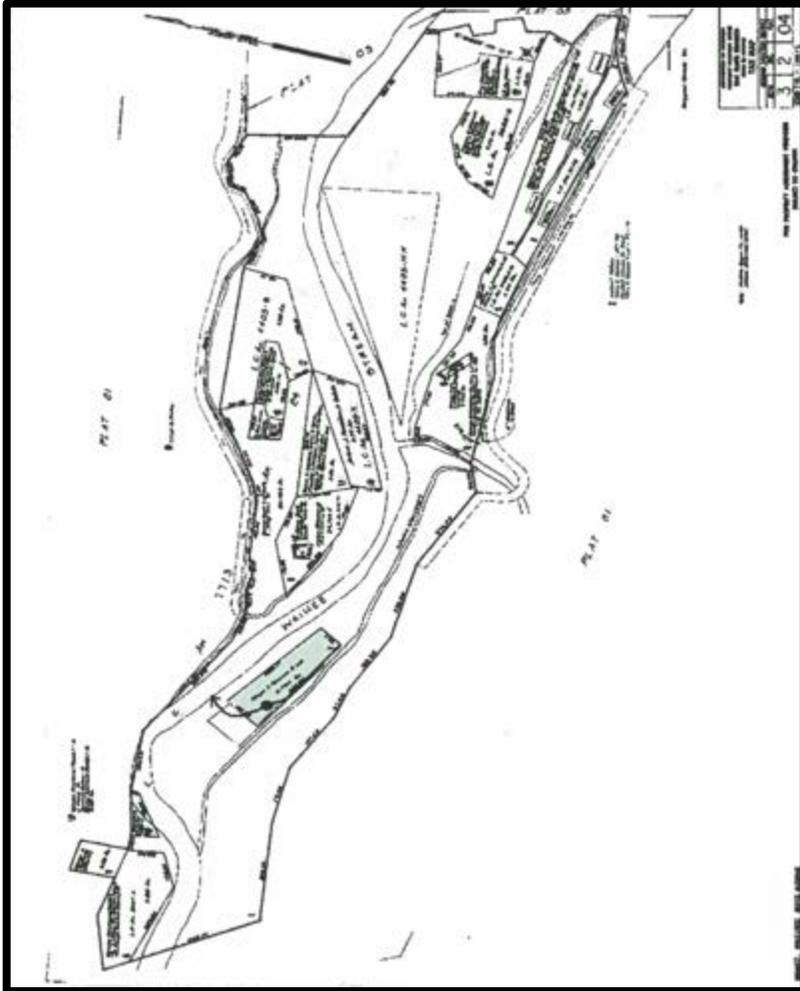


2233-GOO-1-P.2

TMK No. 3-2-004:007: Picture of our land depicting some wetland kalo in cultivation and a portion of the areas where we intend to cultivate more wetland kalo.



2233-GOO-1-P.3



2233-GOO-2-P.1

Uka Pau Ica § 5.7
 W. L. Lee
 G. M. Robertson
 C. H. Smith
 S. Sekaulaha

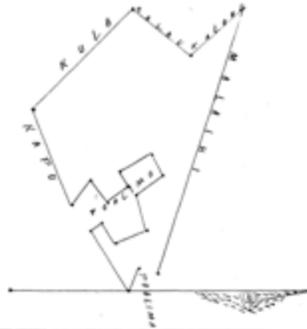
Honolulu Julai 12, 1852

Hulu 3855 Puana

Waiau Maui

Ili Pahala Chormaka ka ana ma ka hiki Komohana, ka hiki o fule ana me
 Kaha apohaka Maui 45% Komohana 326 Ak. Kala Maui 11 Kik. 17 Ak. Malakalaha
 Maui 2% Komohana 166 Ak. Malakalaha Kama 12% Kik. 634 Ak. Malakalaha Kama 12% Komohana
 48 Ak. Poalima Kama 67% Kik. 57 Ak. Poalima Kama 58 Komohana 166 Ak. Kapa Maui 24%
 Komohana 33 Ak. Poalima Maui 58% Kik. 56 Ak. Poalima Maui 28 Komohana 51 Ak. Maui
 Poalima Kama 74% Komohana 59 Ak. Poalima Maui 32% Komohana 52 Ak. Poalima Kama 62
 Komohana 55 Ak. Poalima Kama 66% Kik. 86 Ak. Poalima Maui 5% Kik. 40 Ak. Poalima
 Kama 56% Kik. 57 Ak. Poalima Kama 58% Komohana 60 Ak. Poalima Kama 55 Kik. 18 Ak.
 Poalima Kama 67% Komohana 237 Ak. Kapa, a hiki ma hiki i hoowaka i, a maloko oia
 anapuni 142% Eka

John T. Lauer
 Maui ana ana



Uka Pau Ica § 6.7
 W. L. Lee
 G. M. Robertson
 C. H. Smith
 S. Sekaulaha

Honolulu Julai 12, 1852

Hulu 8368 Kapua

Waiau Maui

Apana 18.2 Ili Makaha Chormaka ka ana ma ka hiki Hikina, ka hiki
 o fule ana i ka hiki Taha. Kama 82% Komohana 357 Ak. Taha Kama 61% Komohana
 78 Ak. Taha Kama 29% Komohana 151 Ak. Kala Maui 47% Komohana 347 Ak.
 Maui 57% Kik. 54 Ak. Kala Maui 54% Kik. 55 Ak. Poalima Maui 51% Kik. 52 Ak. Kala
 ana i ka Maui Maui 49 Kik. 51 Ak. Kapa Kama 51% Kik. 101 Ak. Poalima Maui
 43% Kik. 24 Ak. Poalima Maui 43 Komohana 147 Ak. Poalima Maui 69 Kik. 57 Ak. Kapa
 Kama 3 Komohana 22 Ak. Poalima Hikina Kama 317 Ak. Poalima Maui 12% Komohana
 126 Ak. Poalima Maui 57% Kik. 125 Ak. Makaha Kama 62 Kik. 308 Ak. Kama
 a hiki ma hiki i hoowaka i, a maloko oia anapuni 142% Eka.

Poalima Chormaka ana ma ka hiki akolu ma hiki Kama Maui 25 Kom.
 53 Ak. Kama 9 Komohana 39 Ak. Kama 35 Kik. 79 Ak. Maui 65 Hikina 28 Ak. a hiki ma
 hiki i hoowaka i, a maloko oia anapuni 142% Eka

John T. Lauer

Transcription of Foreign Testimony for Land Commission Award No. 8366

Cl. 8366 Kapua.

Keahi Sw. The Clt's land consists of two pieces in the ili of Makaaka, Waihee, Maui.

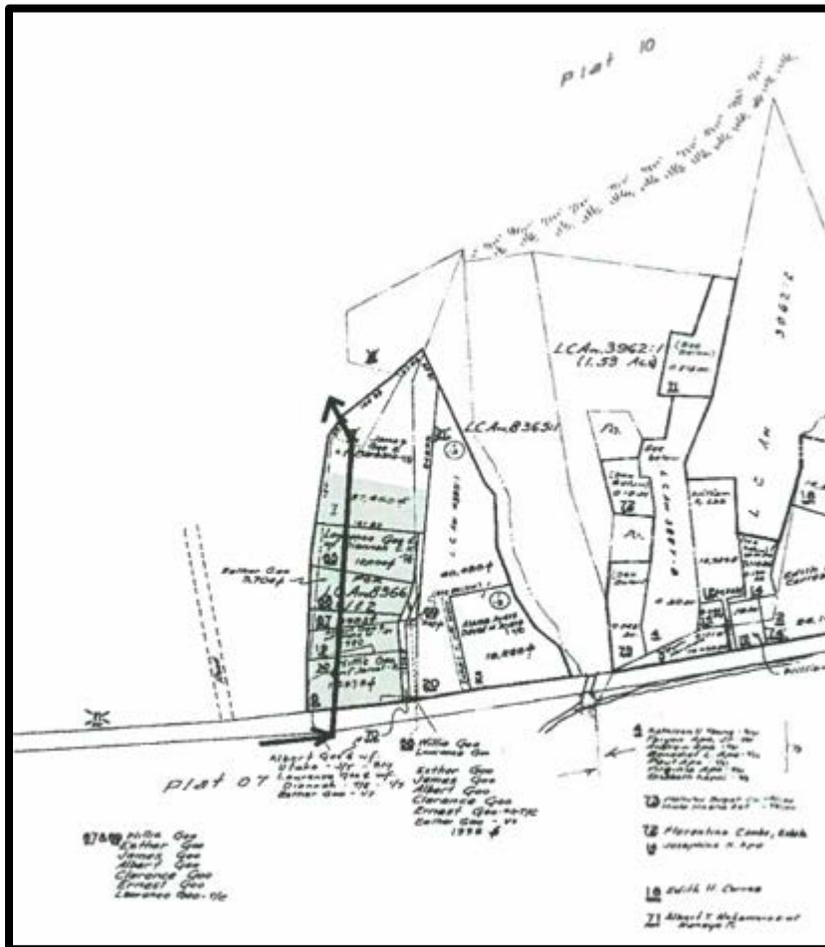
No. 1 is a section of kalo and kula land

“ 2 is “ “ “ “ “ “ “

The claimant received these lands from Kawahinelua, in the days of Kamehameha II. His title has never been disputed. There are 2 poalima loi in No 1 and 5 in No 2.

No 1. is bounded mauka by the government lot and creek Kahakuloa by Kamakaku's land. Makai by the Puu[?] or sand Hills. Wailuku by Palea's land.

No 2. is bounded mauka by Palea's land, Kahakuloa and Makai sides, by the same. Wailuku by Kalua's land.



2231-GOO-2-P.1

APRIL GOO
 2120 C Kahekili Hwy
 Wailuku, Hawai'i 96793
 (808) 244-3598

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: APRIL GOO

NAME/ ORGANIZATION/ POSITION	SUBJECT MATTER	EXHIBIT(S) TO BE INTRODUCED BY WITNESS
April Goo	Need for and use of Nā Wai 'Ehā water	2365-GOO-1 to -2; 2233-GOO-1 to -2; 2231-GOO-1 to -2

APRIL GOO
 2120 C Kahekili Hwy
 Wailuku, Hawai'i 96793
 (808) 244-3598

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)
)

EXHIBIT LIST

PARTY: APRIL GOO

EXHIBIT NUMBER	DESCRIPTION	REFERENCES	REC'D INTO EVIDENCE
2365-GOO-1	LCA No. 3507, Foreign Testimony, Foreign Testimony Transcription	Testimony of April Goo	
2365-GOO-2	Screen shot from the Kipuka database, showing the location of Parcels 8 and 10, LCA No. 3507, Parcel 7, and LCA No. 7713	Testimony of April Goo	
2233-GOO-1	Copy of a 1922 map prepared by E.D. Baldwin depicting Parcel 7 and two photographs depicting the ancient lo'i kalo terraces	Testimony of April Goo	
2233-GOO-2	Copy of the County tax map for Parcel 7	Testimony of April Goo	
2231-GOO-1	LCA No. 8366, Foreign Testimony, Foreign Testimony Transcription	Testimony of April Goo	
2231-GOO-2	Copy of the County tax map for the Makai parcels	Testimony of April Goo	