

PUBLIC HEARING NOTICE

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

The following applications for water use permits for groundwater use in the Iao Ground Water Management Area were accepted for public hearing by the Commission at its meeting on September 22, 2004. The hearing originally commenced on October 28, 2004. It now continues on:

**February 2, 2006, 1:00-4:30 pm (Thursday)
State Office Bldg 2, Conference Room B (3rd Floor)
54 South High Street, Wailuku HI 96973**

The hearing officers will gather information on high-level sources (tunnels and the Kepaniwai Well). These applications will be combined with proceedings concerning a petition to amend the interim instream flow standard of four Wailuku District streams: Waihee, Waiehu, Iao, and Waikapu. Testimony should focus on practicable alternatives, water duties, Hawaiian rights, and definitions of public trust uses.

• **High-level Sources:**

Name	Well No.	Applicant	WUPA #	TMK	amount (mgd)
<i>Existing Uses as of July 21, 2003</i>					
Kepaniwai Well	5332-05	MDWS	699	3-3-3:5	1.042
Iao Tunnel (Kepaniwai)	5332-02	MDWS	680	3-3-3:3	1.359
Waikapu Tunnel 1	5132-01	WWC	681	3-5-3:1	unknown
Waikapu Tunnel 2	5132-02	WWC	682	3-6-3:1	unknown
Iao Tunnel (Puako)	5330-02	HC&S	691	3-4-34:34	0.100
Black Gorge Tunnel	5332-01	WWC	685	3-3-3:3	unknown
Iao Needle Tunnel 1	5333-01	WWC	684	3-5-3:1	unknown
Iao Needle Tunnel 2	5333-02	WWC	686	3-3-3:3	unknown

Applicants: Maui County Department of Water Supply (MDWS)
Hawaiian Commercial and Sugar (HC&S)
Wailuku Water Company, LLC
(note that the interests of Wailuku Agribusiness Company, Inc. (WACI) have been transferred to Wailuku Water Company, LLC, with the same respondents)

Materials related to the noticed items are available for review at the Wailuku Public Library, 251 South High Street, Wailuku, and at the Commission office located at 1151 Punchbowl Street, Room 227, Honolulu, and will also be available at this public hearing.

The hearing officers will close the hearing at the end of this session. Commission staff recommendations on these applications would then 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 the proposed action, you have a right to request an administrative contested case hearing (Hawaii Administrative Rules §13-167-52(a)). However, you must make the request for such a hearing either orally or in writing by the close of the public hearing and file (or mail and postmark) a written petition for a contested case with the Commission within ten days after the date of the public hearing noticed here. Petition forms are available from the Commission.

If you do not make such a request or fail to file a timely written petition for a 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 (Oahu) 587-0214 **at least three days in advance of the public hearing or meeting** 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: January 12, 2006

Publish in: Maui News issue of January 17, 2006