

RAMONA LEI WAIWAIIOLE SMITH

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2016 FEB -5 AM 9:57

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 RAMONA LEI
Standards, Nā Wai 'Ehā Surface Water)	WAIWAIIOLE SMITH; EXHIBIT "2369-
Management Areas of Waihe'e, Waiehu,)	SMITH-1" – "2369-SMITH-3"
'Īao, & Waikapū Streams, Maui)	
)	
)	

TESTIMONY OF RAMONA LEI WAIWAIIOLE SMITH

1. This testimony is provided in support of Surface Water Use Permit Application ("SWUPA") No. 2369N, filed with the Commission on Water Resource Management on April 23, 2009, for a parcel in Waiehu, Tax Map Key ("TMK") No. (2) 3-2-017:033. My husband Jeffrey Smith and I purchased the land in 2001 and have lived there since August 2007.

2. The deed to this land contains a reservation of appurtenant rights. I understand that because of this reservation, the appurtenant water rights may be extinguished. Nevertheless, as stated in my application, I reserve the right to claim appurtenant water rights. Therefore, in the event of a legal determination that these appurtenant rights were not extinguished, I am providing further information regarding water use at the time of the Māhele.

3. I descend from 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, my intended uses of stream water is a traditional and customary Native Hawaiian practice and, thus, a protected public trust purpose.

4. My ‘ohana’s domestic water use is also a protected public trust purpose.

5. Based on the information set forth below, if appurtenant rights survived the deed’s reservation, I request recognition of appurtenant rights for TMK No. (2) 3-2-017:033 in the amount of 558,000 gallons per day. I request a Surface Water Use Permit for my future reasonable-beneficial use for TMK No. (2) 3-2-017:033 of 153,050 gallons per day.

QUANTIFICATION OF APPURTENANT RIGHTS

6. TMK No. (2) 3-2-017:033 is comprised of one Land Commission Award (“LCA”), LCA No. 3459, specifically ‘āpana two, to Keawe, confirmed by Royal Patent No. 6753. I am attaching various Māhele documents that establish water use on TMK No. (2) 3-2-017:033 at the time that it was converted to fee simple.

7. Attached as “2369-SMITH-1” is a true and correct copy of LCA No. 3459 to Keawe along with its translation, the native testimony (both the original and the English translation), the foreign testimony, and the survey boundary supporting the award.

8. LCA No. 3459 confirms that ‘āpana 2 located in the ‘ili of Ohianui, was cultivated in wetland kalo: the native testimony states that “Ap2. pauku kalo ma Ohia” which means “‘āpana 2 a section of kalo at Ohia;” and the translated native testimony states “Section 2 – Taro pauku in Ohia.” The foreign testimony mislabels ‘āpana 2 as “No. 1.” Not only does the description of section “No. 1” in the foreign testimony match the description of all the other supporting Māhele documents provided for LCA No. 3459, but additionally all the other supporting documents note “No. 1” as Section 2 or ‘āpana 2. The survey boundary also confirms that my property is ‘āpana 2 located in the ‘ili of Ohianui, not only by the boundary description,

but also by the drawing of 'āpana 2, which matches the drawing of 'āpana 2 in LCA No. 3459 itself.

9. Attached as "2369-SMITH-2" is a true and correct copy of the County plat map, and a close up copy which I have marked to show the location of 'āpana 2 in LCA No. 3459, which is the location of my land, TMK No. (2) 3-2-017:033.

10. Attached as "2369-SMITH-3" are true and correct copies of pictures exhibiting historical features of the land, which establish that it was terraced for kalo cultivation. These recent photos show an ancient poi pounder found on my property and dryland kalo patches that were established on preexisting lo'i sections.

11. My land, TMK No. (2) 3-2-017:033, is 1.86 acres. As explained above, my parcel, covered entirely by LCA No. 3459 'āpana two, was cultivated in kalo.

12. Based on the Māhele documents in 2369-SMITH-1, if appurtenant rights survive the deed's reservation of rights, the quantification of the appurtenant rights is the amount of water sufficient to grow kalo on 1.86 acres using traditional methods.

13. 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. Based on the attached Māhele documents' frequent mention of lo'i, it is evident that this area of Waiehu had a high proportion of lo'i in cultivation and would require 300,000 gad.

14. Thus, in my best estimation, the water right appurtenant to TMK No. (2) 3-2-017:033 is 558,000 gpd (1.86 acres x 300,000 gad).

AMOUNT REQUESTED UNDER PERMIT

15. As documented in my SWUPA, I seek to use water directly from the stream for our domestic and other uses, but not for drinking water. Any water that is not consumed for domestic purposes will flow into my lo'i kalo, then into a small aquaculture pond, then will be returned to the stream. My water use has been limited to rain catchment for my domestic uses inside my home (except drinking water), my yard, and my non-commercial garden. Water levels fluctuate greatly in my catchment tank and are unreliable for my proposed uses. I am requesting a permit for the amount of water necessary for my domestic uses and wetland kalo cultivation.

16. I would like to restore wetland kalo on my property, and am requesting enough water to cultivate wetland kalo on 0.5 acres, which, based on the water duty for kalo is 150,000 gpd (0.5 acres x 300,000 gad). I also require water for my domestic uses because catchment is not reliable enough to support my water needs for my house, yard, and non-commercial garden. Based on a water duty of 2,500 gad (the amount the Water Commission allocated to diversified agriculture in the Waiāhole decision) I require 3,050 gpd (1.22 acres x 2,500 gad) for my domestic uses. Together, I am requesting 153,050 gallons per day for my lo'i kalo, aquaculture, and domestic water use.

REASONABLE-BENEFICIAL ANALYSIS

17. In the event of a legal determination that my appurtenant rights were extinguished, my existing use is still “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.” HRS § 174C-3.

18. As indicated, my proposed use of stream water is consistent with the public interest and is also a public trust purpose. It will also be “economic and efficient” because I will only use the amount I need. I will take steps to make my water use efficient. For instance, I will use pipes where appropriate to minimize water loss, and my farming practices will include the use of mulch to protect the soil from erosion and minimize the use of water. Therefore, the water I have requested is for a “reasonable-beneficial use.”

19. Any water that is not consumed will flow into my lo‘i kalo, then into a small aquaculture pond, and will be returned to the stream. The amount returned to the stream will vary, depending on a number of conditions including weather, my domestic water needs, and the amount of water used by my crops.

20. My use of stream water for agricultural and domestic uses and to support my traditional and customary Native Hawaiian rights 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 agricultural. The water use on my land for domestic cultivation is in the public interest and fulfills a public trust purpose.

ALTERNATIVES ANALYSIS

21. 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 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.

22. Because there is no municipal water service in our area, I currently use one 27,000-gallon rain catchment tank for my domestic water uses. As previously stated, the water level in my catchment tank fluctuates greatly and is insufficient to properly irrigate all of my proposed crops, and, therefore, is not a practicable alternative. Additionally, I seek to cultivate wetland kalo on my land for cultural, subsistence, and educational purposes. An alternative water source that would require me to pay for volumes of constantly flowing water in my lo'i necessary to keep temperatures cool and support healthy kalo and other crops, would make my practice economically impossible. I would effectively be denied my traditional and customary right to grow kalo and other crops on my land. To research all alternatives, I inquired with the County regarding how much it would be to establish municipal water service in my area of Waiehu and the County said it was so expensive that they would not even provide me with an estimate. Each potentially available alternative water source imposes a cost on exercising my protected right. There is no potentially available alternative source that is economically practicable.

23. Other alternatives, such as municipal water, reclaimed wastewater, water from other ditch systems, desalinized water, and groundwater, are not practicable alternatives to the

water from Waiehu Stream. Requiring me to pay for these alternatives instead of diverting the small amount of stream water via the stream that runs alongside my land would impose an unfair and impracticable cost on my 'ohana.

SUMMARY

In sum: (1) my 'ohana's traditional and customary Native Hawaiian right to grow kalo is a protected public trust purpose; (2) my domestic water use is also a protected public trust purpose; (3) if appurtenant rights survived my deed's reservation for TMK No. (2) 3-2-017:033, I am entitled to 558,000 gallons per day; (4) at this time, I request a permit for my future reasonable-beneficial uses on the property of 153,050 gallons per day, and this amount will be used for domestic uses, to irrigate my non-commercial garden and for lo'i kalo, which are reasonable-beneficial uses of stream water, for which there is no practicable alternative.

I, RAMONA LEI WAIWAIOLE SMITH, do declare under penalty of law that the foregoing is true and correct.

Dated: Waiehu, Hawai'i, 12/14/15



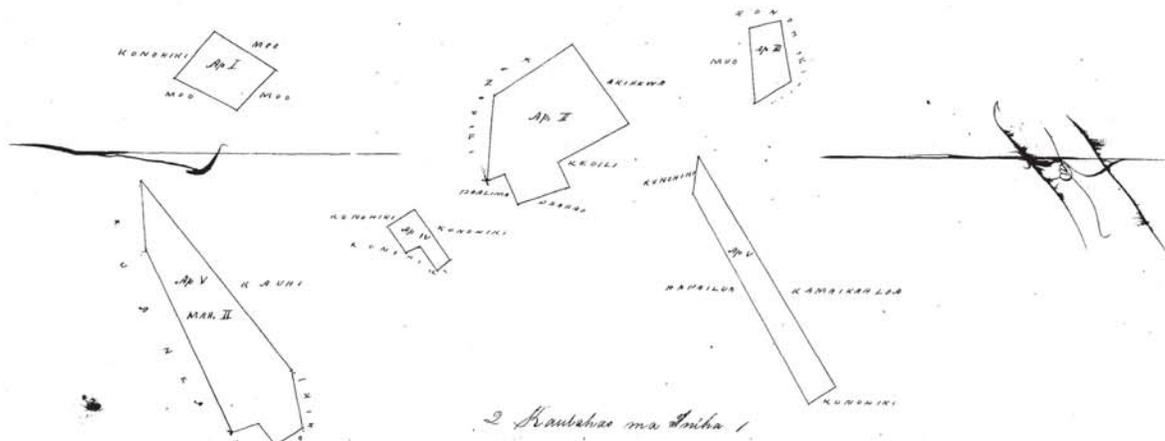
RAMONA LEI WAIWAIOLE SMITH
WATER USE PERMIT APPLICANT PRO SE

Akau 17½. Kōmohana 60 Kaulahas ma Kōmohiki, Akau 57. Ake 53 Kaulahas ma Kōmohiki.
 Akau 23 Kōmohana 60 Kaulahas ma Kōmohiki, Kōma 86 Kōma 118 Kaulahas ma Kōmohiki,
 Kōma 57. Kōmohana 470 Kaulahas ma ke Kōmohi, Mahū d. a hiki ma kahi i hōmaka'i,
 a malaka via anapuni 56/100 Eka.

Mapaidua, Ua hōkomo via i keia apawa.

Kailuku, July 10, 1852

John S. Bowen,
 Mas ara aima.



Uka Pu Pu 5.00

W. L. Lee

G. M. Robertson

J. H. Smith

Honolulu 17 Dec 1852.

Kelle 3459 Kōlawe

Part 1st

Kāiuku Kōlawe

Apawa I. Ke Ohiaiki, E hōmaka'i ke ana ma ke kahi Kōma o keia, Ak. 32½. Ake 272 Kaul.
 ma Pali, Ak. 67 Kōm. 138 Kaul. Kōlawe, Ak. 2½. Kōm. 83 Kaul. ma Kōlawe, Ak. 10½. Kōm.
 108 Kaul. ma Kōlawe, Kōm. 16. Kōm. 27 Kaul. ma Kōlawe, Kōm. 20½. Ake 207 Kaul. ma
 Kōlawe, Ak. 61½. Ake 74 Kaul. ma Kōlawe a hiki ma kahi i hōmaka'i, a malaka via anapuni
 55/100 Eka.

Apawa II. Ke Ohiaiki, E hōmaka'i ke ana ma ke kahi Akau o keia, a pili ana
 ma Kōlawe, Kōm. 27½. Ake 238 Kaul. ma Kōlawe, Kōm. 12½. Ake 214 Kaul. ma Kōlawe,
 Kōm. 77. Kōm. 70 Kaul. ma Kōlawe, Kōm. 6½. Ake 163 Kaul. ma Kōlawe, Kōm. 71. Kōm.
 246 Kaul. ma Kōlawe, Ak. 17½. Kōm. 184 Kaul. ma Kōlawe, Ak. 17½. Kōm. 123 Kaul.
 ma Kōlawe, Ak. 10½. Kōm. 204 Kaul. ma Kōlawe, Ak. 52. Ake 321 Kaul. ma Kōlawe,
 a hiki ma kahi i hōmaka'i, a malaka via anapuni 47/100 Eka.

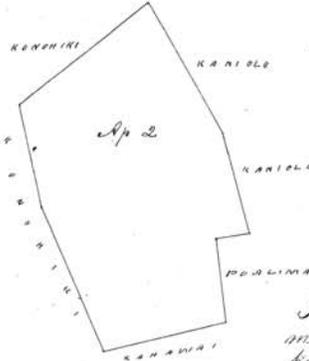
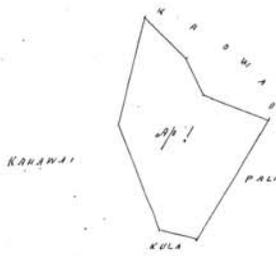
Apawa III. Ke Ohiaiki, E hōmaka'i ke ana ma ke kahi Kōmohana o keia,
 Ak. 44½. Ake 103 Kaul. ma Kōlawe, Kōm. 44½. Ake 53 Kaul. ma Kōlawe, Kōm. 44½. Kōm. 106
 Kaul. ma Kōlawe, Kōm. 41½. Kōm. 56 Kaul. ma Kōlawe, a hiki ma kahi i hōmaka'i
 a malaka via anapuni 6/100 Eka.

Apawa IV. Ke Ohiaiki, E hōmaka'i ke ana ma ke kahi Kōmohana o keia, a pili ana
 ma Kōlawe, Ak. 33. Ake 130 Kaul. Kōlawe, Kōm. 68. Ake 73 Kaul. ma Kōlawe, Kōm. 38½.

Komohana 1.27 Kaulaha ma ke Kawau. Akau 62. Komohana 82 Kaulaha ma Makalahelani,
a hiki ma Kahi i hoomaka'i, a maloke via anapuni, 7/10 Eka.

Kauluku Oct. 12. 1852.

John S. Lowry
Mea ana aina

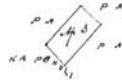


Part 2 of Nana Aoa 395 Vol. 7. Part 2nd

Hookii hui i kekahi pukaia
me Apana 4. Iouu; mai ke
hiki Ke. No. 2 ma Ke 21 1/2 Ke. 45 Ke.
Ke. 64. Ke. 42 Ke. Ke. 22 1/2 Ke. 158 Ke.
Ke. 62 1/2 Ke. 36 Ke. a hiki i ka waa
hiki via Apana = 4 1/2 Eka.

Wailuku Mar. 17. 1854. 2 Kaulaha / 1 Huiwa
C. Bailey
Mea ana Aina

.55
4.72
76
2.43



Uku Pau Iou / 5.00

W. L. Lee
S. M. Robertson
S. Kaulaha
J. H. Smith

Honolulu 17 Dekemata 1852.

Hulu 5215. Hilea

Kamalahelani Aina

Apana I. Ii. Namani Kiiakua Hikiwa. Chomaka ke ana ma ke hiki Komohana Akau o keia,
e pili ana me Pehakumui, Hon. 24 1/2. Hiki. 411 Kaul. ma Pali, Hon. 86 1/2. Kom. 443 Kaul. ma Komohiki
Ake. 5. Kom. 413 Kaul. ma ke pali, a hiki ma Kahi: hoomaka'i; a maloke via anapuni, 2 1/2 Eka.

29
31 Apana II Ii. Katalapawila. Kiiakua Hikiwa. Chomaka ke ana ma ke hiki Komohana Akau
o keia, Hon. 87 1/2. Hiki. 86 Kaul. ma ke waa. Hon. 28. Kom. 370 Kaul. ma ke pali, Ake. 87 1/2. Kom. 86
a hiki i keia waa, Ake. 28. Hiki. 370 Kaul. ma Pali, a hiki ma Kahi: hoomaka'i; a maloke via
anapuni, 3/10 Eka.

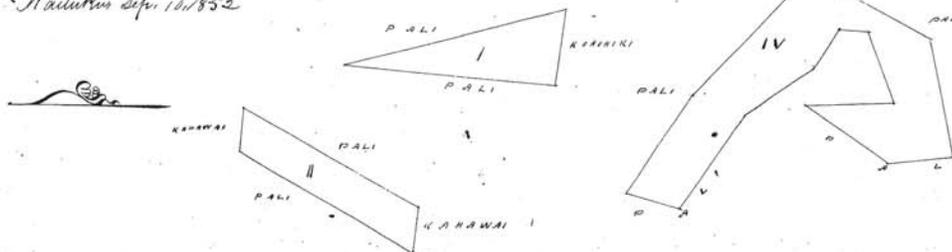
Apana III Ii. Ahuhua. Hikiwa, Chomaka ke ana ma ke hiki Komohana. Keia, Hon. 57 Hiki,
223 Kaul. ma Pali, Hon. 35 3/4. Hiki. 153 Kaul. ma ke Pali, Hon. 57. Hiki. 91 Kaul. ma ke Pali,
Hon. 1 1/4. Hiki. 54 Kaul. ma Pali, Hon. 31 3/4. Kom. 140 Kaul. ma Pali, Ake. 2 1/2. Kom. 139 Kaul.
ma Pali, Hon. 34. Kom. 195 Kaul. ma ke pali, Hon. 17. Hiki. 131 Kaul. ma Kaulaha, Ake. 77 Hiki,
215 Kaul. ma Kaulaha, Ake. 26 1/4. Hiki. 261 Kaul. ma ke Pali, Ake. 46 1/2. Kom. 327 Kaulaha
ma Kaulaha, Ake. 57. Kom. 229 Kaul. ma Kaulaha, Hon. 15. Kom. 103 Kaul. ma Komohiki
a hiki i Kahi i hoomaka'i, a maloke via anapuni (12/100 fca. Patent)

Pauka 7 1/100 in. Pali

Apana 3 Ii. ma hiki owa
Kauluku Sep. 10. 1852

John S. Lowry

Mea ana aina



2, Ake. 1 In.

Honolulu 17 Dec 1852
Number 3459 Keawe

Waiehu, Maui

Part 1st

Parcel I. Ili of Ohiaiki. Begin the measurements at the South end of this land plot. North $32\ 1/4^\circ$ East 272 chains at Pali. North 67° West 138 chains Kawaa (or Kamai). North $21\ 1/2^\circ$ West 83 chains at Kaowao. North $40\ 3/4^\circ$ West. 108 chains at Kawaa (or Kamai). South 16° West. 217 chains at Hanae. South $201/4^\circ$ East 2.09 chains at Hanae. South $61\ 3/4^\circ$ East 74 chains at Kula until the beginning, and within this area is $55/100$ acres.

Parcel II. Ili of Ohianui. Begin the measurements at the Northern corner of this, adjoining Kaniolo, South $27\ 1/4^\circ$ East 2.88 chains at Kaniolo. South $12\ 1/4^\circ$ East 214 chains at Kaniolo. South 77° West 70 chains until the Poalima. South $6\ 1/4^\circ$ East 1.62 chains until the Poalima. South 71° West 2.46 chains until Luaehu. North $19\ 1/2^\circ$ West 1.84 chains until the Poalima. North $19\ 3/4^\circ$ West 1.23 chains until the Konohiki. North $10\ 3/4^\circ$ West 2.04 chains until the Konohiki and North 52° East 3.21 chains until the Konohiki and running until the beginning, and within this area is $72/100$ acres.

Parcel III. Ili of Lualailua. Begin the measurements at the Western corner of this family's land. North $44\ 1/2^\circ$ East 1.03 chains until Pa's land. South $44\ 3/4^\circ$ East 5.3 chains until Pa's land. South $44\ 1/4^\circ$ West 106 chains until Pa's land. South $41\ 3/4^\circ$ West 56 chains until Kapahuli, until the beginning and within this area is $6/100$ acres.

Parcel IV. Ili of Hanohano. Begin the measurement at the Western edge of this land, adjoining Makalawelawe. North 33° East 1.20 chains to Wawae. South 68° East 73 chains to Wawae. South $28\ 1/4^\circ$ West 1.27 chains until Wawae's land. North 62° West 82 chains until Makalawelawe, and running until the beginning of the measurement. Within this area is $1/10$ acres.

John S. Giver
Surveyor

Wailuku Oct. 12, 1852

NATIVE TESTIMONY TRANSLATION

The Native Testimony states "Ap2. Pauku Kalo ma Ohia," which means "'āpana 2 a section of kalo at Ohia".

2369-SMITH-1-P.5

NATIVE TESTIMONY TRANSLATION

No. 3459 Kēawe (cont.)

Sections 3 and 4 from Kekaula in 1838. 1 Poalima in Ohia, no objection.

Section 2 - Taro pauku in Ohia

Mauka	Paikalehoula
Waihee	Polea konohiki
Makai	Kaniolo
Malaaea	Stream

Section 3 -1 Taro patch in Lualailua

Mauka and Waihee	Kapohuli
Makai	Paikalehoula
Malaaea	Stream

Section 4 - 2 Taro patches in Honuhonu

Mauka	Z. Nakookoo's land
Waihee	Popoki
Makai	Wawae
Malaaea	Z. Nakookoo's land

No. 3446 Kaahu

July 17

Page 304

Kapohuli sworn He has seen 1 taro section and pasture in the ahupuaa of Kapoinoiki of Kapoho.

Land from Polea before 1840. 5 Poalima there, no objection

Mauka and Waihee	Kekaula
Makai	Aupuni
Malaaea	Waiehu stream

No. 3427 Kaliula

July 17

Kula sworn He has seen 2 sections in these ilis of Waiehu, land from Eleele during the time of Kam. II. 2 Poalimas in these 2 sections, no objections.

Section 1 - Taro moo at Piilani

Mauka	Kapoila
Waihee	Stream

Section 2 - Taro moo at Omao

Mauka	Kapoila
Waihee	Kapahi
Makai	Z. Nakookoo's land
Malaaea	Kula's land

SEE page 315

No. 3440 Kaiakahi

July 17

Koula sworn He has seen 3 sections at Waiehu and Halelena.

First section from Mahina before 1839.

2nd sections from Kaawa in (before 1837.

3rd section from Kaliula in 1842, no objection. 1 Poalima in the first section.

Section 1 - Taro pauku in Halelena ahupuaa

Mauka	Pauanihi
Waihee	Wawae
Makai	Kahilanakea
Malaaea	Stream

Section 2 - Taro pauku in Holoikanai ili

Mauka	Z. Nakookoo's land
Waihee	Wahinekaahiki
Makai and Malaaea	Z. Nakookoo's land

2369-SMITH-1-P.6

SURVEY BOUNDARY

KEAWE - WAIEHU - HAU
APANA 1

L. C. A. 3459
 R. P. 6753
 Bk. 8, Page 428

Ili Ohiaiki, Beginning at the South corner
 N. $32\frac{1}{2}^{\circ}$ E. 2.72 chains along Pali
 N. 67° W. 1.38 chains " Kaowao
 N. $21\frac{1}{2}^{\circ}$ W. 83 chains " "
 N. $40\frac{3}{4}^{\circ}$ W. 1.08 chains " "
 S. 16° W. 2.17 chains " Hanae
 S. $20\frac{1}{2}^{\circ}$ E. 2.09 chains " "
 S. $61\frac{1}{2}^{\circ}$ E. 74 chains to "the beginning.
 Area 55/100 Acre

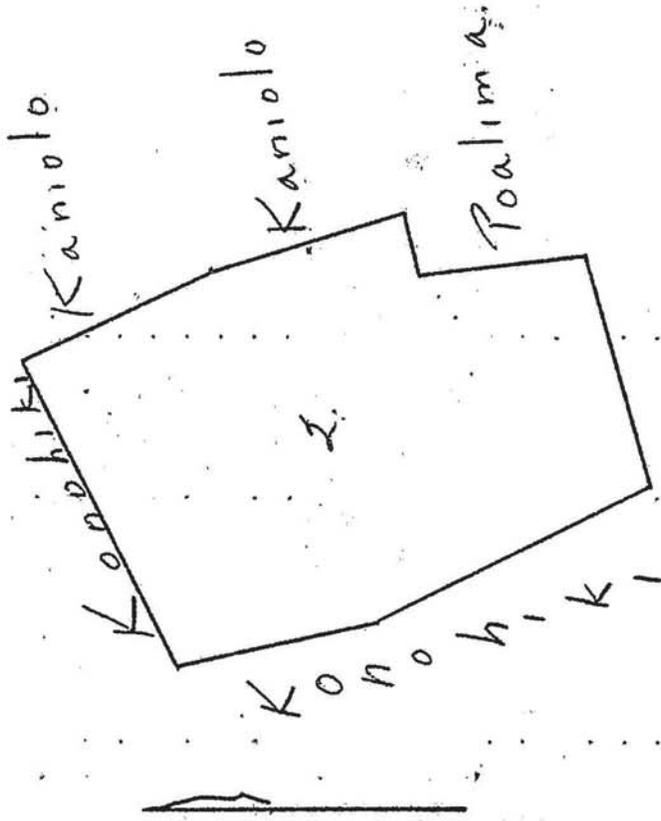
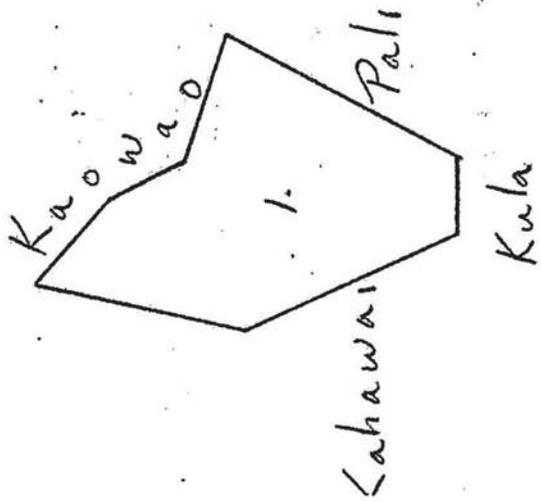
APANA 2

Ili Ohianui, Beginning at the North corner joining Kaniolo
 S. $27\frac{1}{4}^{\circ}$ E. 2.88 chains along Kaniolo
 S. $12\frac{1}{4}^{\circ}$ E. 2.14 chains " Kaniolo
 S. 77° W. 70 chains " Poalima
 S. $6\frac{1}{2}^{\circ}$ E. 1.62 chains " "
 S. 71° W. 2.46 chains " Luaehu
 N. $19\frac{1}{2}^{\circ}$ W. 1.84 chains " Poalima
 N. $19\frac{3}{4}^{\circ}$ W. 1.23 chains " Konohiki
 N. $10\frac{3}{4}^{\circ}$ W. 2.04 chains " "
 N. 52° E. 3.21 chains " "
 to the beginning.
 Area 1 72/100 Acres

APANA 3

Ili Lualailua, Beginning at the West corner
 N. $44\frac{1}{2}^{\circ}$ E. 1.03 chains along Pa
 S. $44\frac{3}{4}^{\circ}$ E. 53 chains " "
 S. $44\frac{1}{4}^{\circ}$ W. 1.06 chains " "
 S. $41\frac{3}{4}^{\circ}$ W. 56 chains " Kapohuli to
 (cont.) Area 6/100 Acre
 the beginning

SURVEY BOUNDARY



2369-SMITH-1-P.9

SURVEY BOUNDARY

(cont.)

KEAVE - WAIEHU - MAUI
APANA 4

L. C. A. 3459
R. P. 6753
Bk. 8, Page 428

Ili Honohono. Beginning at the West corner joining Makalawelawe

- N. 33° E 1.20 chains along Wawae
- S. 68° E " "
- S. 28 1/4° W. " "
- N. 62° W. " Makalawelawe to

Area 1/10 Acre

Hookui hou i kekahi puhala me Apana 4. Pencil; mai ke Southeast corner and running:

- S. 21 1/2° W. 45 chains
- S. 64° E 42 chains
- N. 22 1/2° E. 1.08 chains
- N. 62 1/2° W. 36 chains to the beginning

Area 45/100 Acre

March 17, 1854

L. C. A. 3459
R. P. 6755
Bk. 7, Page 395

APANA 1

12 Loi ma ka Ili o Ukihi. Beginning at the North corner

- S. 24° W. 3.01 chains along Kahue
- S. 66° E. 2.51 chains " "
- N. 20 1/4° E 2.71 chains " "
- N. 72 1/2° W 1.81 chains " "

to the beginning.

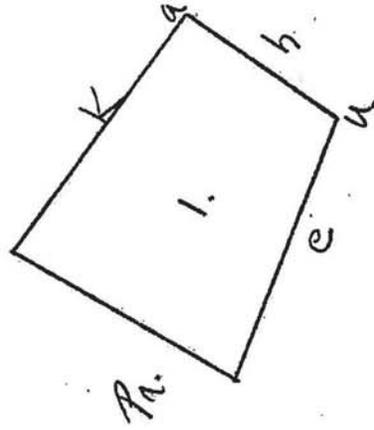
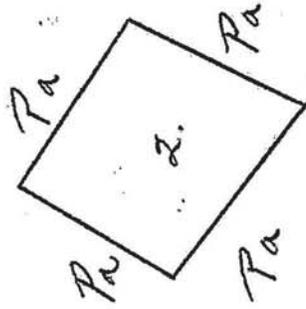
Area 61/100 Acre

APANA 2

Pahale & Loi ma ka Ili o Lualailua. Beginning at the North corner

(cont.)

SURVEY BOUNDARY



2369-SMITH-1-P.11

(cont.)

SURVEY BOUNDARY

KEAWE - WAIEHU - MAUI
APANA 2

L. C. A. 3459
R. P. 6755
Blk. 7, Page 395

S. $31\frac{1}{2}^{\circ}$ W.
S. $60\frac{3}{4}^{\circ}$ E.
N. 37° E.
N. $66\frac{3}{4}^{\circ}$ W.

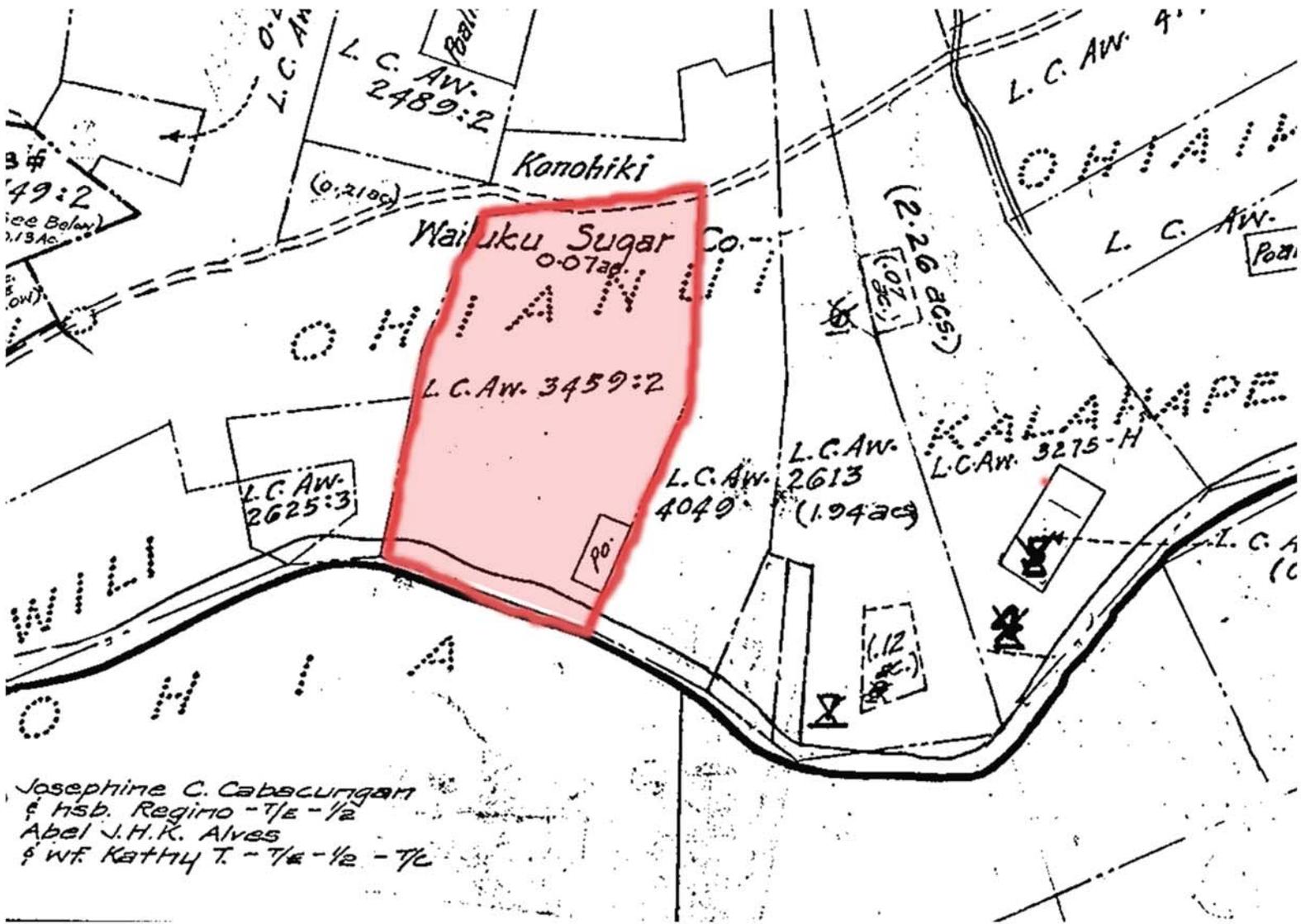
2.00 chains along Pa
1.72 chains " "
2.25 chains " "
1.98 chains " "
to the beginning.

Area 38/100 Acre

June 8, 1853

2369-SMITH-1-P.12

CLOSE-UP OF TMK AND LCA



HISTORICAL FEATURES AND KALO GROWN



POI POUNDER FOUND ON THE PROPERTY



CULTIVATING OUR DRYLAND KALO

2369-SMITH-3-P.1

RAMONA LEI WAIWAIIOLE SMITH

P.O. Box 592

Wailuku, HI 96793

(808) 269-2175

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, Waichu, 'Īao)
and Waikapū Streams, Maui)
_____)
)
)

WITNESS LIST

PARTY: RAMONA LEI WAIWAIIOLE SMITH

NAME/ ORGANIZATION/ POSITION	SUBJECT MATTER	EXHIBIT(S) TO BE INTRODUCED BY WITNESS
Ramona Lei Waiwaiole Smith	Need for and use of Nā Wai 'Ehā water	2369-SMITH-1 to -3

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and Waikapū Streams, Maui)
_____)
_____)

EXHIBIT LIST

PARTY: RAMONA LEI WAIWAIOLE SMITH

EXHIBIT NUMBER	DESCRIPTION	REFERENCES	REC'D INTO EVIDENCE
2369-SMITH-1	LCA No. 3459 with Translation, Native Testimony, Native Testimony Translation, Foreign Testimony and Survey Boundary	Testimony of Ramona Lei Waiwaiole Smith	
2369-SMITH-2	County Plat Map and Close-up Copy of Plat Map	Testimony of Ramona Lei Waiwaiole Smith	
2369-SMITH-3	Photos of Poi Pounder and Cultivation of Dryland Kalo	Testimony of Ramona Lei Waiwaiole Smith	