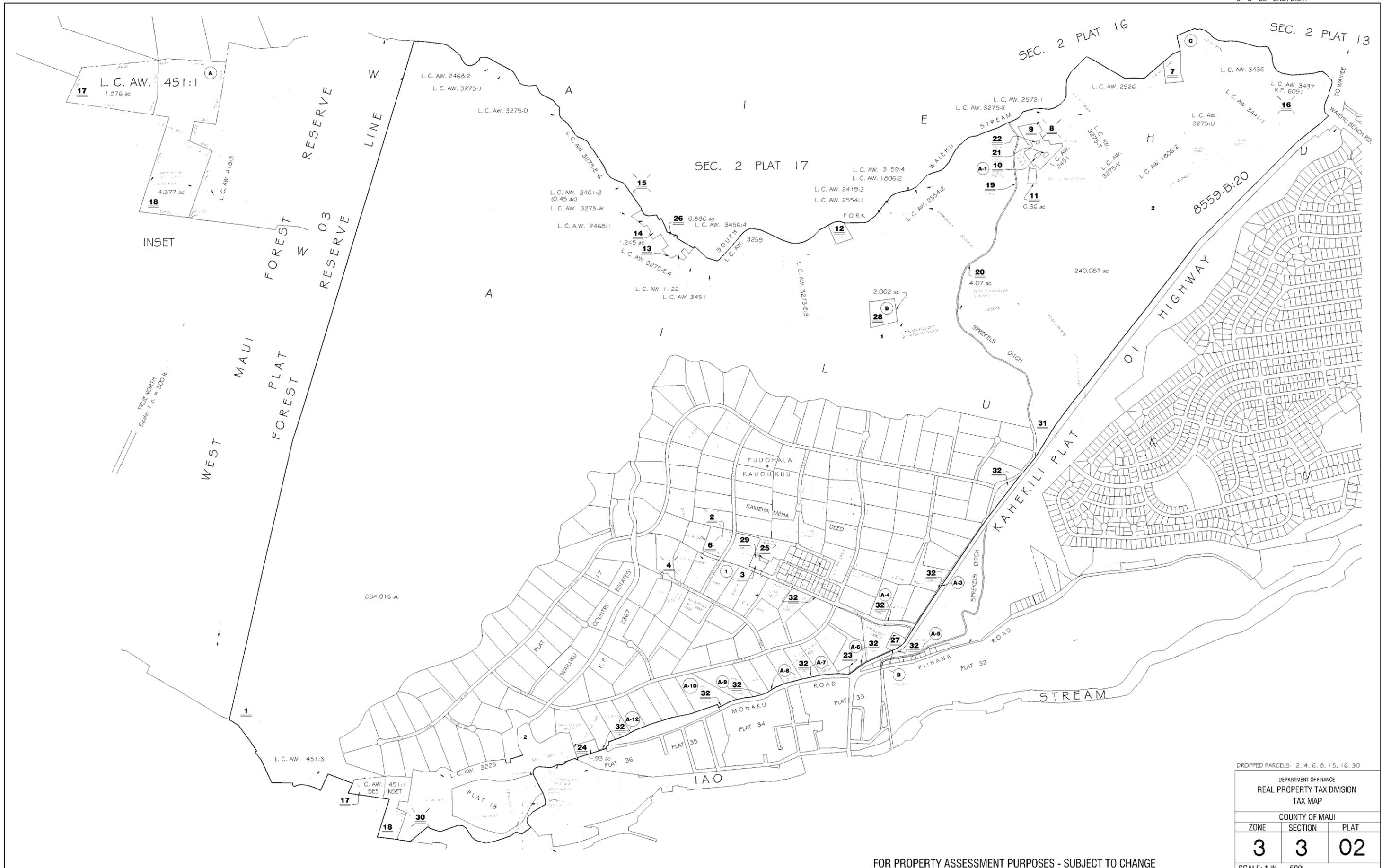


SOURCE: TMB & SURVEY/DEPT. BY: JMK DATE: 3/8/03 DIVISION: 1927



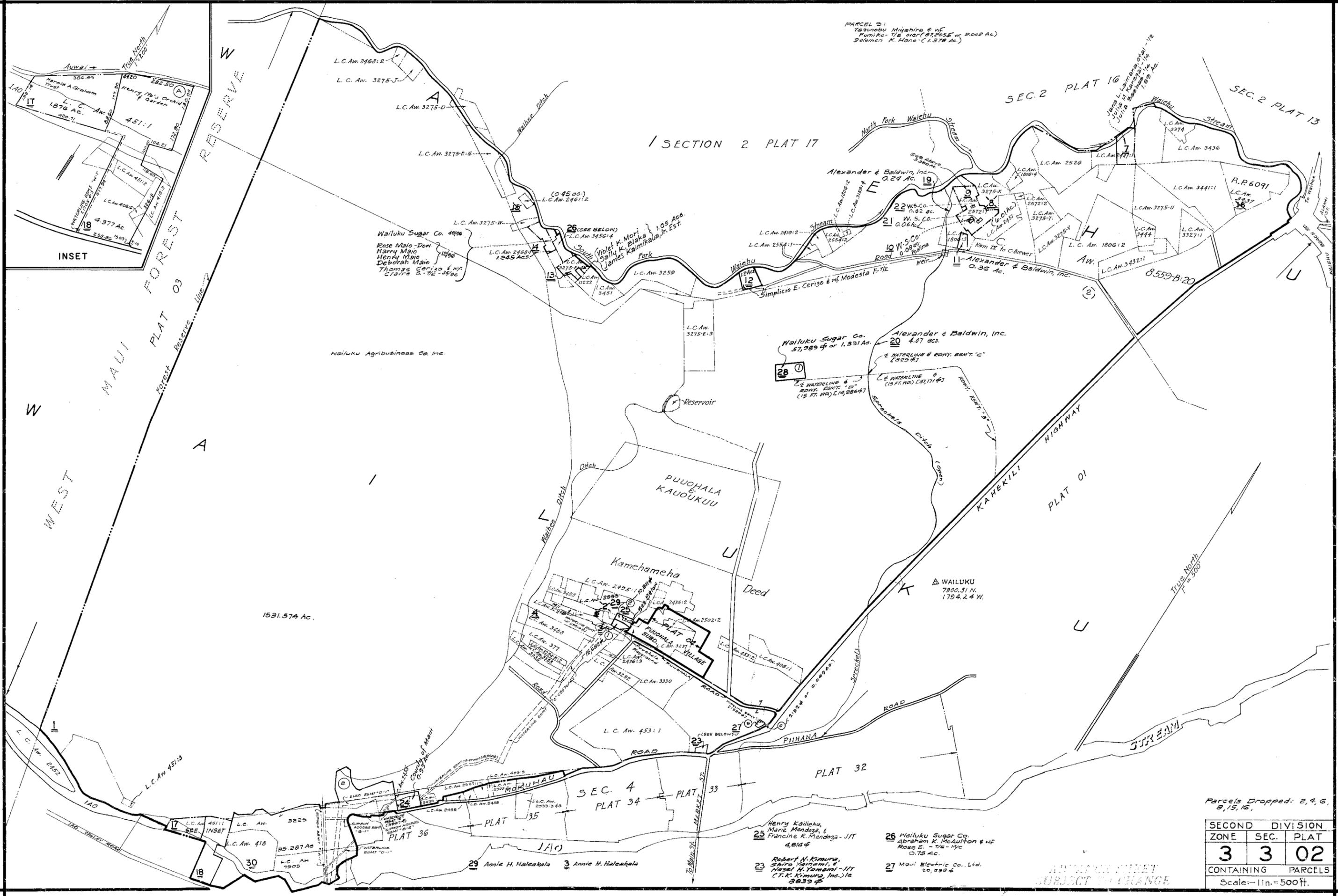
DROPPED PARCELS: 2, 4, 6, 8, 15, 16, 30

DEPARTMENT OF FINANCE		
REAL PROPERTY TAX DIVISION		
TAX MAP		
COUNTY OF MAUI		
ZONE	SECTION	PLAT
3	3	02
SCALE: 1 IN = 500'		

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

PRINTED:

SEP 8 1938
 FEB 14 1939
 NOV 23 1950
 JUN 6 1966
 JUN 27 1966
 JUN 13 1972
 JUN 13 1974
 JUN 13 1977
 JUN 9 1977
 JUN 21 1983



PARCEL 5:
 Tanihira Miyahira & W.F.
 Punika 7 1/2 Acs (87,205 of 2002 Ac.)
 Selemen K. Hana (1,378 Ac.)

INSET

Dwg No. 1927
 By: J.A.K. March 8, 1934
 Source: Top. Maps, Bureau & Survey Dept.

Parcels Dropped: 2, 4, 6, 8, 15, 16,

SECOND DIVISION		
ZONE	SEC.	PLAT
3	3	02
CONTAINING PARCELS		
Scale: 1 in. = 500 ft.		

AMERICAN STREET
 SUBJECT TO CHANGE

PRINTED

<u>Land Comission Award</u>	<u>Royal Patent Number</u>	<u>Awarded To:</u>	<u>Native Registers</u>		<u>Native Testimony</u>		<u>Foreign Register</u>	<u>Foreign Testimony</u>	<u>English Trans Water in LCA</u>
			<u>Eng</u>	<u>Haw</u>	<u>Eng</u>	<u>Haw</u>			
377	5366	John Pillitier	None	None	None	None	x	x	
406	5376	Napela	x	x	x	x	None	x	x
453	997; 997(por.)	Kuihelani	x	x	x	x	None	None	x
2434	6397(por.)	Kahooke	x	x	x	x	None	x	x
2436	2009; 2009(por.)	Kahaiki	x	x	x	x	None	x	x
2495	7790	Kaiaholokuaau	x	x	x	x	None	x	x
2502	5973; 5973(por.)	Ihumai	x	x	x	x	None	x	x
2503	3652(por.)	Ohule	x	x	x	x	None	x	x
2533	6529(por.); 6437(por.)	Malaihi	x	x	x	x	None	x	x
3225	6298-6458 (por.)	Opunui	x	x	x	x	None	x	x
3237	6888(por.)	Hewahewa	x	x	x	x	None	x	x
3292		Mua	x	x	x	x	None	x	x
3330	4424(por.); 4622(por.)	Lonohiwa	x	x	x	x	None	x	x
3335	7774	Naonohi	x	x	x	x	None	x	x
3387	6065(por.)	Pooliilii	x	x	x	x	None	x	x
3388	6101	Paiwi	x	x	x	x	None	x	x
3488	5289	Kaawa	x	x	x	x	None	x	
3498	7432	Kaupe	x	x	x	x	None	x	
4452	7302(por.)	H. Kalama	x	x	x	x	None	x	
4461	6630	Kawaa	x	x	x	x	None	x	x
3275-E	5154	Kaleo	None	None	x	x	None	x	x
3294-B	6102; 6102; 6102(por.)	Moomooiki	None	None	x	x	None	x	x

SCHEDULE "1"

Land Commission Award Number 406, Apana 1
to Napela
(Volume 3, Page 696)

Honolulu February 8. 1852

Table 406. Napela (1851) Hawaiian Islands

Ke maua: ke maua ma ke kihi o Tahiti...

Apurua 1. *Chromata ma ke kihi o Honolulu...*

	N	69°	Ki	2.22	Ma ma ke kihi Honolulu
	N	66°	Ki	2.66	"
Pukia...	N	66½	Ki	3.88	"
	N	80°	Ki	2.77	"
22) 5.10	N	29°	Ki	2.90	" 3 Moana
17	N	82½	Ki	5.09	"
4 57	N	63°	Ki	4.05	"
Wakana	N	19°	Ki	1.37	" Honolulu
3 - 15	N	7¼	Ki	1.43	"
4 - 11	N	35¼	Ki	2.98	" 3 Honolulu
26	Ma kihi ma ke kihi moana = 3¼ Ekua.				

Halaua

5 - 0.60	Apurua 2.	Chromata ma ke kihi Honolulu...			
6 - 0.08	Ma ma ke	Alamui Oupuni, a e holo.			
7 - 63	N	72½	Ki	4.15	Ma ma ke kihi Honolulu.
11 - 1.74	N	70½	Ki	3.10	"
12 - 26	N	89°	Ki	1.58	"
3.31	N	9°	Ki	.80	ke Olanui
halaua 0.055	N	65½	Ki	1.35	ke Honolulu
lanui 0.685	N	80½	Ki	4.27	"
lanui 0.035	N	76¾	Ki	3.14	" Moana
	N	4½	Ki	1.14	ke Moana, a kihi ma
	ke kihi moana = 1¼ Ekua.				

Apurua 3 *1 Lou Kala ma ke kihi o Waikanae Chromata*

	N	46¾	Ki	1.30	Ma ma ke kihi Honolulu
	N	39°	Ki	1.42	"
	N	56°	Ki	1.11	"
	N	25°	Ki	1.39	" Honolulu a kihi ma
	ke kihi moana = 1¼ Ekua.				

Apurua 4 *2 Lou Kala ma ke kihi o Waikanae Chromata*

	N	35°	Ki	1.10	Ma ma ke kihi Honolulu
	N	61°	Ki	1.10	"
	N	52°	Ki	1.10	"
	N	14°	Ki	1.10	"
	N	51°	Ki	1.10	"
	N	21°	Ki	1.10	"

206 697

Ab 48° Ho 38 Ma mai to Kōwhiri
 Ab 37 1/2 Ho 1.32 " " "
 Ab 34 1/2 Ho .81 " " " Kōwhiri a hiki mai to hiki mau.
 700 Eka.

Apana 5 1 Lōi mai Ho aduanta. E hōmaka mai to hiki Apana
 a u hōlo Ho 59° Ho 45 Ma mai to Kōwhiri
 Ho 38 Ho 1.23 " " "
 Ab 64 1/4 Ho .47 " " " Kōwhiri
 Ab 29 1/4 Ho 1.29 " " " a hiki mai
 to hiki mau 610 Eka.

Apana 6. 1 Lōi mai Ho aduanta. E hōmaka mai to hiki
 Apana a u hōlo
 Ho 52 1/2 Ho 57 Ma mai to Kōwhiri
 Ho 30 Ho 1.27 " " " Kōwhiri + Lōi
 Ab 73 1/2 Ho .54 " " " Kōwhiri
 Ab 28 1/4 Ho 1.48 " " " Kōwhiri a hiki mai to
 hiki mau 600 Eka

Apana 7. 1 Lōi mai Ho aduanta. E hōmaka mai to hiki
 Apana hōlo i te kōwhiri, a u hōlo
 Ho 44 Ho 1.09 Ma mai to Kōwhiri
 Ho 31 1/4 Ho .82 " " " Kōwhiri
 Ho 41 1/2 Ho 4.10 " " " " "
 Ho 24 1/2 Ho 1.03 " " " Pape
 W 53 1/4 Ho 1.44 " " " Kōwhiri
 W 26 Ho 1.87 " " " Uru
 W 62 1/4 Ho .54 " " " " "
 Ho 37 Ho 1.00 " " " " "
 Ab 53 1/4 Ho .60 " " " " "
 Ab 30 1/4 Ho 1.21 " " " Kōwhiri
 Ab 50 Ho 3.35 " " " Kōwhiri
 Ab 34 1/4 Ho 1.85 " " " a hiki mai
 to hiki mau 630 Eka

Apana 8. 1 Lōi mai Ho aduanta. E hōmaka mai to hiki
 Apana hōlo i te kōwhiri, a u hōlo
 Ho 37 1/2 Ho 1.00 Ma mai to Kōwhiri
 Ab 36 1/2 Ho .39 " " " Kōwhiri
 Ab 8 1/2 Ho .94 " " " " "
 Ho 81 Ho .71 " " " Kōwhiri
 a hiki mai to hiki mau 640 Eka

Apana 9. 1 Lōi mai Ho aduanta. E hōmaka mai to hiki
 Apana hōlo i te kōwhiri, a u hōlo

Apana 1-9

Apana
Kōwhiri
Apana
Kōwhiri

Apana 5 1 Lōi ma He aluanta 1. E hoomaka ma ke hiki Oka
 w e holo Heu 59° Ho 45 He ma ke Kalapa
 Heu 38° Hei 123
 Ok 64 1/4 Hei 147 Keshikaua
 Ok 29 1/4 Ho 129 w hiki ma
 ke hiki ma 610 Oka

Apana 6 1 Lōi Lōi ma He aluanta 1. E hoomaka ma ke hiki
 Oka w e holo
 Heu 52 1/2 Ho 57 He ma ke Kalapa
 Heu 30° Hei 127 ke Pilepewahine + Luni
 Ok 73 1/2 Hei 54 Keshikaua
 Ok 28 1/4 Ho 148 Kalapa w hiki ma ke
 hiki ma 610 Oka

Apana 7 Hele 3 Hele ma He aluanta. E hoomaka ma ke hiki
 Oka hōhōke i ke kahawai, w e holo
 Heu 44° Ho 109 He ma ke ke Kōwhiki
 Heu 31 1/4 Hei 82 Kōwhiki
 Heu 41 1/2 Hei 4.10
 Heu 24 1/2 Hei 1.03 Pepe
 Ok 53 1/4 Hei 44 Kōwhiki
 Ok 26° Ho 1.07 Uru
 Ok 62 1/4 Hei 54
 Heu 27° Hei 1.00
 Ok 53 1/4 Hei 60
 Ok 30 1/4 Ho 1.01 Kōwhiki
 Ok 50° Ho 3.35 Kōwhiki
 Ok 34 1/4 Ho 1.85 w hiki ma
 ke hiki ma 6300 Oka

Apana 8 1 Lōi ma ke hiki o Kōwhiki. E hoomaka ma ke
 hiki Kōwhiki w e holo
 Heu 27 1/2 Ho 100 He ma ke ke Kōwhiki
 Ok 76 1/2 Ho 39 Kōwhiki
 Ok 86° Hei 94
 Heu 81° Hei 71 Kōwhiki
 w hiki ma ke hiki ma 6300 Oka

Apana 9 Hele 3 ma ke hiki ma He aluanta
 E hoomaka ma ke hiki Oka w e holo
 Heu 34 1/2 Ho 74 He ma ke ke Kōwhiki
 Heu 24 1/2 Ho 247 Kōwhiki
 Heu 12 1/2 Ho 27

Kōwhiki
 Oka
 ↓
 Kōwhiki

APC 11

APC 11

APC 11

APC 11

APC 11

APC 11

✓ Heu 45° Hei 194 Iho ma te Mueakiti
 Oke 44° Hei .88 " te kakawai kachiko
 Oke 1° Ho .62 " "
 Okeu 54 1/4 Homohama 1.56 Iho + Heu 57° Homohama 6.5 Iho + Okeu 54 1/4
 Homohama 9.6 Iho + Okeu 59° Hei itina 6.6 Iho ma te Kapea uale no
 Okeu 54 1/4 Homohama 4.32 Iho ma te Okeu, w hiki ma te kiki maue
 Oke Okeu

✓ Apama 10.1 Iho ma te ita a Hamauriki. O Homohama ma te
 kiki Okeu w e hoto.
 Heu 63 1/2 Ho 47 ma kiki hama
 Heu 16 1/2 Ho 69 " "
 Oke 69° Hei 49 " "
 Oke 19° Ho 77 " " Hamauriki w hiki ma te kiki maue
 Oke Okeu

Apama 11. Pehale, Pukawai & Hele ma te ita a Hamauriki.

O Homohama ma te kiki Hei itina w e hoto

Okeu 32°	Homohama 1.87	Iho ma te Okeu	Heu
Okeu 28°	Homohama .72	" "	te Homohama
Heu 60 1/4	Homohama .76	" "	"
Okeu 26°	Homohama 1.34	" "	"
Heu 69 1/2	Homohama .49	" "	Heu
Okeu 38 1/4	Homohama 1.54	" "	"
Heu 56°	Homohama .33	" "	"
Okeu 31 1/4	Homohama .94	" "	"
Okeu 57 1/4	Hei itina .53	" "	"
Heu 32 1/2	Hei itina .72	" "	"
Okeu 63 1/4	Hei itina .23	" "	"
Heu 29 1/4	Hei itina 1.88	" "	"
Okeu 59 1/4	Hei itina .67	" "	te Hei itina
Okeu 28°	Homohama 3.42	" "	"
Heu 62 1/4	Homohama 2.11	" "	"
Okeu 35°	Homohama 1.53	" "	"
Heu 57 1/4	Homohama .65	" "	"
Heu 53°	Hei itina 2.83	" "	O Heu
Okeu 18 1/4	Hei itina .66	" "	te Hei itina
Heu 48°	Hei itina 1.15	" "	"
Heu 29 1/4	Hei itina 2.43	" "	Kaukahu + Makuhi
Heu 68°	Homohama .54	" "	"
Heu 53 1/4	Hei itina 2.04	" "	"
Heu 68°	Homohama .49	" "	"
Heu 49 1/4	Hei itina 1.18	" "	"
Okeu 57 1/4	Hei itina 1.29	" "	te Hei itina Okeu
Heu 57 1/4	Hei itina 1.76	" "	Okeu

PP 6711

✓ Apama 12. O Homohama ma te kiki Okeu w e hoto ma te
 kiki Hei itina w e hoto. Heu 56° Iho ma te Hei itina + Hei itina

Ukuu 54 7/8 Honoh. 1.56 Sh + Honu 37° Honohuana to 4 + Ukuu 54 1/2
 Honohuana 96 Sh + Ukuu 39° Heikina 66 Sh ma ko Honohuana uale no
 Ukuu 51 1/4 Honohuana 4.32 Sh ma ko Okele, w hiki ma ko hiki ma ko
 Eno Oka

✓ Opama 10.1 Loo ma ko ite o Honohuana i E honohuana ma ko
 hiki Ukuu w e holo.

Hon 63 1/2 Sh 47 ma ko Honohuana

Hon 16 1/2 Hon 69 " "

Ah 69° Hon 49 " "

Ah 19° Sh 77 " " Kalahele w hiki ma ko hiki ma ko

Eno Oka

Opama 11. Pahala, Pahala, Pahala, Pahala ma ko ite o Kalahele.

O honohuana ma ko hiki Heikina w e holo

Ukuu 32° Honohuana 1.57 Sh ma ko O Honohuana

Ukuu 28° Honohuana .72 " " ko Honohuana

Honu 60 1/4 Honohuana .76 " "

Ukuu 26° Honohuana 1.34 " "

Honu 69 1/2 Honohuana .49 " " Honohuana

Ukuu 28 1/4 Honohuana 1.54 " "

Honu 56° Honohuana .33 " "

Ukuu 31 1/4 Honohuana .94 " "

Ukuu 57 1/4 Heikina .53 " "

Honu 32 1/4 Heikina .72 " "

Ukuu 63a Heikina .23 " "

Honu 29 1/4 Heikina 1.88 " "

Ukuu 59 1/4 Heikina .67 " " ko Honohuana

Ukuu 28° Honohuana 3.42 " "

Honu 62 1/4 Honohuana 2.11 " "

Ukuu 35° Honohuana 1.53 " "

Honu 57 1/4 Honohuana .65 " "

Honu 33° Heikina 2.83 " " O Honohuana

Ukuu 48 1/4 Heikina .66 " " ko Honohuana

Honu 48 Heikina 1.18 " "

Honu 29 1/4 Heikina 2.13 " " Kalahele + Malaka

Honu 65° Honohuana .84 " "

Honu 28 1/4 Heikina 1.04 " "

Honu 65° Honohuana 1.95 " "

Honu 54 1/4 Heikina 1.83 " "

Ukuu 17 1/4 Heikina 1.39 " " ko Honohuana Opama

w hiki ma ko hiki ma ko Eno Oka

Opama 12. O honohuana ma ko hiki Ukuu i hiki ma ko hiki ma ko

Ukuu 54 1/2 Honohuana 1.56 Sh + Honu 37° Honohuana to 4 + Ukuu 54 1/2

Honohuana 96 Sh + Ukuu 39° Heikina 66 Sh ma ko Honohuana uale no

Ukuu 51 1/4 Honohuana 4.32 Sh ma ko Okele, w hiki ma ko hiki ma ko

Eno Oka

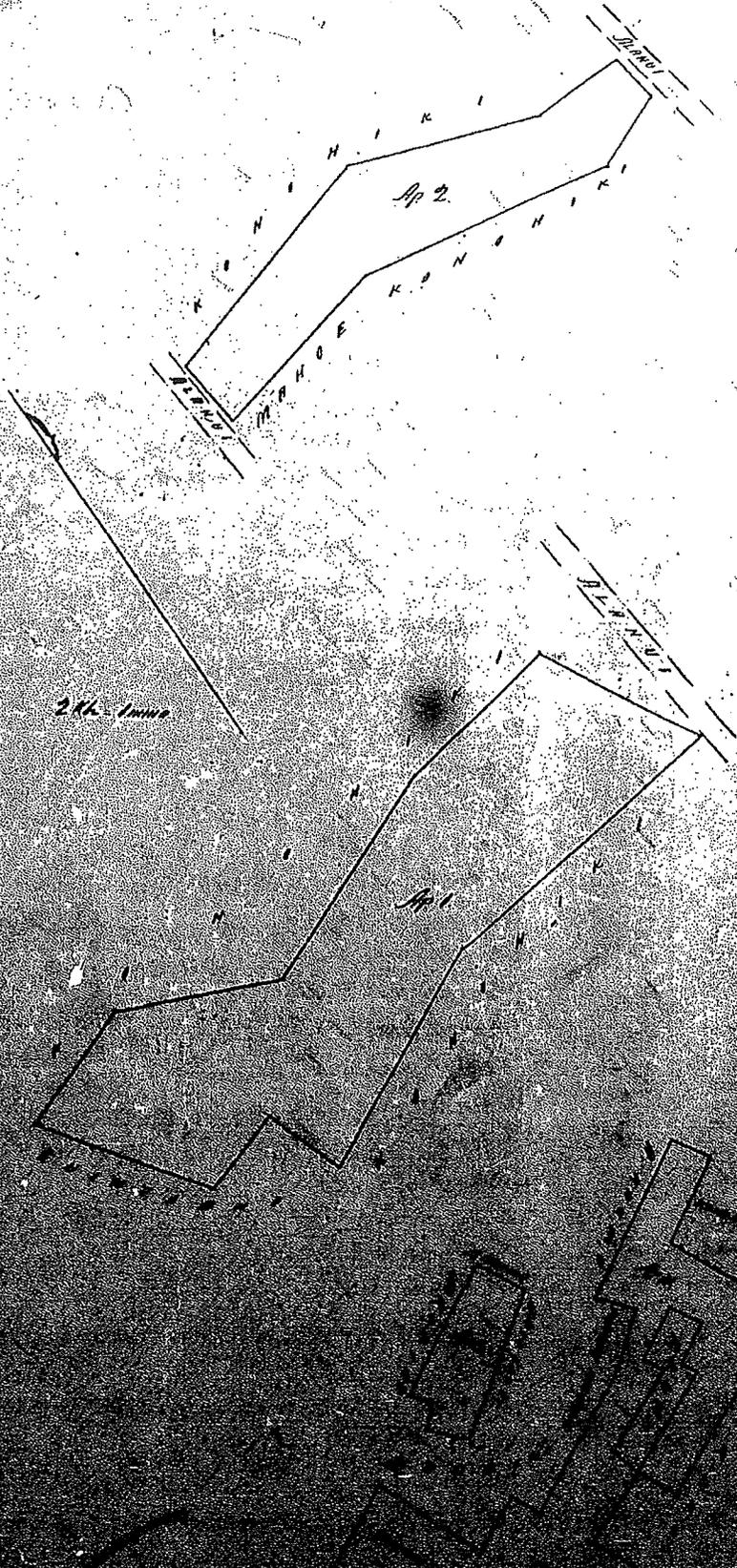
RP 6711

699

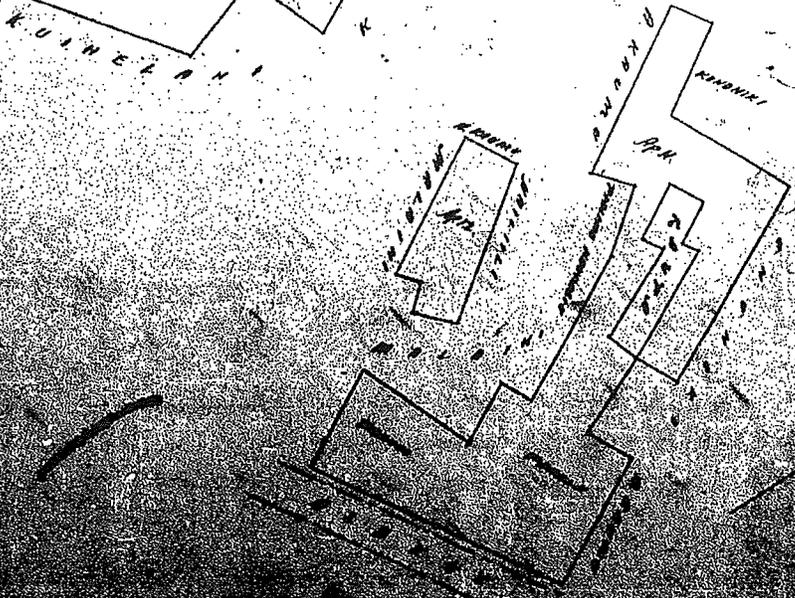
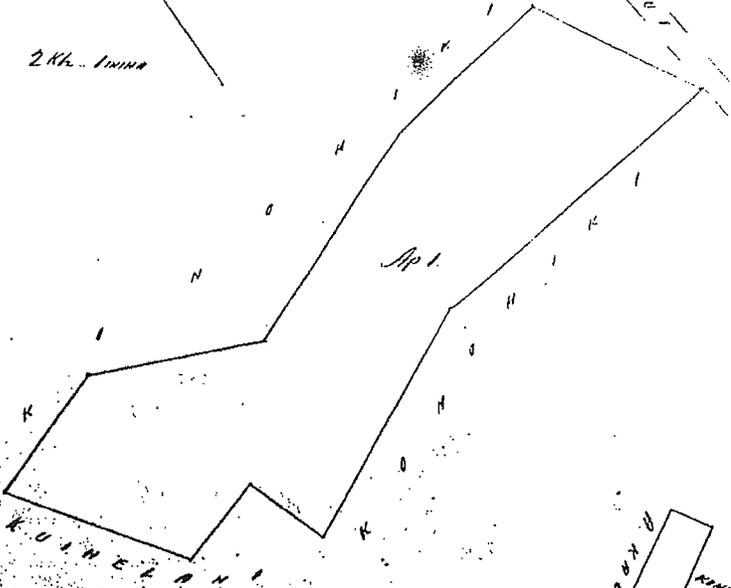
Pl. 57. Su. 90. Pl. ma ho A. Kowena. a hiki
ma kahu i hōmāhū. 26/100 Eka

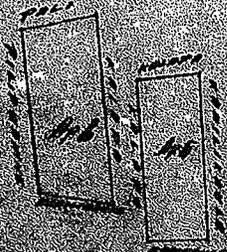
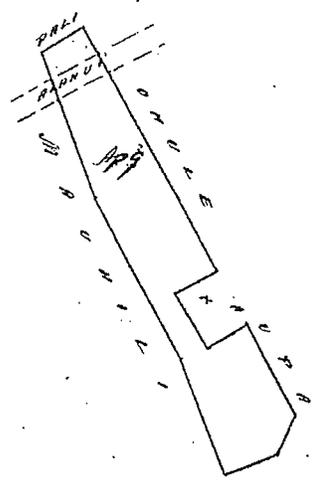
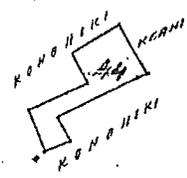
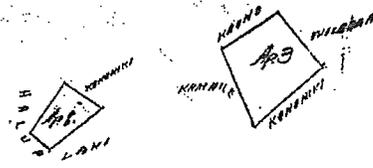
Wāhūhū Januāri 12. 1854.

C. Bailey
McDonnana



2 Km. Lima





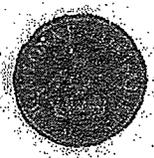
200 - 1000



Handwritten notes in Indonesian script, including the word 'Konghini' and other illegible characters.

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Royal Patent Number 5376
(Volume 21, Page 407)



HELU..... 5376

PALAPALA SILA NUI.

A KE ALII, NAMULI O KA OLELO A KA POE HOONA KULEANA.

NO KA HEA - Ua hooalo na Luns Hoona i na kumu kuleana aina i ka olelo, he kuleana oiaio ko
Napela Kuleana Hele..... 405
ma ke **Asao Aledio** hoko o kahi i oleloia nuluo.

Nalala, ma keia Palapala Sila Nui, ke hoike aku nei o Kamehameha IV, ke Alii nui a ke Akua
i kona lokomaikai i hoonoho ai maluna o ko Hawaii Pae Aina, i na kaka a pau, i keia la nona iho,
a no kona mau hope ali, ua laawii aku oia na ke **Asao Aledio** ia *Napela*
i kela weli a pau loa ma *Pahiawawa* - *Waihu*
ma ka moku-puni o *Mau* gensi na mokuua,

Ma Mau ki Makoa

<i>Man</i>	<i>67</i>	<i>2.22</i>	<i>(Ma Honolulu)</i>
<i>Man</i>	<i>66</i>	<i>2.66</i>	"
<i>Man</i>	<i>66</i>	<i>3.88</i>	"
<i>Man</i>	<i>86</i>	<i>3.77</i>	"
<i>Man</i>	<i>29</i>	<i>3.90</i>	" <i>L. Alani</i>
<i>Man</i>	<i>82 1/2</i>	<i>4.09</i>	"
<i>Man</i>	<i>68</i>	<i>4.05</i>	"
<i>Man</i>	<i>4</i>	<i>1.37</i>	" <i>Makelani</i>
<i>Man</i>	<i>77</i>	<i>1.48</i>	"
<i>Man</i>	<i>38 1/2</i>	<i>2.98</i>	" <i>S. Kanihika</i>
<i>Ma 3 1/2</i>			
<i>Man</i>	<i>72</i>	<i>4.15</i>	<i>(Ma Honolulu)</i>
<i>Man</i>	<i>74</i>	<i>3.40</i>	"
<i>Man</i>	<i>69</i>	<i>4.55</i>	"
<i>Man</i>	<i>68</i>	<i>4.00</i>	" <i>Mau</i>
<i>Man</i>	<i>68</i>	<i>4.35</i>	" <i>Ma Honolulu</i>
<i>Man</i>	<i>62</i>	<i>4.47</i>	" <i>Mau</i>
<i>Man</i>	<i>68</i>	<i>3.44</i>	" <i>Mau</i>
<i>Man</i>	<i>68</i>	<i>4.24</i>	" <i>Mau</i>

Ma 1 1/2

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]

[Faint handwritten text, possibly a date or a short note.]

[Faint handwritten signatures and text at the bottom of the page.]

**NATIVE REGISTER
(HAWAIIAN)**

Helu 405 - Haili
Ma

Wailuku Januari 13. 1847

Aloha oia i na Lina imi kuleana
He hoi aku nei au i ke kumu o ke kule-
lana o koe pa nei, no Pahanuia mai
aia koe wahi e noho nei, nona mai
i kona la i hoomakaukau ai e hoi aku
i kona kuleana ma ka lani ia mau
la ka loaa ana mai o koe pa nei
Eia ma hoike o Kaawioai o Makahano-
hano o Hehuani

Nāu na Haili

J Helu 406 Napela
Ma

Aloha maikai ma Lina kooa
No ka hoopii kuleana He kuleana
koe i poihale

- 4 loina Waikani
- 11 loi Uniea
- 11 loi Haloula
- 1 moa malo
- 1 loi Kaluioiki
- 2 loi Hamamao
- 1 Kula Neimuwiliwili

He mau loi aia ma Puhawawe
a He mau ka aia malaili (Kula)
no Kela Kamaa Heia Kamaa mai
na loi i haawi i koe makia Kane
O ma Linaika i mai aku ia Nailili
i pa nei, kuai ai me Kaupae i

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Kikahi pa. A ua laili no hoi hoi
moho ana ma na lei a me na hulu
Aole maia i ke akia mai
Owau no me ka Mahalo

Wailuku } Napela
Jan. 13, 1847

Ma
Hole 107 Kaunwai 13 Januari 1847

Pa a h. Ma kua au i ka hua o ka
makou pa, no Mahaiolopua, a ke ho-
olua hoi au nona, o hoi hooke kua-
ha no hoi ia aia ma hoi o ke alama
aupuni, e hui ai i ka hui la wili-
ho, Owau ma ma o ka aia.

Eia ka hui e aia ia hoi hoi wa-
hi i ma hoi ai, ma keela wahi, keia wa-
hi, a no ke aupuni ia wahi o kona
e hui ana me hoi wahi i mana ai
e nahi loa, o hoi ia ke ae ia maia
mae.

Owau no me ka Mahalo

Ma Te. Kaunwai

Wailuku }
Mokapuani }
Maui }

**NATIVE REGISTER
(ENGLISH)**

Letter telling of the right to the houselot.

I, Kekipi, hereby tell you of my right to my houselot at Wailuku, as follows: When I saw that place I wanted a houselot and I leased it from Kailihiwa. No one hindered or obstructed me until this time. The witness is Kailihiwa. This houselot is outside of the lot of the big school on the main road.

Wailuku, 12 Jan. 1847

KEKIPI

No. 404 Kaupa

Wailuku, Jan. 13, 1847

Hear ye, you two Land Commissioners:

I hereby tell you the basis of my right to my lot which was from Kaunohua. My witness is Kailihiwa.

KAUPA

No. 405 Kaili

Page 135

Wailuku, January 13, 1847

Hear ye, you two Land Commissioners:

I hereby tell you the basis of my right to my lot. My residence was from Pakamia. It was from him on the day he was preparing to return to his kuleana in heaven -- that was when I got this lot. Here are the witnesses: Kaauwai, Makahanohano, Kekuauli.

KAILI

✓ No. 406 Napela

Greetings to the two Land Commissioners:

Concerning the petition for rights: I have rights to: some

- 4 taro patches at Waikani
- 11 taro patches at Umieu
- 11 taro patches at Halaula
- 1 moo, unirrigated
- 1 taro patch at Kaluaiki
- 2 taro patches at Kamamao
- 1 kula at Kumuwiliwili

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Some taro patches are at Puhiaawaawa and some acres are there (kula). My makuakane got these from various people, and Armstrong spoke to Nailili for a lot for me and I bought a lot from Kauhapa. I have had the taro patches and the kulas for a long time and no one has objected.

Wailuku, January 13, 1847

NAPELA

No. 407 Kaauwai

13 January 1847

Lot 4. I forgot the fourth of our lots, from Kahauolopua. I am his heir and executor. It is makai of the Government Road going to the sugar mill. Owa is the name of that land. This place will be surveyed as one of my places to farm. It adjoins my place, and is the government's and I have thought to occupy for a long time, if it is agreed to.

Wailuku, Island of Maui

KAAUWAI

NR 406

**NATIVE TESTIMONY
(HAWAIIAN)**

keakea ia e Kama, aole noe aia i
 pa i ka wa itelo ai ia ia kela wahi
 o ka pau no ia o kou ike

✓ Helu 406 Papela

Hooihikiia o Naititi ma ka olelo a ke
 Akua. Ma hoopii aku o Papela ia
 Imaikaha, a o Imaikaha a ia
 Kailikiwa, a o Kailikiwa ae a iau, a
 ae aku no au ia Papela e like me
 ka Kailikiwa i olelo mai ai i ka he
 mau loi no kahi o Papela au i ike
 malaila, no Hawaii mai kona, no
 Kamakaha mai ko Hawaii i kuni
 he loi he loi kuai, aole au ike ka
 mea nana i keakea mai ku loi a
 ka pahale, elima loi ma ko Naititi
 ihi ku ma ko Kama, he hale no hoi
 kahi o Papela e ku ana i waena, a
 he kula no hoi kahi malaila, o ka
 pau no ia o kou ike

Hooihikiia o Kuikelani ma ka olelo a ke
 Akua. Aia ma Puhinuwawa, he loi a
 he kula i ke makou wa e noko kumu
 ana, i hole makou (o Kuikelani).
 Papela o Kekuhuna, kuku makou
 e hoopii ia Kailikiwa i wahi maki
 i ka hale, a holo kua ma ana ia
 makou, hoopii makou ia Kailikiwa
 i na wahi nei, a ae mai no o Kailikiwa

no makou ia wahi, kōkōkō no makou
 ua wahi nei o Kuikalani ma kahi e pili ana
 i ke alakele i Waikē. Nāpela mauaena o
 Kekahuna makou, mahelina maua na Poi
 u ke kula, hula no ia makou a pau. Eholu
 a mahi no makou i ke Kala ma na Loi, a
 i ke ko, a uala ma ke kula eholu M. M. o
 Kamehameha i na Loi u me ke kula
 i ka uala a me ke ko, Uia ma Pehiawana
 keia wahi a Nāpela o kai mai nei

Hooikiia o Kalaipulaho ma ka ole Kamehameha
 ma kuai no Laua nei o Kauhapa a ua
 lilo ke pa ia nei (viao Nāpela) ua pa ana ma
 palapala kuai o Laua nei ke Poi o ke
 Kamehameha, o kona mau palama, o ka
 pa o Malaihi ma ka Akou, ka pa
 mua ma ka Hikiia, ma ka huna a me
 ke Kamehameha ka pa o Malaihi

Hooikiia o Puna ma ka ole a ke Akou
 Uia ma Kalaula kahi o Nāpela o Kamehameha
 nei, uala Poi ilalo eholu iluna nei, ke kula
 ma ka pa ana e pili ana i Kahawai, 310
 Hawaii mai ke Nāpela, he hooikiia ma
 o Nāpela no Hawaii. No Palau mai ke
 Hawaii i ka wa i noho mua mai ai o Kamehameha
 Uia i Waikē nei, mai lula mai a
 hiki loa mai i keia la, aole au iloke ua
 keia mai kahi ia ia,

Hooihikiia, Kailihiwa, ma ka olelo a ke Akua,
 Aia ma Puhiauwawa ke kula, a me na loi
 no ke laka noho kumu ana kaawi
 aku au ia wahi no laka, (ole au i
 toke ua keakeaia noho ana a piki
 i keia wai.)

Hooihikiia, Hanakaole ma ka olelo a ke Akua
 Na ike no au ke loi ko Kapela, aia ma
 Koluiki ma Iao owau no ka hakuaina
 a malalo no au ko Kapela noho ana, (ole
 mea nana i keakea aku ia ia)

Hooihikiia, Kaupa, ma ka olelo a ke Akua
 Aia ma Uniu ko Kapela, ma au loi
 ke uniu kumamaua, no Hawaii ma
 kona, no Kauakahi ma ko Hawaii, a
 he ai mas ia, (ole au i toke ua huku
 wai ke honohiki ia Hawaii, a ia Kapela
 he mau loi maloo no ma kahawai)

Hooihikiia, Kaweloha, ma ka olelo a ke
 Akua He mau loi ko Kapela ma
 Kamamao a ma Kumuwiliwili, ole
 no Kapela no Hawaii. He hakaiki loi
 ma Kumuwiliwili, ole ma Kamamao
 ma ke noho ana, he
 honohiki au no keia mau aiw, e
 hiki no ia ke kaawi i like me
 koe swana, (ole huku mai koe
 hakuaina ia no kuu kaawi ana
 Na keakea ia na loi ma Kumuwiliwili
 a koe ke kula?)

**NATIVE TESTIMONY
(ENGLISH)**

Here is something. When Auwae died Kaoo ma lived there with the servants. That was only a plain at one time and when Nahienaena came houses were built again there and their (two) interest was spread out by her. Here is something - I have heard from Kailihiwa that Kuihelani had been granted some other land. It is a flat area of patches from Kaunuohua. I did not hear accurately that Limaikaika had gone to Kaunuohua but it is hearsay only that Limaikaika had gone to ask (for land). That place had been enclosed at that time and a government enclosure was on one side for the road. Kuihelani had worked on some of the sections and our sale was transacted.

No. 396 - Keomailani

Kailihiwa sworn by the Word of God:

It is mauka of Pakamia's place. When he came to ask for a place for himself. I had consented and this was just after Kawailepolepo had died in the year 1837 $\frac{1}{2}$ [sic]. No one has objected to him to this very present time. My interest was from Kaunuohua and he had received his claim from Kamehameha III yet Kaunuohua did not become angry with me for giving away these places.

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Kaauwai sworn by the Word of God:

I have seen it and it was Kailihiwa who had given him this place for a house site, where he lived with the guardians of Kawailepolepo. When Kaio died Keomailani was the heir and lived with the guardians, yet it was Keomailani's Kahu-kane who asked Pakamia for a section [of land] that is adjoining the road. Pakamia agreed that he have that land and build a fence. That property has been enclosed to this time altho' the kahukane who had built it is dead but his young brother and the wife of the deceased survive. Those are his servants living on that property now for Keomailani's advantage in life. No one has objected to them to this present time which was the time I had gone to Oahu and for these days I do not hear anyone objecting. On the northeast is Kaihi's property, on the northwest is the prison patch and Kama's property and on the south end are the government road and the ditch.

Kaupa sworn by the Word of God:

Keomailani's property is makai of Kama's land. He had received this land from Kailihiwa; Kailihiwa had received it from Kaunuohua and Kaunuohua had received it from Kamehameha III. I had heard of Kailihiwa's giving [land] from Kaio. When Kaio died his property was left to Mileka and from that time to the

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present, I have known that Kama has objected, yet he did not fence when the place was granted to him. That is the end of what I have known.

No. 406 - Napela

✓ Nailiili sworn by the Bible:

Napela had filed a suit with Limaikaika, Limaikaika with Kailihiwa and

NT 406-1

Kalihiwa complained to me and I agreed with Napela just as Kailihiwa had told me. Napela has patches there which I have seen that Hawaii had given to him. Hawaii had received these [patches] from Namakaeha, which were sale patches and Hawaii had bought them. I have not known the person who has objected from the patches to the house site. Five patches in Nailiili's [lot], 7 in Kama's [lot] and Napela has a house also standing in the center. A school too is there. That ends what I have known.

Kuihelani sworn by the Word of God:

There is a patch and a field at Puhiawawa during the time we were living there as teachers. There were three of us [Kuihelani], Napela and Kekahuna and we had a discussion about complaining to Kailihiwa for a place to plant taro potato. This we did for that place and Kailihiwi

page 133

had granted it to us. We selected our own places. Kuihelani had the place adjoining the pathway to Waihee, Napela chose the center and Kekahuna had makai. The patches and fields were divided among us and we planted taro and sugar cane in the patches and potatoes in the fields. For three years we planted taro in the patches and potato and sugar cane in the fields. There is a peace at Puhiawawa for which Napela is demanding here.

Kalaipuleho sworn by the Word of God:

These two (people) here Kauhapa had a sale and the property was acquired by him here [that is Napela]. The bill of sale of these two here was drawn and \$50.00 was the sale price. His boundaries are the property of Malaihi on the north, the original lot on the east and on the south and west, the property of Malaihi.

Puna sworn by the Word of God:

Napela is filing a suit for a place at Halaula which has 8 patches below, 3 above here and a field on the side bordering Kahawai. Napela being an heir had received this [land] from Hawaii. Hawaii had received this property from Palaau at the time Mika Lina had come to Wailuku here for the first time. Since that time to this day I have not heard that anyone has objections.

page 134

Kailihiwa sworn by the Word of God:

There is a field and patches at Puhiawawa which I had given them because they were teachers. I have not heard any objections about this to this time.

Kanakaole sworn by the Word of God:

I know that Napela has a patch which is at Kaluiki in Iao. I was the landlord and Napela lived under me, and no one had objected to him.

Kaupā sworn by the Bible:

Napela has 12 patches at Umiea which he had received [this land] from

NT 406 (am)
-2

Hawaii. Hawaii had received [this land] from Kauakahi who was a moo ruler. I have not heard that the konohiki has chide Hawaii nor Napela. There were some dry patches at Kahawai.

Kawelohea sworn by the Word of God:

Napela has patches at Kamamao and at Kumuwiliwili. (It is) not for Napela but for Hawaii-wahine patch at Kumuwiliwili and two at Kamamao, but living is under my control for I am a Konohiki for these lands; therefore, I can give as I desire and my landlord will not reprove me for having done so. There has been objections for the patches at Kumuwiliwili with the exception of the field.

No. 473 - Pikanele

page 135

Z. Kaauwai sworn by the Bible:

Pikanele has land at Honuaula, which is named Waipao. After a long interval, the land with the house site at Kaeo and the Waipio property were approved in the year 1841. It was a high court case held in Lahaina and it was clarified that the land and house site was for Pikanele. The konohikis were involved with this land originally a long time ago. Ihu was the first konohiki to claim that place and when he was separated from it, Pahuwai lived there, after which Pikanele acquired it probably in the year 1836 and he built a new fence. In the year 1840, because of adulterous activities there the konohikis filed a complaint against Pikanele and it was felt that the government should take back that property. Pikanele was taken to court at that time where Kekauluohi gave his side (land) to M. Kekaunaoa and the decision was for Pikanele for his (Pikanele's) losses on the house lot and the land. That is Pikanele's interest on this place which he is claiming. The minister of the government had authorized that property for Pikanele.

Nalaipuleho sworn by the Word of God:

The first of the Konohiki to have that place was Ihu and Pahuwai. That is how this person here has won. When Pahuwai stopped living there the village and land was taken by Pikanele, and no one else (claimed) after that only Pikanele and

page 136

I have heard it said that the minister had given Pikanele absolute grant. No one has objected until this time. This is absolute [grant] like the way Kekauluohi gives [property].

page 137

Wailuku, Sept. 5, 1847

No. 411 - Poonui

Z. Kaauwai sworn:

This place which Poonui is complaining about is at Waikapu. It is outside

NT 406 (cont)
-3

FOREIGN TESTIMONY

N^o 3472.

Kekoko.

Kai hulu kiia maia o Kekoko, a hui maia la
ua hoihoi pono ake au i Kou Kuleawa ma
Hahikuli, Lahaina, no E. Kuakamama Ke Ko-
nohiki, a e noho no au malalo ma e like
me ka noho Kahiko ma.

Wailuku Aug 31, 1858.

N^o 406.

Kapela.

Kaluafee, swain, knows the lots of claimant
in Waikuniki, Wailuku. They consist of
5 Lots. 3 of the Lots are bounded,
Wahee, by burying place, Palima & Keahi,
Makai, " " "
Maalaea, " " "
Maunaka, " Kaunoi.

The other 2 Lots are bounded,
Wahee, by Keahi's land,
Makai, " " "
Maalaea, " Watercourse,
Maunaka, " Kapau & Keahi's land.

Claimant rec^d these Lots from his
father, who got them from Wilama in 1838,
and he has held them without dispute till
the present time.

N^o 300 B.

A. Pahi.

Claim for 6 Kalo patches, in Waikapu, Maui.
These patches have been sold by the Gov^t. Agent.
They are said to have been Palima patches and
therefore went with the Land to the Government
in the Division of 1848.

FT 406

Water Related Terms for Various Land Commission Awards in Wailuku

LCA	RP	Awardee	Water Terms cited in Metes and Bounds Description
406 Ap1	5376	Napela	This award contains many lo'i maloo (dry taro) patches
453 Ap 1,2	997	Kuihelani	Ap 1 is bounded by a Poalima and Ap 2 is the site of lo'i(taro patches)
2434	6397	Kahooke	A Poalima (ali'i taro patch) cited as a boundary
2436 Ap 1,2,3	2009	Kahaiki	All 3 Apana are identified as kalo (taro) lots and Apana 2 cites an auwai (ditch)
2495 Ap 1,2,3,4	7790	Kaiaholokuaau	A Poalima sits within Apana 4
2502 Ap 1,3	5973	Ihumai	Apana 1 & 3 are kalo (taro) lots and an auwai runs through Ap 3
2503 Ap 2	3652	Ohule	Apana 2 is a kalo (taro) and house lot bounded by a Poalima
2533 Ap 1	6529 & 6437	Malaihi	Apana 1 is an aina kalo (taro land) bounded by a Poalima
3225	6298	Opunui	A Kahawai (stream) and 2 Poalima lie within this parcel that is bounded by an auwa
3237 Ap 3	6888	Hewahewa	A Poalima is surrounded by this parcel bounded by an auwai (ditch)
3275E	5154	Kaleo	Parcels 1 & 4 contain a kahawai (stream) and Poalima
3292		Mua	Identified as a kalo (taro) lot containing auwai (ditch) and Poalima
3294B Ap1M1 & M2, Ap, 6102		Moomooiki	Ap1 M1, Ap 1M2, Ap2 all identified as kalo (taro) lots with an auwai adjoining
3330	4424 & 4622	Lonohiwa	A kalo (taro) lot with an auwai adjoining
3335	7774	Naonohi	Identified as a kalo (taro) lot containing auwai (ditch)
3387	6065	Pooliliii	Award identified as having 9 lo'i (taro patches)
3388	6101	Paiwi	A kalo (taro) lot with an auwai adjoining
4461 Ap 1,2	6630	Kawaa	Both parcels identified as kalo (taro) lots

Uluwatu
 W. L. Lee
 J. M. Robertson
 S. S. S. S. S.
 S. S. S. S. S.

Kororua February 8. 1884.

Table 406. Kapela

Translation:
 There are many dry
 taro lots in the
 ili of Puhiaawaau.

Station 1. (dry taro)
 Chormaka ma ke hiki Kororua a v holo.

St. 69°	St. 2.22	St. ma ke ke Kororua
St. 66°	St. 2.66	"
St. 66½°	St. 3.88	"
St. 80°	St. 2.77	"
St. 29°	St. 2.90	" y Manua
St. 82½°	St. 5.09	"
St. 63°	St. 4.05	"
St. 19°	St. 1.37	Kororua
St. 71½°	St. 1.43	"
St. 35½°	St. 2.98	" y Kororua

ma ke hiki ma ke hiki ma ke hiki = 3 1/10 Ekua.

Station 2.
 Chormaka ma ke hiki Kororua Manua v holo.

St. 72½°	St. 4.15	St. ma ke ke Kororua
St. 70½°	St. 3.10	"
St. 89°	St. 1.53	"
St. 9°	St. .80	ke Manua
St. 66½°	St. 1.35	ke ke Kororua
St. 80½°	St. 4.27	"
St. 76½°	St. 3.14	Manua
St. 4½°	St. 1.14	ke Manua a hiki ma

ke hiki ma ke hiki = 1 7/10 Ekua.

Station 3.
 1 Livi Kalo. ma ke hiki Kororua Chormaka

St. 46½°	St. 1.30	St. ma ke ke Kororua
St. 32°	St. 1.00	"
St. 64°	St. 1.11	"
St. 28°	St. 1.39	" Kororua a hiki ma

ke hiki ma ke hiki = 1 1/10 Ekua.

Station 4.
 2 Livi Kalo. ma Kororua Chormaka ma ke hiki Manua a v holo

St. 34½°	St. .83	St. ma ke ke Kororua
St. 50°	St. .82	"
St. 42°	St. 1.00	"
St. 46°	St. .68	"
St. 34½°	St. 1.12	"
St. 48°	St. .38	"

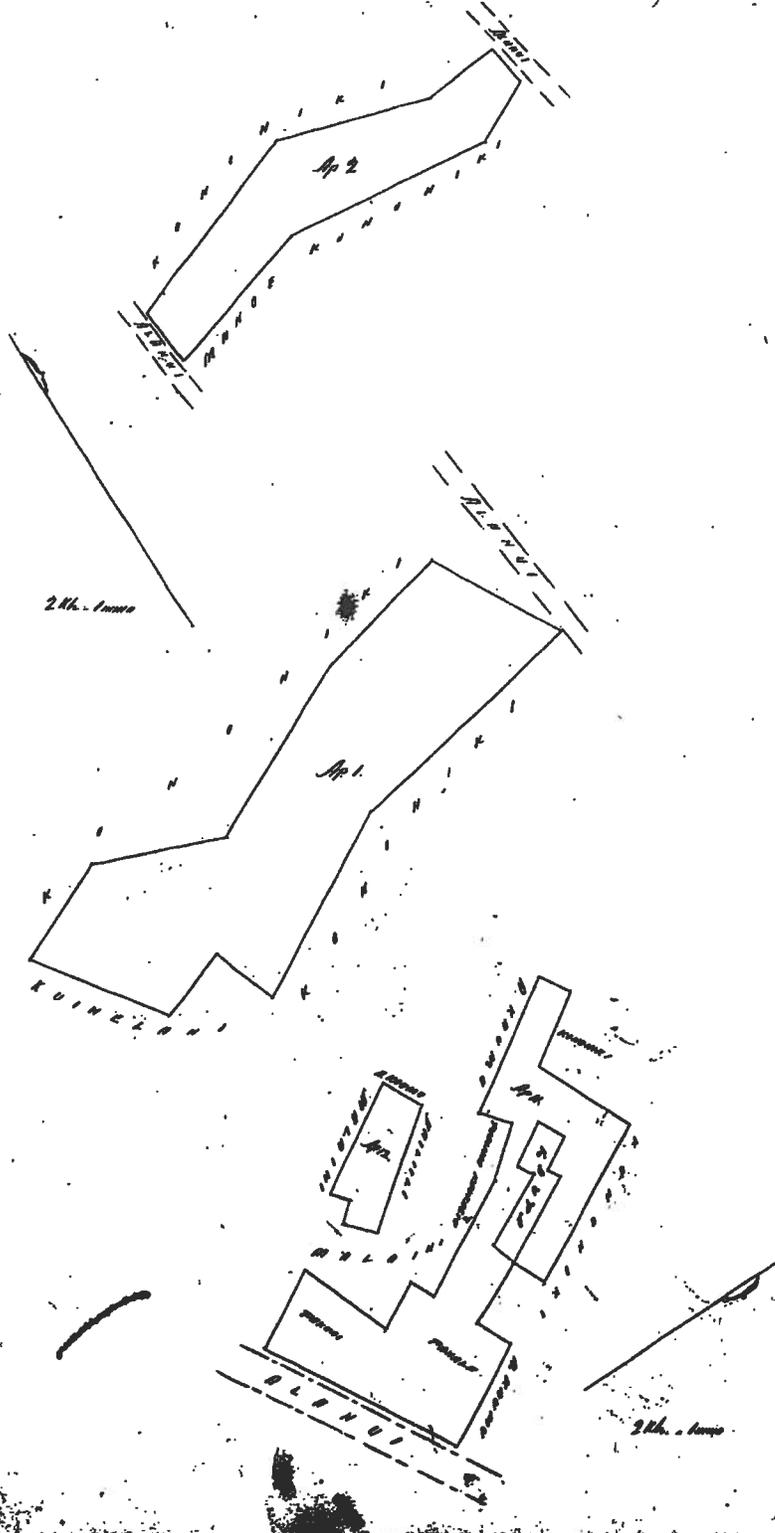
1883
 1886
 1886
 1886

699

Site 57° N 90 E. ma ka A. Kinnard. a hua
ma ka hua i hua a hua. 26/100 Eha

Maikua January 12, 1867.

C. Bailey
(W. S. S. S. S.)



CEA
40611
3/4

Land Commission Award Number 453, Apanas 1
and 2 to Kuihelani
(Volume 3, Page 715)

718. Table 453. Kitchikan.

Station 1. Ma ka ili Tarkupai. Chomawats ma ke kiki
Kitchikan. Kema a e hoto.

Mk.	15° 3/4	Ko.	12.87	Mk. ma ka ili Tarkupai
Mk.	84° 1/2	Ko.	6.37	"
Ko.	85° 1/2	Ko.	6.91	"
Ko.	36° 3/4	Ko.	5.55	" Kiscob?
Ko.	18°	Ko.	50	"
Ko.	52°	Ko.	1.84	"
Ko.	46° 1/2	Ko.	2.87	" Tarkupai
Ko.	33° 1/2	Ko.	1.89	" Kitchikan
Mk.	50°	Ko.	1.09	" jumi
Mk.	34° 3/4	Ko.	1.35	" Tarkupai
Mk.	54° 1/2	Ko.	1.64	"
Mk.	50° 1/2	Ko.	1.48	" Tarkupai
Mk.	39° 3/4	Ko.	1.47	"
Mk.	56° 3/4	Ko.	1.49	"
Mk.	23° 1/2	Ko.	2.55	"
Ko.	39° 1/2	Ko.	9.90	" Alawa
Mk.	63° 1/2	Ko.	2.59	" ili Tarkupai
Ko.	55°	Ko.	3.30	"
Ko.	83° 1/4	Ko.	5.86	" ma ke kiki
ma ke kiki mwa.			16 7/100	Ekaw.

Station 2. Lwi ma kawili o Tuhimawa. Chomawats
ma ke kiki Kitchikan Kema a e hoto.

Mk.	19°	Ko.	1.37	Mk. ma ke Kawili
Ko.	71° 1/4	Ko.	1.43	" " 3 Kitchikan
Ko.	77° 1/4	Ko.	5.43	"
Ko.	27° 3/4	Ko.	2.12	"
Mk.	69°	Ko.	6.42	" a kiki mwa
ke kiki mwa.			1 1/100	Ekaw.

Station 3. "Kipawato" ma kawili o Tarkupai. Chomawats
ma ke kiki mwa.

Chomawats ma ke kiki Alawa a e hoto.				
Ko.	42°	Ko.	1.84	Mk. ma ke Kema a e hoto
Ko.	52° 1/2	Ko.	1.08	" Kitchikan
Mk.	37° 1/2	Ko.	1.78	" Kema a e hoto

Mk.	50° 1/2	No.	48	"	"	"
Mk.	39° 3/4	No.	47	"	"	"
Mk.	56° 3/4	No.	49	"	"	"
Mk.	23° 1/2	No.	255	"	"	"
No.	39° 1/2	No.	990	"	"	Alamu
Mk.	63° 1/2	No.	259	"	"	ile o Pirako
No.	55°	No.	330	"	"	"
No.	83° 1/4	No.	586	"	"	" a hiki

ma ke hiki mua. - 16 7/100 Ckai.

Apana 2. Loi ma ka ili o Puhiauwai. Chomaha
 ma ke hiki Pitikawa Aema a e holo.

Mk.	19°	No.	137	Mk.	ma ke Kapela
No.	71° 1/4	No.	143	"	" o Kimitiki.
No.	77° 1/4	No.	543	"	"
No.	27° 3/4	No.	212	"	"
Mk.	69°	No.	642	"	" a hiki ma

ke hiki mua. - 1 1/100 Ckai.

Apana 3. "Niparato" ma ka ili o Pirako. "Wa bracia" Kimitani
 ma ke hiki mua.

Chomaha ma ke hiki Aema a e holo.

No.	42°	No.	184	Mk.	ma ke Kawanilili.
No.	52° 1/4	No.	108	"	" Kawanilili
Mk.	37° 1/4	No.	178	"	" Kawanilili.
Mk.	47° 3/4	No.	93	"	" a hiki ma ke

hiki mua. - 1/100 Ckai.

Apana 4. Ke Apana Alamu kahiko i Hawaii i fani
 ma ke hiki Alamu ma e holo i ke Alamu hui ma e holo i ke
 Apana.

Chomaha ma ke hiki Aema a e holo.

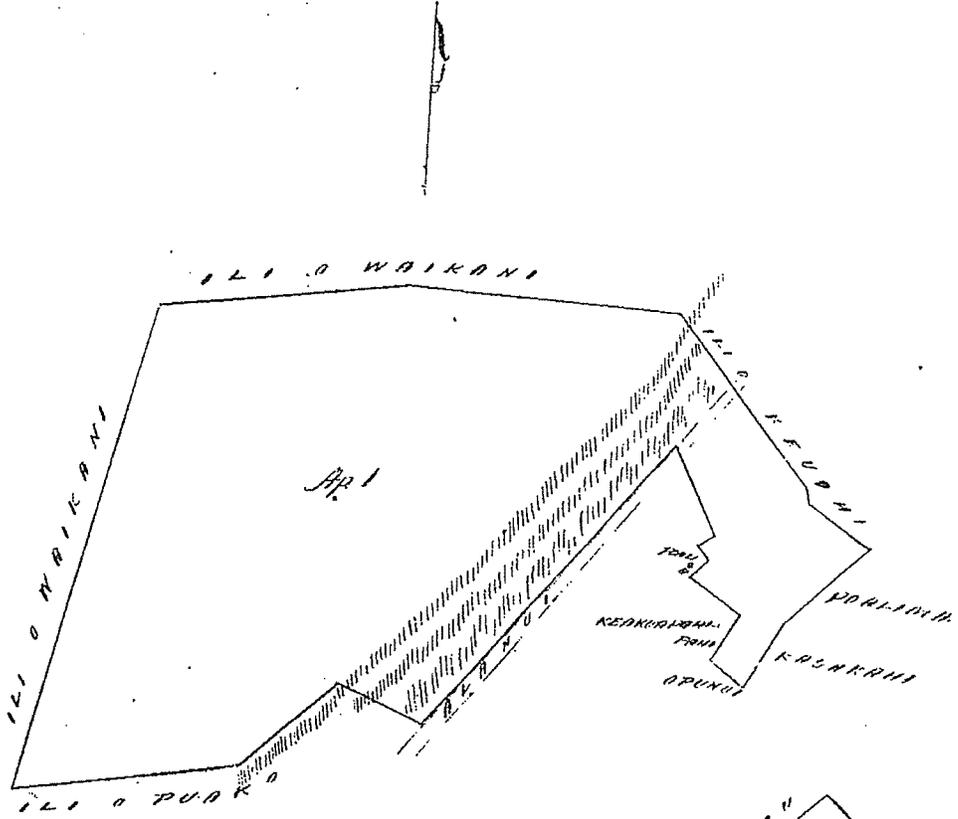
No.	78°	No.	100	Mk.	ma ke Chomaha
No.	78°	No.	100	"	"
No.	78°	No.	100	"	"
No.	78°	No.	100	"	"

ma ke hiki mua. - 1/100 Ckai.

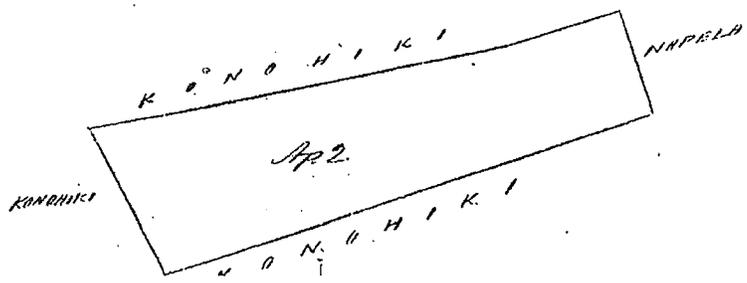
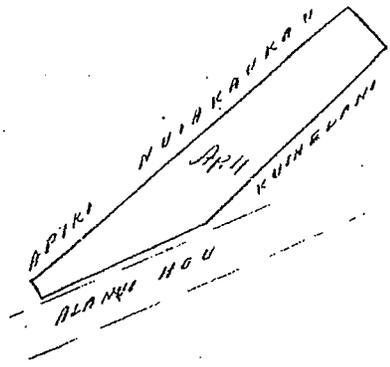
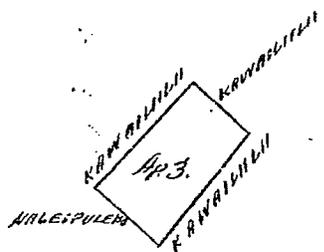
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a hiki ma. ke hiki mua. - 38 pro Cka.

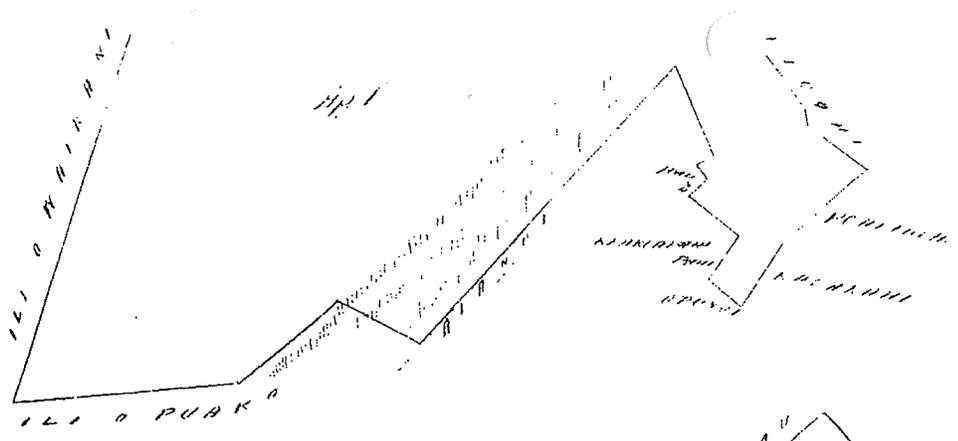
Maikaukui Januani 7. 1854.

C. Bailey Measurand

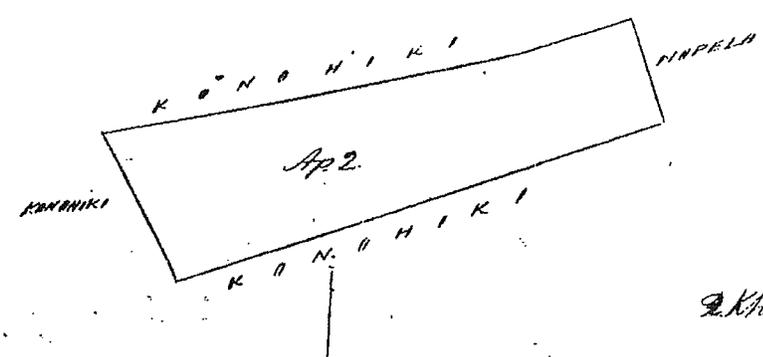
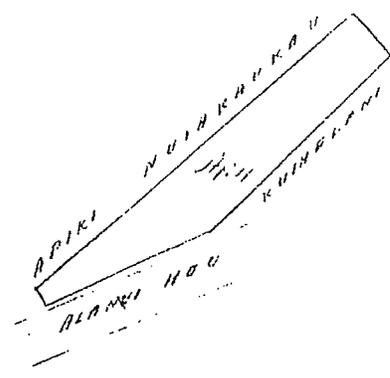
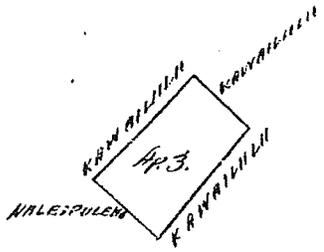


4. Khe. - 111.





1/2 Kh. - 1/4



2 Kh. - 1/4

Ukupaunani

8. 09

W. L. Lee
 G. M. Robertson
 J. Kekaulahao
 J. M. Christie

Honolulu February 11. 1854

File Plan Description Shows:

Royal Patent Number 997
(Volume 8, Page 273)

Should be Royal Patent Number 1997

HELU 999

PALAPALA SILA NUI,

A KE ALII, MAMULI O KA OLELO A KA POE HOONA KULEANA.

No ka mea, ua hooholo na Luna Hoona i na kumu kuleana aina i ka olelo, he kuleana oiaio ko

Kaniaa

Kuleana Helu: 3572

ma ke Ano Alodis iloko o kahi i oleloia malalo.

Nolaila, ma keia Palapala Sila Nui, ke hoike aku nei o Kamehameha III., ke alii nui a ke Akua i kona lokomaikai i hoonoho ai maluna o ko Hawaii Pae Aina, i na kanaka a pau, i keia la nona iho, a no kona mau hope alii ua haawi aku oia ma ke Ano Alodis ia

Kaniaa

i kela mau wahi a pau loa ma ka mokupuni o

Heia

Koolaupoko

penei na mokuna,

Apana 1. 8000. O kormaka ana ma ke kahi Houa, a o holo ana

Akau 55° Koum. 260 paauka; o pili ana i ko ke Kouhiki,

Akau 34° Hek. 346 " " " "

Akau 19° Hek. 580 " " " "

*Akau 82° Hek. 250 " " " *Ahia**

Houa 7 1/2° Hek. 400 " " " ko Kouhiki

Houa 43° Koum. 600 " " " i ko kahi

2,700,000 Ika

Apana 2. 1000. O kormaka ana ma ke kahi Akau a o holo ana

Houa 37° Hek. 80 paauka, o pili ana i ko (Wahine)

Houa 25° Koum. 45 " " " "

*Houa 55° Koum. 180 " " " *Kalaau**

*Akau 30° Koum. 85 " " " *Kapakai**

*Akau 54° Hek. 19 1/2 " " " *Kalaau i ke**

kahi mau. 0,150,000 Ika.

0,150,000 Ika.

Apana 3. Pahate. O kormaka ana ma ke kahi Akau, a o holo ana

Houa 33° Hek. 160 paauka, o pili ana i ko Kapakai

Houa 57° Koum. 160 " " " ko ke Kouhiki

Akau 33° Koum. 160 " " " " i ko kahi

*Akau 57° Hek. 160 " " " *0,250,000 Ika.**

0,250,000 Ika.

Matoko o *ia Mau* apapa *3. 10/ 100* * Eka
a oi iki aku, a e mi iki mai paha. Ua koe nae i ke aupuni na mise minerela a me na metela a pau.

No *Kauai*

ua aia la i haawiia ma ke Auo Alodio a no kona mau hoolina, a me kona waibona; ua pili nae ka auhau
a ka Poe Ahaolelo a kuu like ai ma na aia alodio i keia manawa i keia manawa.

A i mea e ike ai ua kuu wau i ko'u inoa, a me ka Sila Nui o ko
Hawaii Pae Aina ma Honolulu i keia la *14* o

Keptemata, 1852

Kauaihanaka

Keoni Auau

Apana 3^a i ma ka ili o Pihiaunani
 I hoemaka ana ma ke kiki ma ka
 a 19^o ki 1.37 Kaul ma ka Kaula
 He 71^o ki 1.48 " " " " " " " " " " " "
 He 77^o ki 1.48 " " " " " " " " " " " "
 He 97^o ki 2.12 " " " " " " " " " " " "
 a 69^o ki 6.42 " " " " " " " " " " " "
 a hiki ma ke kiki ma ka

1^o 500 & ka

Apana 5^a "Apana" ma ka ili o "Pihiaunani" ma loa
 ia i Kihelani ma ke kiki ma ka

I hoemaka ana ma ke kiki ma ka
 He 42^o ki 1.04 Kaul ma ka Kaula
 He 52^o ki 1.18 " " " " " " " " " " " "
 He 57^o ki 1.78 " " " " " " " " " " " "
 He 47^o ki 1.90 " " " " " " " " " " " "
 a hiki ma ke kiki ma ka

1^o 500 & ka

Apana 6^a He Apana Alanui Kihelani i waawia i
 ma ka kiki ma ka Apana ma ka ili o ke Alanui Kihelani
 ma ka kiki ma ka Kaula

I hoemaka ana ma ke kiki ma ka
 He 45^o ki 1.70 Kaul ma ka Kaula
 He 44^o ki 1.23 " " " " " " " " " " " "
 He 41^o ki 2.36 " " " " " " " " " " " "
 He 32^o ki 1.18 " " " " " " " " " " " "
 He 41^o ki 5.05 " " " " " " " " " " " "
 a hiki ma ke kiki ma ka

1^o 500 & ka

He kiki ma ka Apana
 a ma ka kiki ma ka Apana. Ua koe nō i ke aupuni na mine, minerela a me na metela a pau.

I Kihelani
 ua aia i ka wai ma ke Apana a no kona mau hoolina, a me kona waihoia, ua pili nō ka aia
 a ka Pae Ahaione a ka like ai ma na aia aia i keia maawa i keia maawa.

A i mea e ika'i, ua kau wau i ko'u inoa, a me ka Sila Nui o
 ko Hawaii Pae aia ma Honolulu i keia la
 June, 1853

Kamehameha
 Kamehameha

NO.

ROYAL PATENT,

UPON CONFIRMATION OF THE LAND COMMISSION.

Whereas, the Board of Commissioners to Quiet Land Titles have by their decision awarded unto an estate of Freehold less than Allodial, in and to the land hereafter described, and whereas

Therefore, Kamehameha, by the grace of God, King of the Hawaiian Islands, by this Royal Patent, doth hereby give unto all men, that he has, for himself and his successors in office, this day granted and given absolutely, in Fee Simple, and

all that certain piece of land situated in the island of _____ and described as follows:

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Large block of very faint, illegible text in the middle of the page, likely the main body of the document.

Faint text at the bottom of the page, possibly a signature, date, or footer.

**NATIVE REGISTER
(HAWAIIAN)**

keakea huwa oia iai i keia manawa
no ka mea, aole ia o ka lili o kona aina.

Wailuku }
12 Feb 1847 } Lili

Helu 452 Koiolo

Ma

Aloha olua e ma Lina Hoona:

Ke hooiui utu nei au i kuu kuleana
ia olua. He mau loi kou, a me kou ku-
lanahale. Aia ma Waianani i Wailuku nei.
25 loi a me kula.

Wailuku }
12 Feb 1847 } Koiolo

Helu 453 Kuehelani

Ma

He palapala hoi aku i ke kumu ku-
leana loi a me ke kumu kuleana ma ka
la lili aina keia i keia o Wailuku nei.

Oia ua mai loi me 93 loi ma Kea-
hupio, he wahi kula maoo. Keketahi malu-
la. Penei na aao o ua wahi nei, ma
ka Ohau he wahi katiawai, ma ka Hihina
ke ala hile loa, ma ka Heena ke hae o ka
pahi, a me ke kula o Piako, ma ke
Komohana. Ka auwai, oia ma pali-
ma o ua wahi nei, oia he mahaou
kuleana loi Kahiko mai. He
mau matua mai, Koe o Karaka-

Kahi hoi, a. m. ake ia, hooili mai iai
i kela wahi, 11. loi ma Pehiawawa
he wahi kula kekahi malaila, no
Kailiwa mai ia wahi ou 1 ploi ma
Mokohau, 20 loi ma Ahuana; 2
ma Halaula; 3 ma kekahi Halaula
1 loi ma Kumuwiwili, 70 ma Pae
pee, no Mahune mai ia wahi ou,
nau i noi aku ia ia, haawi mai oia
a iai i kela wahi. Aole mea na
na i kekua mai a hiki i keia la

Wailuku }
6 Feb. 1847 } Na Keiikelani

Kelua 54 Kalipulehu

Feb. 13. 1847

Aloha ma Luna Hoona kumu kuleana
He palapala hoi aku ia ou
i keia kuleana ma Waihee. Ua haawi
mai no o Kaunwai i kela aina non
ia Kuisipuni, o keia aina ia, O ka
makahiki o ka Haku 1838 ia manawa
i noho ai makou ma Waihee, he mahi
ma na Keaka kilohi i kou moho ana
malaila, Aole ai oia aina. Nae no i
mahine me na haumana. A pihai ka
ai, kukuhi i hale kula, i hale moe
cha makahiki kou moho ana ilaha
me na haumana. Na ia haumana
i mahai o ka uku noie o laka i

**NATIVE REGISTER
(ENGLISH)**

wrongly hindered me at this time. This is not the edge of his land.
 Wailuku
 12 Feb. 1847

LIHI

No. 452 Kaiole

Greetings to you two Land Commissioners:

I hereby petition you for my right. I have some taro patches and a
 houselot at Waikani, Wailuku, 25 taro patches and the kula.

Wailuku
 12 Feb. 1847

KAIOLE

✓ No. 453 Kuihelani

Letter telling of the basis of right in the taro patch and the basis
 of right in various lihis and 'iis of Wailuku.

There are 93 taro patches at Keahupio and also an unirrigated kula.
 The description is as follows: on the north, a small stream, on the
 east, the highway, on the south, the edge of the cliff and the kula
 of Puako; on the west, the auwai. Those are the boundaries and that
 place is our taro patch kuleana from my parents from long ago,

Page 175

Kaiakahi remained and upon his death I inherited it. Eleven taro
 patches at Puhiawawa and also a small kula there, this was from
 Kailihiwa. Seven taro patches at Mokuhanu, 20 taro patches at Ahuana,
 2 at Halaula, 2 at another Halaula, 1 taro patch at Kumuwilliwilli,
 70 at Peepee. This place is mine from Mahune -- I asked him and he
 gave me that place. No one has hindered me until today.

Wailuku
 6 Feb. 1847

KUIHELANI

No. 454 Naleipuleho

Feb. 13, 1847

Greetings to the Land Commissioners:

Letter telling of this kuleana at Waihee. Kaauwai gave me that land
 of Kuiopuni. In the year of our Lord, 1836, we lived at Waihee, a
 farm for Keakakilohi. There was no vegetable food on this land. It
 was I who farmed, with the students. When there was food, the school
 house was built and a sleeping house. I lived there four years with
 the students. The students farmed as their compensation

Page 176

to the school teacher, Naleipuleho. The uku is mine too. The bound-
 ary of Kuunakawelu is on the east, a fence is on the north,

NR 453

**NATIVE TESTIMONY
(HAWAIIAN)**

o Malapuleho malaila, a hiki mai i ka M. M.
1802 ka haawi mai o Pauluohi i aina ia ia.
ma Pelekaue i Pehaia ka haawi ana, a e
noho malalo o Kekauluohi, aole malalo o Kaawai
a make o Kekauluohi malalo o honu hope, oia
paha o V. Kamauale

✓ Hele 453 Kūihelani

Koohikīia o Kawailiili ma ka ole ole i Honolulu
Ma ike no au ia wahi a ia nei e hoopii mai nei
o Kūihelani no ka ini aina o Auwae no ka noho
hale, o Auwae ka ini hale o Pūhi no ke
noho hale, a make o Pūhi ili mai ia Kāiokahi
a make o Kāiokahi ili mai no i na kiki,
a aia no ia laua ka wahi i keia wa, Aole
ona mea naha i keakea mai ia Pūhiawawa
a me Mokukau a me Halaula a me Pepee, a
me na kula e ae e pili ana ia ia.

Koohikīia o Ohinui ma ka ole ole a ke Akua
Ma ike no au i ia mea a pau ana i hoopii mai nei,
makela wahi keia wahi ana i Mahiai, a me na
kula nona no, mai Iao a hala i kai, Ma ike no
au, Aole ona mea nona i keakea mai malalo.

Koohikīia o Kapela ma ka ole ole a ke Akua
Ke hoike aku nei au no Pūhiawawa, ke 25
Pai malaila, no Kāiokahi mai ia aina, o na
palena, ke pa aina ma ke Akua, o ke kulana
hale o Kāhale ma na ka Kama, o Kāikani a
ma me Ahuna a me ke alaheloa ma ke Kōm
Ma ana no maua me Bailey ia wahi a laa 16 lha

a ua makelaia 1/3 no Kuikilani a pela no nu
Lai he 70 ia ia, a o ko mana 1/3 Eju no ia
hookahi papakolu, ua hoi aku i ke Aupuni
hookahi papakolu, no ka mea ua make ka
mea nana ia wahi

Hoohihia o Kailiwa ma ka ole a ke Akua
mai no i haawi aku ia Puhiaawa ia lakou
la i wahi mahiai no lakou, a he mau nei
no ia lakou i keia wa, Aole o lakou mea
nana i keakea.

Hele 428 Kaonohimaka From 178 Page

Hoohihia o Kapau ma ka ole a ke Akua
Pia ma Warkani kela wahi a Kaonohimaka
ka o hoopii mai nei, nou aku kona
eha mau Lai, he mau Lai hakiko no ia au
a no Pikanete mai kahi ona, Ua ike pono
no au ia mau Lai ona a ke noho nei no
ia malaila a hiki i keia wa, Aole
ona mea nana i keakea mai

Hele 457 Kawaiilii

Hoohihia o Ohuni ma ka ole a ke Akua
Lia no ma Wailuku nei keia mau mea a
Kawaiilii i hoopii mai nei, aia ona Pua-
ka, mai kona mau mahu mai no kela
wahi, mai ka wa mai no o Kuikilani
a hiki i keia la, he hale no kahi ona
malaila, Aole no hoi he mea nana
i keakea ia ia a hiki mai i keia la

**NATIVE TESTIMONY
(ENGLISH)**

Kaili sworn by the Bible:

I have seen the place that Nalaipuleho is claiming which is in Waihee named Kukuioipuni. Nalaipuleho had received his (interest) from Z. Kaauwai. Kaauwai had lived there by reason of the right from Hoapili. Nalaipuleho began to live there in the year 1836. The land formerly was a plain without any plants, so Nalaipuleho worked on the land with students. There was a school house there and a sleeping house too which Nalaipuleho still has at this time. The place is overgrown with weeds but the school house still remains at the present time.

Napela sworn by the Bible:

N. (Nalaipuleho) lived there in the year 1837. Kaauwai had given that place to him and the boundaries are on the north is Punahawele, on the south is Pohanokama and on the west is Halepaka. Nalaipuleho

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did cultivation there until the year 1842, Kauluohi gave him land at Pelekane in Lahaina and living was under Kekauluohi instead of Kaauwai. After Kekauluohi's death, living would then be under her successor V. Kamamalu perhaps.

No. 543 - KuihelaniKawailiilii sworn by the Word of God:

I have seen that place this person here is claiming. Kuihelani was the property seeker and Auwae was the possessor of the property. Auwae sought inheritance for the children while Puhi had possession of the property. When Puhi died Kaiakahi became the heir and when Kaiakahi died the children were the heirs, and they (two) have the farming of the land at this time. No one has objected to him for Puhiawawa, Mokuhaui, Halaula, Pepee and the other fields which are adjacent to him (his fields).

Ohunui sworn by the Word of God:

I have known about all of the things he is claiming on that place and this place which he has cultivated and the fields are for him too, from Iao and going further toward the sea. I have known that no one has objected to him there.

Napela sworn by the Bible:

I am reporting about Puhanaawawa. There are 25 patches there and this land was from Kailihiwa with the boundaries as a property is on the north, Kahale's houses are on the south, Waikani, Ahuena and the distant pathway are on the west side. Bailey and I had surveyed that place

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and found 64 acres and it was divided thus, 1/3 [of land] besides 70 patches were for Kuihelani and of our 2/3 [of land], 1/3 of it is with me and 1/3 has been returned to the government because the person who had owned the land is dead.

NT 453

I am the one who have given Puhiawawa for farming to those people and they still have it at this time, no one has objected to them.

No. 428 - Kaonohimaka From pg. 178

Kapau sworn by the Word of God:

That place that Kaonohimaka is claiming is at Waikani. The two patches which he has are from me. The two patches which he has are from me. They were my two old patches. Pikanele had given him his land. I have personally seen those patches and he has been living there until the present time, no one has objected.

No. 457 - Kawailiilii

Opunui sworn by the Word of God:

These things that Kawailiilii are claiming are in Wailuku at Puako. That place is from his parents, from the time of Kuihelani to the present time and he has a house there too. No one has objected to him to this day.

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Kahoohuwa sworn by the Word of God:

I have seen that place which is at Puako and is an ili for Wailuku here. The land is from his (Kawailiili) parents who had received it from Kuihelani I and he is living at that place at this time and no one has objected to him. He also has a fence there.

No. 462 - Mahuka

Wahinealii sworn by the Bible:

I have seen the place that Mahuka is claiming which is in Waikapu. Kaloapelu is the name of the ili. There are 6 patches at Kaopala. He had received those patches in the year 1840 and in 1844 he received Kaloapelu.

There were servants there previously and they lived under Mahuka and the patches were taken away at this time in the year 1846. Haa had received it from Kaa'i leaving 10 remaining patches for Mahuka. Mahuka's problem probably did not end with those patches. He has four children; therefore, Mahuka requested the return of those lands to him just as he had them initially.

A testimony for Mahuka has been postponed until Monday when work will be resumed. Sec pg. 187

No. 473 - Kanekoa

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Peahi sworn by the Word of God:

Kanekoa's interests are at Kauluhala and Nehe. There is a house site at Nehe and he had received his right from Kekumaewa which was an old place for

MIT 453 (cont)

Water Related Terms for Various Land Commission Awards in Waialuku

LCA	RP	Awardee	Water Terms cited in Metes and Bounds Description
406 Ap1	5376	Napela	This award contains many lo'i maloo (dry taro) patches
453 Ap 1,2	997	Kuihelani	Ap 1 is bounded by a Poalima and Ap 2 is the site of lo'i(taro patches)
2434	6397	Kahooke	A Poalima (ajii' taro patch) cited as a boundary
2436 Ap 1,2,3	2009	Kahaiki	All 3 Apana are identified as kalo (taro) lots and Apana 2 cites an auwai (ditch)
2495 Ap 1,2,3,4	7790	Kaiaholokuaau	A Poalima sits within Apana 4
2502 Ap 1,3	5973	Ihumai	Apana 1 & 3 are kalo (taro) lots and an auwai runs through Ap 3
2503 Ap 2	3652	Ohule	Apana 2 is a kalo (taro) and house lot bounded by a Poalima
2533 Ap 1	6529 & 6437	Malaihi	Apana 1 is an aina kalo (taro land) bounded by a Poalima
3225	6298	Opunui	A Kahawai (stream) and 2 Poalima lie within this parcel that is bounded by an auwa
3237 Ap 3	6888	Hewahewa	A Poalima is surrounded by this parcel bounded by an auwai (ditch)
3275E	5154	Kaleo	Parcels 1 & 4 contain a kahawai (stream) and Poalima
3292		Mua	Identified as a kalo (taro) lot containing auwai (ditch) and Poalima
3294B Ap1M1 & M2, Ap; 6102		Moomooliki	Ap1 M1, Ap 1M2, Ap2 all identified as kalo (taro) lots with an auwai adjoining
3330	4424 & 4622	Lonohiwa	A kalo (taro) lot with an auwai adjoining
3335	7774	Naonohi	Identified as a kalo (taro) lot containing auwai (ditch)
3387	6065	Pooliliii	Award identified as having 9 lo'i (taro patches)
3388	6101	Paiwi	A kalo (taro) lot with an auwai adjoining
4461 Ap 1,2	6630	Kawaa	Both parcels identified as kalo (taro) lots

Appendix [unclear] [unclear]

10	18' 3/4	No	12 87	th [unclear] [unclear]
11	21' 1/2	No	12 77	"
12	28' 1/2	No	12 71	"
13	30' 3/4	No	12 50	"
14	18'	No	12 40	"
15	27'	No	12 34	"
16	26' 1/2	No	12 27	"
17	23' 1/2	No	12 29	"
18	18'	No	12 19	"
19	31' 3/4	No	12 38	"
20	24' 1/2	No	12 64	"
21	16' 1/4	No	12 8	"
22	39' 3/4	No	12 47	"
23	10' 3/4	No	12 49	"
24	25' 1/2	No	12 55	"
25	29' 1/2	No	12 90	"
26	22' 1/2	No	12 89	"
27	10'	No	12 30	"
28	23'	No	12 66	"

546 1/2 W 2-87 chains along the Poalima

N 60 1/2° E 68 chains along the Poalima

Taromani → alii taro patch.

Taromani → alii taro patch

Taro patch in the ili of Puhiauaawa.

Appendix [unclear] [unclear]

10	17'	No	12 13	th [unclear] [unclear]
11	7 1/2'	No	12 13	"
12	7 1/2'	No	12 43	"
13	7 1/2'	No	12 11	"
14	17'	No	12 12	"

Appendix [unclear] [unclear]

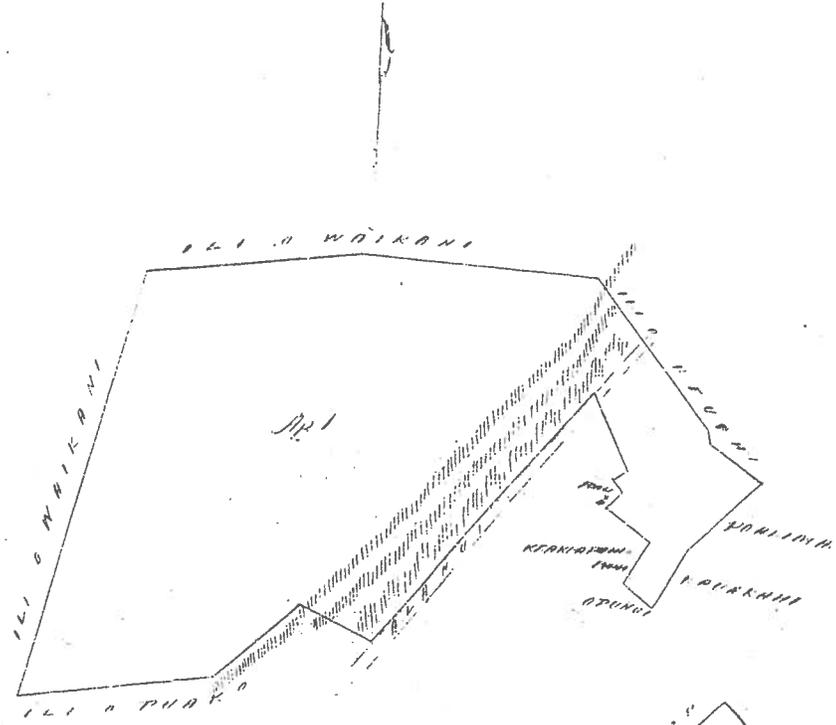
10	20'	No	12 14	th [unclear] [unclear]
11	16' 1/2	No	12 14	"
12	37'	No	12 17	"
13	7 1/2'	No	12 90	"

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LLA 453:1,2

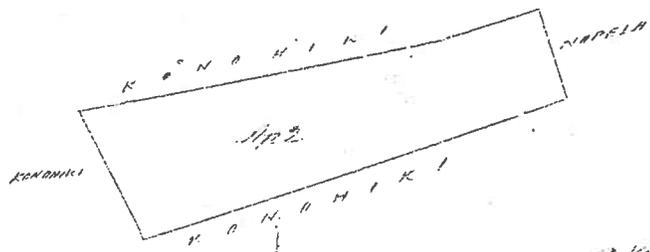
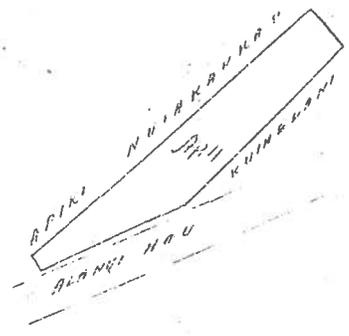
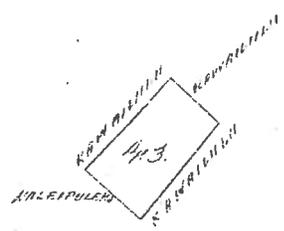
Ok. 148° 40' N. 6. 1. 6' S. 1/2 m. a. Miki - Niakankani
a kiko ma ke kiko ma. - 38 pro C. k. a.

C. Bailey Measurement

Wardlaw Amman 7. 1854.



1/4 K. 1. 4.



2 1/2 K. 1. 1. 1.

Wardlaw Amman

8. 08

W. L. Lee
 G. M. Robertson
 J. B. Kaulahoa
 J. H. Smith

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Donna H. Yamamoto
Danielle Degele-Mathews
Jerilynn Ono Hall
Edward R. Brooks

April 27, 2012

Department of Land and Natural Resources
Commission on Water Resource Management
Attention: Robert Chong
Kalanimoku Building, Room 227
1151 Punchbowl Street
Honolulu, Hawaii 96813

2012 APR 27 AM 10:37
COMMUNICATIONS SECTION
PROPERTY

Re: Wailuku Country Estates Irrigation Company and the Wailuku Country Estates Community Association, Inc.

Appurtenant Rights Determination in Na Wai Eha Surface Water Management Areas (Waihee, Waiehu, Iao and Waikapu Streams)

Dear Ladies and Gentlemen:

This firm represents the Wailuku Country Estates Irrigation Company ("WCEIC") and the Wailuku Country Estates Community Association, Inc. ("WCECA") in connection with their applications that were submitted to the Commission for existing and new water uses.

This letter is in response to the water commission's letter dated February 21, 2012, regarding the water commission's review and comments to the information we submitted for appurtenant right claims (for TMK: (2) 3-2-002: various) except with respect to the following which the water commission found to support WCEIC's and WCECA's appurtenant right claims:

1. LCA 2533:1 and RP 6529 (appurtenant right claim documented for Ap 1).
2. LCA 3225 and RP 6298 & 6458 (appurtenant right claim documented).
3. LCA 3292 (appurtenant right claim documented).
4. LCA 3330 and RP 4424, 4622 (appurtenant right claim documented).
5. LCA 3335 and RP 7774 (appurtenant right claim documented).
6. LCA 3387 and RP 6065 (appurtenant right claim documented).
7. LCA 3388 and RP 6101 (appurtenant right claim documented).

Department of Land and Natural Resources
Commission on Water Resource Management
Attention: Robert Chong
April 27, 2012
Page 2

Please see the attached chart with our responses to the water commission's February 21, 2012 letter. In addition, we would like to add the following which explains our responses to the water commission's comments that there were no references to water use in some of the Royal Patents ("RP") and Land Commission Awards ("LCA") in WCEIC's/WCECA's application. In short, implicit in a LCA and RP is the appurtenant right to water. Since the LCA and RP were required to be in literal agreement with the other, reference to water use in either one means that there was a reference to water use in the other.

Further, as explained below, since the form of the RP required description by metes and bounds only, reference to water use may not be in the RP. This should hold true for LCAs as well. Consequently, testimony at the time of application (which we submitted) should weight in on whether the lands were being cultivated at that time.

Background

In 1845, the Board of Land Commissioners to quiet land titles was formed. It was the Land Commission's responsibility to ascertain or reject claims of interest in land brought before it. The Board was not empowered to grant fee simple title to land. Its duty was to determine each applicant's identifiable interests in land and issue an award describing those interests. *Public Access Shoreline Hawaii v. Hawaii County Planning Commission*, 79 Haw. 425, 445, 903 P.2d 1246, 1266 (1995) ("*PASH*"); *Application of Elizabeth Cockett Robinson*, 49 Haw. 429, 434, 421 P.2d 570, 574 (1966) (the Land Commission Award is a determination of a right to a patent). Actual title to land could be gained only by a payment of commutation to the Kingdom and issuance of a royal patent. *PASH*, 79 Haw. at 445, 903 P.2d at 1266; *Omerod v. Heirs of Kainoa Kupuna Kaheananui*, 116 Haw. 239, 247, 172 P.3d 983, 991 (2007) (citing *PASH*).

After the Land Commission entered a LCA, the Minister of Interior could issue a RP after the awardee paid a commutation fee. In essence, a RP was a quitclaim of the government's interest in the land. *Id.*; *Brunz v. Mott Smith*, 3 Haw. 783, 1877 WL 7569 (1877) (the effect of a patent is to relinquish the government's interest in the area described therein unto the original awardee). In summary, neither the LCA nor RP was required to show the use of the land.

Additional Responses to Water Commission's Comments

Form of RP required metes and bounds

The water commission commented that there were no references to water use in some of the LCA's and/or RP's in WCEIC's/WCECA's application. However, this should not be determinable on the issue of water use or cultivation on the lands since they were only required to show the lands' metes and bounds.

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The form of all RPs were required to describe the land therein by metes and bounds or by natural boundaries. In order to obtain a RP and obtain fee simple ownership of land conveyed during the Mahele, an awardee needed to present a Boundary Commission judgment describing his or her land by metes and bounds. *Id.*; *Greenwell v. Paris*, 6 Haw. 315, 1882 WL 7783 (1882) (The object of the boundary commissioner is to enable parties to obtain such Royal Patents defining their lands by metes and bounds); *See Application of Elizabeth Cockett Robinson*, 49 Haw. 429, 421 P.2d 570 (1966) (the form of all Royal Patents shall describe the land by actual survey or by natural boundaries as the case may be).

There were some instances where the water commission noted references to water use in the LCA but not in the RP, and vice versa. However, the metes, bounds and description of the survey in the petition must be in literal agreement with the award. *Brunz*, 3 Haw. 783, 1877 WL 7569 (1877). Consequently, if water use is referenced in either the LCA or the RP it should apply equally to the other.

Testimony Regarding Water Use

We note that the water commission did not comment on the testimony submitted and so are unsure on the water commission's position regarding the same. Since neither the LCA nor RP can be relied upon to reference water use (since metes and bounds only were required in them), testimony by applicants and others at the time of application should weigh equally in on the question. Furthermore, by virtue of the lands being Kuleana lands, the use of water thereon is implied. In this regard, the first six sections of the Kuleana Act enabled the common people of Hawaii to secure fee simple title to the **lands they actually cultivated**. The seventh section contained the rights that were to accompany a commoner's tenancy. *Reppun v. Board of Water Supply*, 65 Haw. 531, 549, 656 P.2d 57, 69 (1982).

Generally, the conveyance of land, confirmed by a LCA and/or when the RP was issued based on such award, **carried with it the appurtenant right to water** for taro growing. *McBryde Sugar Company, Limited v. Robinson*, 54 Haw. 174, 188, 504 P.2d 1330, 1339 (1973); *See also Maikai v. Hasings & Co.*, 5 Haw. 133, 1884 WL 6659 (1884) (Holders of Kuleanas are entitled to water for irrigation purposes from the stream in the land which their Kuleanas are situated.) Unlike riparian rights, appurtenant water rights are incidents of land ownership. This includes the water on their lands and all the water which the lands had enjoyed from time immemorial. *Reppun*, 65 Haw. at 551, 656 P.2d at 70.

We are also enclosing the following documents that respond to the Commission's various comments:

1. File Plan - regarding location of the various apanas.
2. Enlargement of File Plan re LCA 4452:9, RP 7302.
3. Index re LCA 3237.

4. Land Patent No. S-8536 re LCA 3237:3 issued in 1960.
5. Copy of RP 6102

We trust our responses satisfies the Commission's comments. Please do not hesitate to advise the undersigned if you have any questions. Thank you for your consideration in this matter.

Very truly yours,

TOM QUITIQUIT CHEE WATTS &
YAMAMOTO, LLP



Donna H. Yamamoto

Enclosures

cc: client

**WAILUKU COUNTRY ESTATES IRRIGATION COMPANY
and the WAILUKU COUNTRY ESTATES COMMUNITY ASSOCIATION, INC.**

Document	Commission Comment	WCEI/WCECA Comment
LCA 377	Appurtenant right claim documented for “cultivated” and “kuleana” land.	The description of the land in the LCA and the RP are the same. Consequently, both LCA and RP document the appurtenant right claim.
RP 5366	Appurtenant right claim documented	
LCA 406:1	11 Apana are listed. No specific ref to water use for Ap 1. Further documentation required for Ap1. NR, NT, and FT refer to loi, taro, sugar cane and potato patches but do not specify which apana.	The LCA states: “There are many dry taro lots in the ili of Puhiaawaawa.” Puhiaawaawa is apana 1. Consequently, appurtenant right is documented for apana 1. See the following that references “Puhiaawaawa: 1. English translation 2. native register (English) that “some taro patches are at Puhiaawaawa...” 3. native testimony (English) by Kuihelani: “There is a patch and a field at Puhiaawaawa...”, by Kailihiwa: “There is a field and patches at Puhiaawaawa...”
RP 5376	No ref to water use.	As well, the RP says that the land is in Puhiaawaawa. This should be tied in to the LCA that says there are many dry taro lots in the ili of Puhiaawaawa.
LCA 453: 1 & 2	Appurtenant right claim documented.	

RP 997	RP refers to LCA 3572. No ref to water use.	The File Plan refers to RP 997 (which we submitted for your reference only). However, we believe RP “997” is a typo on the File Plan (the “1” is missing) and RP “1997” is correct because RP 1997 cites LCA 453. Furthermore, RP 1997 mirrors the description in LCA 453 and as such documents the appurtenant right claim. Also, the register references taro patches and the native testimony references patches and farming.
LCA 2434 & 2435	LCA 2434 & 2435 are not shown on survey or TMK maps. Documentation provided for LCA 2435 but 2435 is crossed out. NR, NT, FT documentation provided for LCA 2434.	<p>There appears to be two (2) LCA 2435's. One was issued to Kaakole (a copy was submitted) and the other was issued to Kahooke (a copy was submitted). The RP 6397 also states Kuleana Helu 2435 to Kahooke. However, we believe the LCA and RP for Kahooke showing 2435 are typos (and should be 2434) because the register and testimony for Kahooke (property in Wailuku) is numbered 2434 while the property for Kaakole (2435) is in Kapunakea. A poalima is referenced in the LCA for Kahooke. The register for 2434 refers to loi's and the native testimony refers to taro and 3 po'alimas and the foreign testimony references kalo and 3 poalimas on the property.</p> <p>See File Plan (LCA 2435 indicated below Lot 69)</p> <p><u>NOTE: all LCA's that were commented as not located are shown highlighted on the File Plan.</u></p>
RP 6397	RP ref to LCA 2435.	See above. A poalima is also referenced in the RP. The description of the land mirrors the LCA.

LCA 2436:1, 2 &3	Appurtenant right claim documented for Ap 2. Survey map only shows Ap 2 but not Ap 1 or 3	LCA shows that all 3 apanas are identified as kalo (taro) lots and Apana 2 cites an auwai (ditch). See translation of LCA into English that was submitted. The register also refers to loi's and the native and foreign testimonies refer to loi's and kalo. The LCA, RP, testimony and register all cite the same areas of Pohakukupuku, Holu and Waikani See File Plan Map (Apana 1 is indicated on Lot 43; Apana 3 is indicated on Lot 120)
RP 2009	Appurtenant right claim documented for Ap 2. Survey map only shows Ap 2 but does not show Ap 1 or 3.	The RP mirrors the LCA that shows all 3 apanas identified as kalo lots.
LCA 2495:1, 2, 3 & 4	Appurtenant right claim documented for Ap 1. TMK map only shows Ap 1 but does not show Ap 2-4.	Apana 4 contains a poalima Alii taro patch (see translation into English that was submitted and drawing of apana 4 in LCA with poalima drawn in). See register, native and foreign testimonies that references taro land/taro moo at Pohakupuku (apana 1 & 2) and Puuokala (apana 3) and poalima (apana 4). See File Plan (Apana 2 is indicated on Lot 43; Apana 3 is indicated on Lot 43; Apana 4 is indicated across Lots 37 and 44)
RP 7790	No ref to water use for Ap 1.	The land description in the RP and LCA are the same and the comment as to LCA 2495 applies here.

LCA 2502: 1 & 3	Appurtenant right claim documented for Ap 2 & 3	See English translation of LCA indicating water use for Apana 1 & 3 which are both taro lots and an auwai runs through Apana 3. See also the register (reference to loi) and native testimony (reference to taro (apana 1 & 3) & poalima (apana 3) and foreign testimony (reference to loi's (apana 1 & 3) and poalima (apana 3))
RP 5973	Appurtenant right claim documented for Ap 2 & 3	The description of the land in the RP mirrors the LCA.
LCA 2503: 2	LCA is not shown on TMK. Ref to kalo and pahale	See File Plan (LCA 2503:2 is indicated on Lot 12 of the North Iao Village)
RP 3652	RP is for LCA 2502	RP 3652 cites LCA 2502. However, we believe it is a typo because the description in RP 3652 is exactly the same as in LCA 2503. Consequently, both reference water use. Further, both RP 3652 and LCA 2503 are to Ohule. The LCA and RP references poalimas, the register references lois, native testimony references taro and poalimas and foreign testimony references kalo and poalima.
LCA 3237: 3	Appurtenant right claim documented.	

RP 6888	No ref to water use	<p>The purpose of the RP was to quitclaim the government's interest in the property and to contain metes and bounds description. Consequently, reference to water use would not necessarily be in the RP. The register references lois, native testimony references taro land, taro loi, taro pauku and foreign testimony references lois.</p> <p>Royal Patent 6888 is indicated in the Index for LCA 3237 but it is land in Kalihi, Oahu. Before 1960, no RP was issued. The RP was issued in 1960 and only shows metes and bounds. A copy is attached.</p>
LCA 3275-E: 3,4,6	Appurtenant right claim documented	
RP 5154	No ref to water use	<p>The description of the land in RP is the same as in LCA 3275-E and thus, appurtenant right claim was documented in the RP as well. Native testimony references taro patches (apana 3), taro pauku (apana 4 & 6) and foreign testimony references lois (apana 3, 4 & 6).</p>
LCA 3294-B: 2; LCA 3294-B:1, M1; LCA 3294-B- 1, M2	Appurtenant right claim documented	

RP 6102	No ref to water use.	RP tracks LCA and references kalo. Appurtenant right contained in LCA is in RP. Enclosed is a clearer copy of RP 6102. The native testimony references taro land and taro moo (cultivated piece of land) and foreign testimony references moo of kalo.
LCA 3488	Appurtenant right claim documented.	
RP 5289	No ref to water use.	The RP notes the land is "Aina Kalo". The register references 127 loi's, native testimony references taro and poalimas and foreign testimony references kalo land and poalimas,
LCA 3498	Appurtenant right claim documented.	
RP 7432	No ref to water	Reference to "kalo" is contained in both the LCA and RP. The description in the RP and the LCA are exactly the same. Consequently, both LCA and RP refer to water use. The register references taro.
LCA 4452:9	LCA is not shown on TMK map. No ref to Ap. 9.	Reference to "Apana 9" appears on the LCA under the words "Helu 4452" See File Plan (LCA 4452 is shown on the enclosed 8 ½ x 11 map)

RP 7302	No ref to water use	RP evidenced the government's quitclaim of its interest in the property and the RP was only required to contain the metes and bounds of the property.
LCA 4461:1 & 2	LCA is not shown on TMK MAP. Ref to kalo and moo kalo.	See File Plan (Apana 2 is indicated across Lots 30 and 31; Apana 2 is indicated on Lot 32).
RP 6630	Ref to kalo and moo kalo.	RP references kalo moo and mirrors the LCA. Also, native testimony references taro moo.