

PUBLIC HEARING NOTICE

Applications for Water Use Permits Iao Ground Water Management Area, Maui

The following applications for water use permits to continue uses existing as of July 21, 2003, and applications for new uses have received objections and are subject to public hearing. The Commission on Water Resource Management, at its regular meeting on September 22, 2004, approved a public hearing originally commenced on October 28, 2004. This public hearing will be the second session and continuation of the original October 28, 2004 hearing and will be held:

April 22, 2005, 5:00-9:00 p.m.
J. Walter Cameron Center
95 Mahalani Street, Wailuku, Hawaii 96793

The Hearing Officers will gather further testimony and information on basal aquifer and caprock wells. Testimony on the high-level dike sources will also be received, but these sources affect stream flow and will be combined with a pending petition to amend the interim instream flow standard of four Wailuku District streams: Waihe'e, Waiehu, 'Iao, and Waikapū. Testimony should focus on practicable alternatives, water duties, Hawaiian rights, and definitions of public trust uses.

• **Basal Sources:**

Name	Well No.	Applicant	WUPA No.	TMK	Amount (mgd)
Existing Uses as of July 21, 2003 and completed applications submitted by the July 21, 2004 deadline					
Mokuhau Well 1	5330-09	MDWS	700	3-3-2:24	1.994
Mokuhau Well 3	5330-11	MDWS	701	3-3-2:24	2.221
Waiehu Heights Well 1	5430-01	MDWS	697	3-3-2:28	0.165
Waiehu Heights Well 2	5430-02	MDWS	698	3-3-2:28	1.415
Waihee Well 1	5431-02	MDWS	695	3-3-17:31	1.480
Waihee Well 2	5431-03	MDWS	696	3-3-17:31	2.439
Waihee Well 3	5431-04	MDWS	703	3-3-17:31	1.513

New Uses arising after July 21, 2003, or completed applications submitted after the July 21, 2004 deadline

Wailuku Shaft 33	5330-05	Kehalani	707	3-5-1:1	5.771
Wailuku Shaft 33	5330-05	MDWS	702	(3-5-1:1)	(5.771) not to be double-counted
Living Waters #1	5531-01	LWLF	704	3-2-13:15	0.020

• **Caprock Sources:**

Name	Well No.	Applicant	WUPA No.	TMK	Amount (mgd)
Existing Uses as of July 21, 2003 and accepted as completed applications submitted by the July 21, 2004 deadline					
War Memorial Stadium	5329-04	MP&R	709	3-8-7:55	0.038?
Baldwin High School	5329-05	MP&R	710	3-8-7:55	0.010
Maui Stadium	5329-14	MP&R	713	3-8-7:55	0.039?
Papohaku Park	5429-02	MP&R	712	3-2-13:29	0.324
Waiehu Golf	5529-02	MP&R	711	3-2-13:6	0.039
Waiehu Golf 1	5530-03	MP&R	708	3-2-13:29	0.324?
Waiehu Golf 2	5530-04	MP&R	714	3-2-13:29	0.324?

New Uses arising after July 21, 2003 or completed applications submitted after the July 21, 2004 deadline
None

- **High-level Dike Sources (impacting stream flows, to be later combined with the IIFS petition proceedings)**

Name	Well No.	Applicant	WUPA No.	TMK	Amount (mgd)
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Existing Uses as of July 21, 2003 and accepted as complete applications submitted by the July 21, 2004 deadline

Keponiwai Well	5332-05	MDWS	699	3-3-3:5	1.042
lao Tunnel	5332-02	MDWS	680	3-3-3:3	1.359
Waikapu Tunnel 1	5132-01	WACI	681	3-5-3:1	unknown
Waikapu Tunnel 2	5132-02	WACI	682	3-6-3:1	unknown
lao Tunnel	5330-02	HC&S	691	3-4-34:34	0.100
Black Gorge Tunnel	5332-01	WACI	685	3-3-3:3	unknown
lao Needle Tunnel 1	5333-02	WACI	684	3-5-3:1	unknown
lao Needle Tunnel 2	5333-02	WACI	686	3-3-3:3	unknown

New Uses arising after July 21, 2003, or applications submitted by or after July 21, 2004
None

Applicants: County of Maui, Department of Water Supply (MDWS)
County of Maui, Department of Parks & Recreation (MP&R)
Kehalani Mauka, LLC (Kehalani)
Living Waters Land Foundation (LWLF)
Hawaiian Commercial and Sugar (HC&S)
Wailuku Agribusiness Company, Inc., (WACI)

Materials related to the noticed items are available for review at the Kahului Library, 90 School St., Kahului, Maui and at the Commission office located at 1151 Punchbowl St., Rm 227, Honolulu and will also be available at this public hearing.

The Hearing Officers will close the public hearing at the end of this session. Commission staff recommendations on these applications will be forwarded to the Commission at a later date based on the available information.

Any person may testify or present additional information on the public hearing subject matter. If you have a legal interest that may be adversely affected by a proposed application, you have a right to request an administrative contested case hearing (Hawaii Administrative Rules (HAR) §13-167-52(a)). However, you must make the request for such a hearing either orally or in writing by the close of public hearing and file (or mail and postmark) a written petition for a contested case with the Commission within ten (10) days after the close of the public hearing. Petition forms are available from the Commission.

If you do not make a request or fail to file a timely written petition for contested case hearing on a particular application noticed herein with the Commission, the consequence is that you will be precluded from later obtaining a contested case hearing and seeking judicial review of any adverse decision (HAR Chapter 13-167).

Disabled individuals planning to attend the public hearing are asked to contact the Commission at the above address or phone (Kauai) 274-3141 ext. 70214, (Maui) 984-2400 ext. 70214, (Hawaii) 974-4000 ext. 70214, (Molokai or Lanai) 1-800-GOV-INHI ext. 70214 or 587-0214 **at least three days in advance of the public hearing** to indicate if they have special needs that require accommodation.

COMMISSION ON WATER RESOURCE MANAGEMENT

DEAN A. NAKANO, Acting Deputy Director for
PETER T. YOUNG, Chairperson

Dated: March 28, 2005

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