

**POHAKULEPO RECYCLING, LLC**

P.O. Box 262  
Puunene, Maui, Hawaii 96784

Telephone: (808) 986-1104

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RECEIVED  
COMMISSION ON WATER  
RESOURCE MANAGEMENT

DATE	April 23, 2009	2009 APR 24 AM 10:14
RE	SWUPA -E	

TO Commission on Water Resource Management  
P.O. Box 621  
Honolulu, Hawaii 96809

ATTENTION: \_\_\_\_\_

WE ARE SENDING YOU the following (X) items:

- |  |   |   |  |
|--|---|---|--|
| <input type="checkbox"/> Reports           | <input type="checkbox"/> Prints           | <input type="checkbox"/> Sepias           | <input type="checkbox"/> Change Proposal       |
| <input type="checkbox"/> Certified Payroll | <input type="checkbox"/> Change Order     | <input type="checkbox"/> Samples          | <input type="checkbox"/> Revision Control      |
| <input type="checkbox"/> Specifications    | <input type="checkbox"/> Progress Payment | <input checked="" type="checkbox"/> Other | <input type="checkbox"/> Clarification Request |

COPIES	DATE	NO.	DESCRIPTION
1			Original Form SWUPA-E w/ attachments
15			Copies of Form SWUPA-E w/ attachments
1			\$25.00 Filing Fee

THESE ARE TRANSMITTED as checked below:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> For Approval     | <input type="checkbox"/> Approved as submitted                   |
| <input type="checkbox"/> For your use                | <input type="checkbox"/> Approved as noted                       |
| <input type="checkbox"/> As requested                | <input type="checkbox"/> Returned for corrections                |
| <input type="checkbox"/> For review and comment      | <input type="checkbox"/> Resubmit _____ copies for approval      |
| <input type="checkbox"/> From Subcontractor/Supplier | <input type="checkbox"/> Submit _____ copies for distribution    |
| <input type="checkbox"/> For Bids due                | <input type="checkbox"/> Plans & Specs returned after loan to us |
| <input type="checkbox"/> Other: _____                |  |

REMARKS \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COPIES: file

SIGNED:   
Ronald Jacintho

If enclosures are not as noted, please contact our office.



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

APPLICATION FOR SURFACE WATER USE PERMIT
FOR EXISTING USE IN THE NA WAI EHA, MAUI, SURFACE WATER
MANAGEMENT AREAS

FORM SWUPA-E (NA WAI EHA, MAUI)

For Official Use Only:
RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT
2009 APR 24 AM 10:14
Event ID:

For detailed instructions on filling out this application, refer to the attached instructions.

APPLICANT INFORMATION: Note: In accordance with §174C-51(1)(B), HRS, In the event a lessee, licensee, developer, or any other person with a terminable interest or estate in the land, which is the water source of the permitted water, applies for a water permit, the landowner shall also be stated as a joint applicant for the water permit.

1. APPLICANT'S NAME: Pohakulepo Recycling, LLC; Applicant's Contact: Ronald Jacintho; 2. SOURCE LANDOWNER'S NAME: Wailuku Water Company; Source Landowner's Contact: Clayton Suzuki; Applicant's Mailing Address: P.O. Box 262, Puunene, HI 96784; Source Landowner's Mailing Address: 255 East Waiko Road, Wailuku, HI 96793; Applicant's Phone, Fax, E-mail; Source Landowner's Phone, Fax, E-mail.

EXISTING SOURCE INFORMATION

The following must be attached before this application is accepted as complete:
• Portion of 7.5-Minute Series USGS topographic map (scale 1:24,000) labeled with stream and diversion locations and quad map name.
• Property Tax Map Key (TMK), showing stream or diversion location, and location of water use referenced to established property boundaries.
• Photograph(s) of the surface water diversion works and end use.

3. SURFACE WATER HYDROLOGIC UNIT AND CODE: [X] Waihee/6022 [X] Waiehu/6023 [X] Iao/6024 [X] Waikapu/6001

4. DIVERSION LOCATION: Choose the appropriate category and enter information in either 4a or 4b.
4a. TMK OF STREAM DIVERSION LOCATION: Zone Sector Plat Parcel
4b. TMK OF DITCH DIVERSION LOCATION: Zone Sector Plat Parcel

5. STREAM DIVERSION: How is water diverted from the stream to your property? Check all that apply.
[X] Pipe [ ] Pump [X] Ditch/auwai [X] Other Describe: Reservoir
Is the diverted water returned to the stream or ditch? [ ] Yes. [X] No. If yes, how much water is returned?

6. FLOW MEASUREMENT INFORMATION:
Does the stream diversion have a flowmeter with totalizer or other device to measure diverted amounts?
[X] Yes. Enter the installation date: Waihee Ditch/6022 Installed 1907, The Rest Are Unknown
Describe the device and enter measured amounts in Table 1. See The Stream Diversions And Gauging List
[X] No. Explain how you are measuring flow to justify amounts shown in Table 1 in the space below
Two inch, Badger, #32996179 & Ten inch, McCrometer, #05-08364 Water Meter Installed 3/2004

EXISTING USER INFORMATION

7. APPURTENANT RIGHT: Do you claim an appurtenant right for your water use? [ ] Yes [X] No
If yes, has the appurtenant right been established by the courts or the Commission? [ ] Yes [ ] No

8. END USER INFORMATION: Are you an end user on an existing water system? [X] Yes [ ] No
If yes, who is the operator of the water system? Wailuku Water Company

9. REGISTRATION AND DECLARATION OF WATER USE: Do you have a Registration and Declaration of Water Use with the Commission?
[ ] Yes. List the file reference name(s):
[X] No

10. STREAM DIVERSION WORKS PERMIT (SDWP):
Have you ever been issued a SDWP by the Commission?
[ ] Yes. List the permit number(s):
[X] No

NOTE: Signing below indicates that the signatories understand and affirm that the information provided on this application is accurate and true to the best of their knowledge. Furthermore, the signatories understand that: 1) if necessary, further information may be required before the application is considered complete; 2) if a water use permit is granted by the Commission, this permit will be subject, but not limited, to any existing legal uses, changes in sustainable yields and instream flow standards, Hawaiian Home Lands uses, and any other conditions imposed by the Commission; and 3) the applicant is responsible for paying the required public notice fees associated with this application.

11. APPLICANT: Signature: Ronald Jacintho; Print: Ronald Jacintho; Date: 4/22/09; 12. SOURCE LANDOWNER: Signature: ; Print: ; Date: ;

**SURFACE WATER USE PERMIT APPLICATION  
EXISTING USE (NA WAI EHA, MAUI)**

**TABLE 1: 12-MONTH AVERAGE DAILY USE**  
**Measured or Calculated Use of Water at the Source: (Check one)  Stream  Ditch  Auwai**  
**As of the Effective Date of Designation, April 30, 2008**

MONTH / YEAR	AVERAGE DAILY USE FOR THE MONTH IN GALLONS PER DAY (GPD)	Check one item per box				OTHER Please describe
		METERED	ESTIMATED	ACTIVE BUT UNKNOWN	INACTIVE	
May 2007	18,648	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
June 2007	16,320	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
July 2007	7,832	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
August 2007	13,406	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
September 2007	9,763	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
October 2007	18,571	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
November 2007	9,530	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
December 2007	1,319	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
January 2008	6,523	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
February 2008	448	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
March 2008	0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
April 2008	300	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>SUM OF AVERAGE DAILY USE FOR THE MONTH</b>	102,662					<b>GPD</b>
<b>AVERAGE DAILY USE (Average of the above)</b>	8,555					<b>GPD</b>

**SURFACE WATER USE PERMIT APPLICATION  
EXISTING USE (NA WAI EHA, MAUI)**

**TABLE 2: LAND USE CONSISTENCY/EFFICIENCY**  
(Attach additional copies of Table 2 if necessary)

LAND USE CONSISTENCY						EFFICIENCY OF USE			
1. PURPOSE / WATER USE CATEGORY	2. USE TMK ATTACH THE FOLLOWING: • Property tax map, showing use location in reference to established property boundaries • Photograph of the area of use	3. STATE LAND USE DISTRICT	4. CDUP REQ'D Enter either: Yes and Date approved, or Yes and not acquired, or No	5. COUNTY ZONING CODE	6. SMAP REQ'D Enter either: Yes and Date approved, or Yes and not acquired, or No	7. REQUESTED QUANTITY OF USE Gallons per Day (GPD)	8. SUB-METERED? (Yes or No)	9. UNITS OR NET ACREAGE	10. APPLICANT'S JUSTIFICATION FOR REQUESTED QUANTITY OF USE FOR ITEM 7. If applicable, attach sheets to show how this number was calculated. For irrigation uses, fill in Table 3.
<b>Uses that require potable (drinking) water</b>									
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
<b>TOTAL POTABLE USE</b>							<b>GPD</b>		
<b>Uses that do not require potable water</b>									
INDMI	3 - 6 - 04 : 007 Zone      Sector      Plat      Parcel	SUP	N	Ag	Y 1997	4,277	Y	0.1 Ac	Based on estimated average usage for crushing operation
INDMI	3 - 6 - 04 : 007 Zone      Sector      Plat      Parcel	SUP	N	Ag	Y 1997	4,278	Y	14.8 Ac	Based on estimated average usage for dust control
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
<b>TOTAL NON-POTABLE USE</b>						8,555	<b>GPD</b>		
<b>TOTAL USE REQUESTED</b> (Sum of Total Potable Use and Total Non-Potable Use above) =						8,555	<b>GPD</b>		
If total use requested is not equal to the total monthly average in Table 1, please explain.									
In accordance with §174C-51(5), please explain if there are any limitations (legal, contractual, etc.) on the use(s) of water described above.									

**SURFACE WATER USE PERMIT APPLICATION  
EXISTING USE (NA WAI EHA, MAUI)**

**TABLE 3: IRRIGATION INFORMATION**

List all crops as separate line items and include landscape and golf course irrigation, grown in the 12 months prior to April 30, 2008. Attach additional copies of Table 3 if necessary.

1. USE TAX MAP KEY (TMK) Attach map outlining area and photo.	2. CROP	3. TOTAL ACREAGE	4. NET IRRIGATED ACREAGE	5. BEGIN ROWTH PERIOD (Month)	6. END GROWTH PERIOD (Month)	7. IRRIGATION SYSTEM (Refer to instructions.)	8. IRRIGATION PRACTICE (Refer to instructions.)
3 - 6 - 04 : 007 Zone Sector Plat Parcel	Rock Crushing (lubricant, binder, coolant) for Rock Quarry Operation	0.1	0.1	May	April	Other - multiple sprinkler heads	Other - spraying of water into rock crusher Monday - Friday 7AM-4PM
3 - 6 - 04 : 007 Zone Sector Plat Parcel	Dust Control for Rock Quarry Operation	14.8	14.8	May	April	Other - multiple sprinkler heads and impact heads	Other - spraying of water during rock production Monday -Friday 7AM-4PM
- - - : Zone Sector Plat Parcel							Please see attached additional comments
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							
- - - : Zone Sector Plat Parcel							

## **FORM SWUPA-E (NA WAI EHA, MAUI)**

### **TABLE 3 – IRRIGATION INFORMATION**

#### **ADDITIONAL COMMENTS**

The quarry operation uses water in all phases of rock production. The rock is mined (excavated) from the quarry slope, segregated and hauled to the crusher. Water is used to control dust during the mining and hauling of the rock. Water is fed into the crusher to bind the fine particles to the larger particles, “lubricate” the crushing jaws, and mitigate heat generation.

The processed rock is then conveyed into various stockpiles depending on product size, gradation and composition. Additional water is used to control dust as the products dry out in the stockpiles.

Water is also used to control dust on the haul roads and the areas around the stockpiles and processing area.

Water consumption is approximately evenly split between the crushing operation and the various dust controls.

The quarry output varies from 100 tons to 1000 tons per day depending on consumer requirements. During maximum crushing production the water usage amounts to approximately 4 gallons per ton of processed aggregate.

The water is supplied by a 12 inch buried pipeline from Wailuku Water Co.’s reservoir to the quarry site. At the site the water is distributed to the various operations by smaller diameter under and above ground piping. This water system also includes fire protection with various fire hydrants and spigots throughout the site.

**SURFACE WATER USE PERMIT APPLICATION  
EXISTING USE (NA WAI EHA, MAUI)**

**TABLE 4: ALTERNATIVES ANALYSIS**

	<b>Potable Alternatives</b> Attach additional sheets if necessary.	<b>Non-Potable Alternatives</b> Attach additional sheets if necessary.
Municipal sources	Wailuku Water Company use of municipal water for customers is cost prohibitive	Water for non potable use is not available from the municipal source
Wastewater reuse	The Kahului Wastewater Treatment plant has no feeder lines in the area, the cost to install a distribution line from the treatment plant to Wailuku's Ditch System is cost prohibitive	The Kahului Wastewater Treatment plant has no feeder lines in the area, the cost to install a distribution line from the treatment plant to Wailuku's Ditch System is cost prohibitive
Ditch system	There are no other ditch system available	There are no other ditch system available
Desalinization	There are no Desalinization plants on Maui	There are no Desalinization plants on Maui
Ground water	Pumping of ground water is cost prohibitive	Pumping of ground water is cost prohibitive
Other (specify)	Storm Water reclamation has no facilities as of this date	Storm Water reclamation has no facilities as of this date

**PUBLIC INTEREST**

§174C-2(c) states that: *The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation. Such objectives are declared to be in the public interest.*

Explain below how the uses in your application are consistent with the public interest as described above. Attach additional sheets if necessary.

The water is used for the mining and crushing operations to extract the existing rock within the quarry site and process it into aggregate of various sizes for use in the construction industry. The water serves as the cohesive binder in the crushing operation, and serves to control dust and particle migration from the site to mitigate any negative environmental impact. The rock products are used to build roadways, highways, utility installations, commercial and residential property developments, parking lots, and erosion control measures. Dust control is required by the Special Use Permit. Dust control is also part of the best management practices employed at the quarry site to minimize pollution and protect the environment.

# SURFACE WATER USE PERMIT APPLICATION EXISTING USE (NA WAI EHA, MAUI)

## INSTRUCTIONS FOR FILLING OUT FORM SWUPA-E

This application form is to be used for actual existing uses as of the effective date of designation, April 30, 2008, for the Na Wai Eha Surface Water Management Areas. Based on the State Water Code, Section 174C, Part IV Regulation of Water Use, a completed application must be filed with the Commission on Water Resource Management (CWRM) no later than **April 30, 2009**, to qualify as an existing use. Failure to meet the filing deadline may cause your application to be considered a new use and require you to file an Application for Surface Water Use Permit for New Use.

If you are applying for a new surface water use, which are proposed uses after the date of designation, please use the Application for Surface Water Use Permit for New Use, **Form SWUPA-N**.

Information about surface water management areas and the current application forms are available at our website: <http://www.hawaii.gov/dlnr/cwrm/>; by contacting the Stream Protection and Management Branch at 587-0234; or sending an email to: [dlnr.cwrm@hawaii.gov](mailto:dlnr.cwrm@hawaii.gov).

REQUIREMENTS FOR A COMPLETE APPLICATION Information must be legible. Therefore, please type or clearly print all information in ink.

- a. Fill in the most recent application form.
- b. Fill in every line on the application.
- c. Enclose a check for the non-refundable filing fee of \$25 payable to: Department of Land and Natural Resources.
- d. Pay for the cost of publishing any required public notices related to your application.
- e. Mark the source and end use locations on the appropriate USGS quad map and TMK map and attach to your application.
- f. Attach photos showing your existing diversion, measuring device (if applicable) and end use areas.
- g. Sign the application form. Both the applicant and the landowner of the source must sign the application form.
- h. Submit one original and **15 copies** of the application form; one original and 15 copies of the attachments (instructions, maps, photos and any additional attachments) and filing fee to: Commission on Water Resource Management, P.O. Box 621, Honolulu, HI 96809.

The applicant **must** establish that the existing use of water is a reasonable and beneficial use. According to §174C-3 of the State Water Code: *"Reasonable-beneficial use" means 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 the public interest.*

Furthermore, public interest is described in §174C-2(c) of the State Water Code which states that: *(t)he state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation. Such objectives are declared to be in the public interest.*

## LINE BY LINE INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

### APPLICANT INFORMATION

1. **APPLICANT'S NAME:** Fill in the information for the applicant. This should be the entity that will be responsible for all conditions of the water use permit.
2. **SOURCE LANDOWNER'S NAME:** Fill in the information for the landowner of the property where the existing surface water diversion works is located. Note: in accordance with §174C-51(1)(B), *In the event a lessee, licensee, developer, or any other person with a terminable interest or estate in the land, which is the water source of the permitted water, applies for a water permit, the landowner shall also be stated as a joint applicant for the water permit.*

### EXISTING SOURCE INFORMATION

3. **SURFACE WATER HYDROLOGIC UNIT AND CODE:** Check the appropriate box for the hydrologic unit name and hydrologic code where the source is located. The "source" is the stream, ditch, or conduit from which water is diverted to the user. For information on hydrologic unit names and unit codes please refer to the *Surface-Water Hydrologic Unit: A Management Tool for Instream Flow Standards* report available on the CWRM website at: <http://www.hawaii.gov/dlnr/cwrm/>, or contact CWRM staff at (808) 587-0234. You may also contact CWRM toll-free from Maui at: 984-2400, ext. 70234.
4. **DIVERSION LOCATION:** Choose the appropriate category and enter the information in either 4a or 4b.
  - 4a. **TMK OF STREAM DIVERSION LOCATION:** Fill in the current Tax Map Key (TMK) number of the parcel where the stream diversion is located if applicable. To find out your TMK number, call Maui County Real Property Tax Division at: (808) 270-7297, or check online at: [www.mauipropertytax.com/](http://www.mauipropertytax.com/)
  - 4b. **TMK OF DITCH DIVERSION LOCATION:** Fill in the current Tax Map Key (TMK) number of the parcel where the ditch diversion is located, if applicable.
5. **STREAM DIVERSION:** How is water diverted from the stream to your property? Check the appropriate box(es). Is the diverted water returned to the stream or ditch? Check "Yes" or "No." If yes, enter the amount of water returned.
6. **FLOW MEASUREMENT INFORMATION:** Check "Yes" or "No." If you have a working flowmeter with a totalizer, answer "Yes" to this question, and fill in the date that the flowmeter was installed and any other information you may have (manufacturer, serial number, etc.). A totalizer directly measures the total use for the source (similar to a car's odometer). Otherwise, answer "No" and explain how stream diversion is measured or estimated to justify amounts requested in Table 1

### EXISTING USER INFORMATION

7. **APPURTENANT RIGHT:** An appurtenant water right is a legally recognized right to a specific amount of surface freshwater – usually from a stream – on the specific property that has that right. This right traces back to the first time the land was converted to fee simple title; i.e., the Great Mahele and the issuance of either a Land Commission Award or Royal Patent. The quantity of water under the appurtenant right is the amount that was being used on the land shortly before or at the time of the Mahele.  
Do you claim an appurtenant right for your water use? Check "Yes" or "No."  
If yes, has your appurtenant right been established by the courts or the Commission? Check "Yes" or "No."
8. **END USER INFORMATION:** Are you an end user on an existing water system? Check "Yes" or "No". If yes, please list the name of the water system operator.
9. **REGISTRATION AND DECLARATION OF WATER USE:** Do you have a Registration and Declaration of Water Use from the Commission? Check "Yes" or "No". If yes, please list the name of the registrant(s).
10. **STREAM DIVERSION WORKS PERMIT (SDWP):** Have you ever been issued a SDWP by the Commission? If yes, please list the permit number(s). Otherwise, check "No."
11. **APPLICANT:** Please sign and print your name, and date your application.
12. **LANDOWNER:** Please sign and print your name, and date your application. The landowner shall be the joint applicant in the event the applicant is a lessee, licensee, developer, or any other person with a terminable interest or estate in the land which is the water source of the permitted water. §174C-51(1)(B)

## SURFACE WATER USE PERMIT APPLICATION EXISTING USE (NA WAI EHA, MAUI)

**TABLE 1: 12-MONTH AVERAGE DAILY USE - Please check the appropriate category where the flow is measured or calculated at the source: stream, or ditch, or auwai as of the Effective Date of Designation, April 30, 2008.**

Please fill out Table 1 to calculate your existing use as of the effective date of the designation, **April 30, 2008**, of the Na Wai Eha Surface Water Management Areas. The effective date of designation is the date of the publication of the public notice of the Commission designation action. The qualifying dates have been filled in for this application. Fill in as completely as possible.

The 12-month average is the average daily use<sup>a</sup> of 12 months of consecutive use<sup>b</sup> from the last month<sup>c</sup> of the period.

- a. Average daily use. This is the average daily use for one month in gallons per day (GPD). To calculate this average, take the total use (in gallons) for the month, and divide this amount by the number of days in the month.
- b. 12 months of consecutive use. To calculate the average monthly withdrawal for 12 consecutive months of use, add the average daily use for all 12 months and divide that amount by 12.
- c. Last month. The last month of the period is the effective date of designation, April 30, 2008.

Check only one of the following boxes per row in Table 1:

- Metered – data is based on an operational meter with a totalizer.
- Estimated – data is based on some indirect measurement technique (e.g. measured flow rate multiplied by time of operation).
- Active but unknown – source is active, but there is no means to measure or estimate flow coming from source.
- Inactive – source was not pumped or diverted for the month.
- Other - describe how water use was measured or calculated in this box.

**TABLE 2: LAND USE CONSISTENCY/EFFICIENCY**

1. **PURPOSE / WATER USE CATEGORY:** Choose one of the following purpose or category codes listed below for each row in Table 2. There may be several purpose/categories on a single TMK, and each purpose or category must be listed in a separate row. Attach additional copies if necessary.

AGRICULTURE	
AGRAQ	Aquatic Plants & Animals
AGRCP	Crops & Processing
AGRLI	Livestock & Processing, and Pasture
AGRON	Ornamental & Nursery Plants
AGROTH	Other
DOMESTIC	
DOM	Single & Multi Low-Rise & High-Rise Household
DOMN	Domestic (Non-residential)
DOMNCB	Commercial Businesses
DOMNRI	Religious Institutions
DOMNHOS	Hospitals
DOMNHOT	Hotels
DOMNOB	Office buildings
DOMNOTH	Domestic Non-Residential – Other
DOMNSC	Schools
INDUSTRIAL	
INDEL	Geothermal, Thermolectric Cooling, Power Development
INDFP	Fire Protection
INDMI	Mining, Dust Control
INDOTH	Industrial – Other
IRRIGATION	
IRRGC	Golf Course
IRRHM	Habitat Maintenance
IRRHOT	Hotel
IRRLA	Landscape/Water Features
IRROTH	Other
IRRPCA	Parks
IRRSC	Schools
MILITARY	
MIL	Military
MUNICIPAL	
MUNCO	County
MUNPR	Privately owned and operated but defined as a public system by the Department of Health
MUNST	State

2. **USE TMK:** The Tax Map Key number of the parcel over which the water is applied. There should only be one parcel for each line. Also, attach a TMK map(s) for the lots showing the boundaries of irrigated acreage, etc., as well as a photograph of the area of use.
3. **STATE LAND USE DISTRICT:** To find out the current Land Use District, contact the Land Use Commission at 587-3822.
4. **CDUP REQUIRED:** If a Conservation District Use Permit (CDUP) is required, enter either: "Yes" and the date the CDUP was approved if you have a CDUP applicable to this project; or "Yes" and "not acquired" in this box. If a CDUP is not required, enter "N" for no in this box. To check if your parcel is in the Conservation District, contact the Land Use Commission at 587-3822. If your parcel is in a Conservation District, contact the Department of Land and Natural Resources Office of Conservation and Coastal Lands at 587-0328 to find out if a CDUP is required.
5. **COUNTY ZONING CODE:** To find out the Zoning Code for your property, call Maui County Planning Department at 270-6279, or 270-7253
6. **SMAP REQUIRED:** If a Special Management Area Permit (SMAP) is required for this project, enter either: "Y" and the date SMAP was approved; or "Y" and "not acquired" in this box. If a SMAP is not required, enter "N" for no in this box. To find out if your property is in a Special Management Area and requires an SMAP, call Maui County Planning Department at 270-8205.
7. **QUANTITY OF USE:** Enter the quantity of use in gallons per day (GPD). Justification for the quantities requested may depend on your answers to items 8 and 9, and you should describe the justification in item 10.
8. **SUBMETERED? (Y/N):** If the specific use is submetered, enter "Y" for yes here. If it is not submetered, enter "N" for no. Submetering is specific to each line item.
9. **UNITS OR ACREAGE:** This is the value and category as the basis for calculating the duty. "Duty" is the amount of water used or requested for a "unit" over a specific time period, e.g. gallons per acre per day, or gallons/acre/day. "Unit" can mean dwelling units, or number of people, or animals. Examples to fill in for this category are: 400 dwelling units, 500 people, 3.74 acres.
10. **APPLICANT'S JUSTIFICATION FOR REQUESTED QUANTITY OF USE FOR ITEM 7:** Explain how you are justifying the amount you are requesting. Attach additional sheets if necessary.

## SURFACE WATER USE PERMIT APPLICATION EXISTING USE (NA WAI EHA, MAUI)

### TABLE 3: IRRIGATION INFORMATION

If you have grown crops in the year prior to the date of designation, please list all the crops (including landscape and golf course irrigation) that you have grown. Enter a single crop and single TMK per line. If you have multiple crops, list them all as separate line items. Attach additional copies of Table 3 if necessary.

1. USE TAX MAP KEY (TMK): Enter the parcel number where the crop is being grown. Attach a map outlining irrigated area(s) and photos.
2. CROP: Enter the crop type.
3. TOTAL ACREAGE: Enter the total acreage of the parcel listed.
4. NET IRRIGATED ACREAGE: Enter the acreage for the specific crop grown.
5. BEGIN GROWTH PERIOD (MONTH): This is the month of the start of the growth cycle. For perennial crops, list the 12<sup>th</sup> month prior to the date of designation.
6. END GROWTH PERIOD (MONTH): This is the month of the end of the growth cycle. For perennial crops, list the month of the date of designation.
7. IRRIGATION SYSTEM: Enter one of the following:
  - TRICKLE, DRIP
  - TRICKLE, SPRAY
  - MULTIPLE SPRINKLERS
  - SPRINKLER, CONTAINER NURSERY
  - SPRINKLER, LARGE GUNS
  - SEEPAGE, SUBIRRIGATION
  - CROWN FLOOD
  - FLOOD (TARO)
  - OTHER – Please describe.
8. IRRIGATION PRACTICE: Enter one of the following:
  - IRRIGATE TO FIELD CAPACITY
  - APPLY A FIXED DEPTH PER IRRIGATION
  - DEFICIT IRRIGATION
  - OTHER – Please describe.

### TABLE 4: ALTERNATIVES ANALYSIS

Please address every alternative listed in Table 4 and whether or not they are available, for both potable and non-potable needs. Other alternatives on the last line may include stormwater reclamation, rainwater catchment, etc.

Surface water is defined in §174C-3 as *both contained surface water - that is, water upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other watercourses, lakes, reservoirs, and coastal waters subject to state jurisdiction - and diffused surface water - that is, water occurring upon the surface of the ground other than in contained waterbodies. Water from natural springs is surface water when it exits from the spring onto the earth's surface.*

### PUBLIC INTEREST

Explain how the uses in your application are consistent with the public interest as described in §174C-2(c): *(t)he state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate provision shall be made for the protection of traditional and customary Hawaiian rights, the protection and procreation of fish and wildlife, the maintenance of proper ecological balance and scenic beauty, and the preservation and enhancement of waters of the State for municipal uses, public recreation, public water supply, agriculture, and navigation. Such objectives are declared to be in the public interest.*

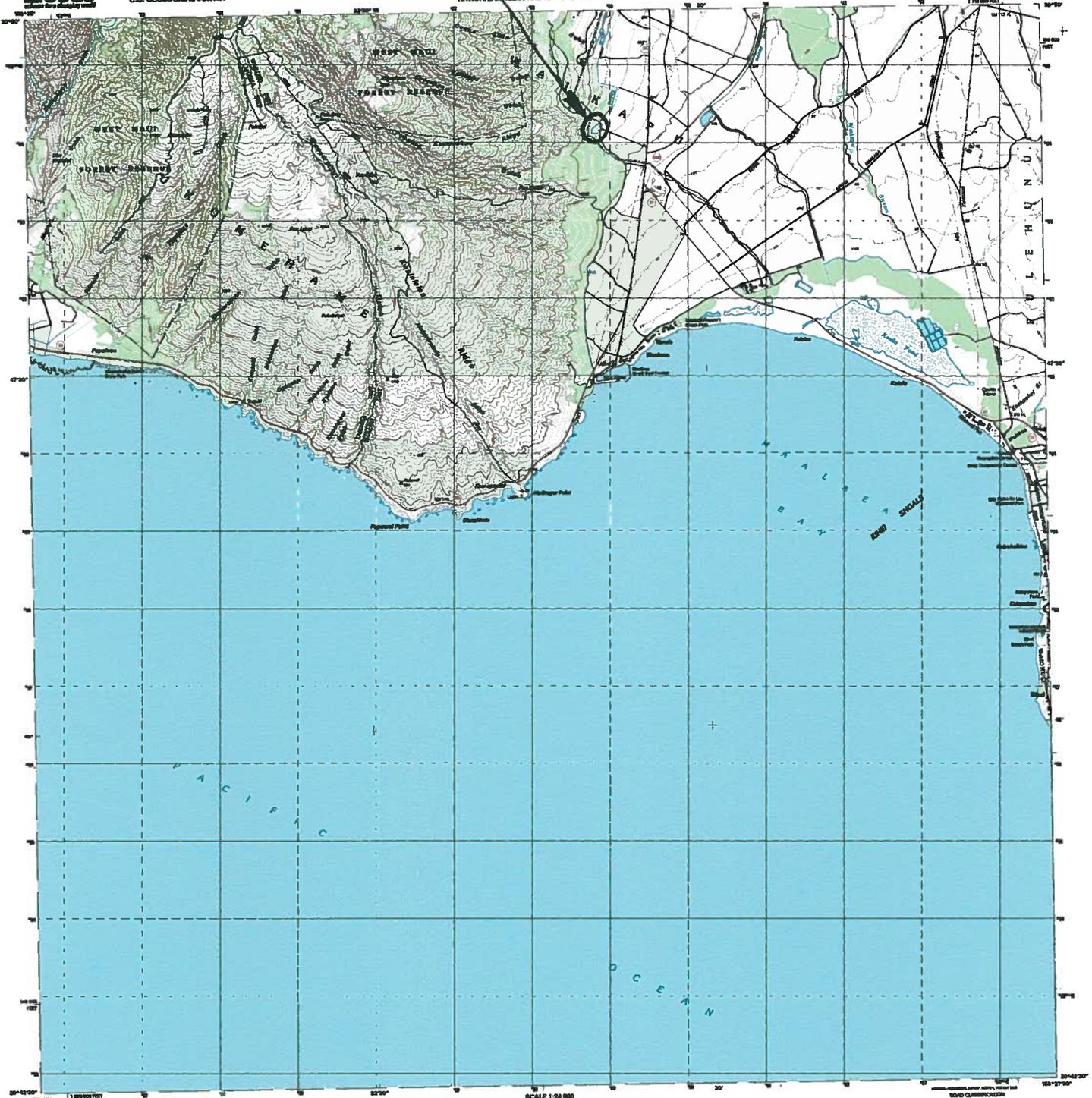
# RESERVOIR 9 DITCH DIVERSION



U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY

U.S. DEPARTMENT OF DEFENSE  
NATIONAL IMAGERY AND MAPPING AGENCY

MAALAEA QUADRANGLE  
HAWAII COUNTY  
7.5-MINUTE SERIES (TOPOGRAPHIC)



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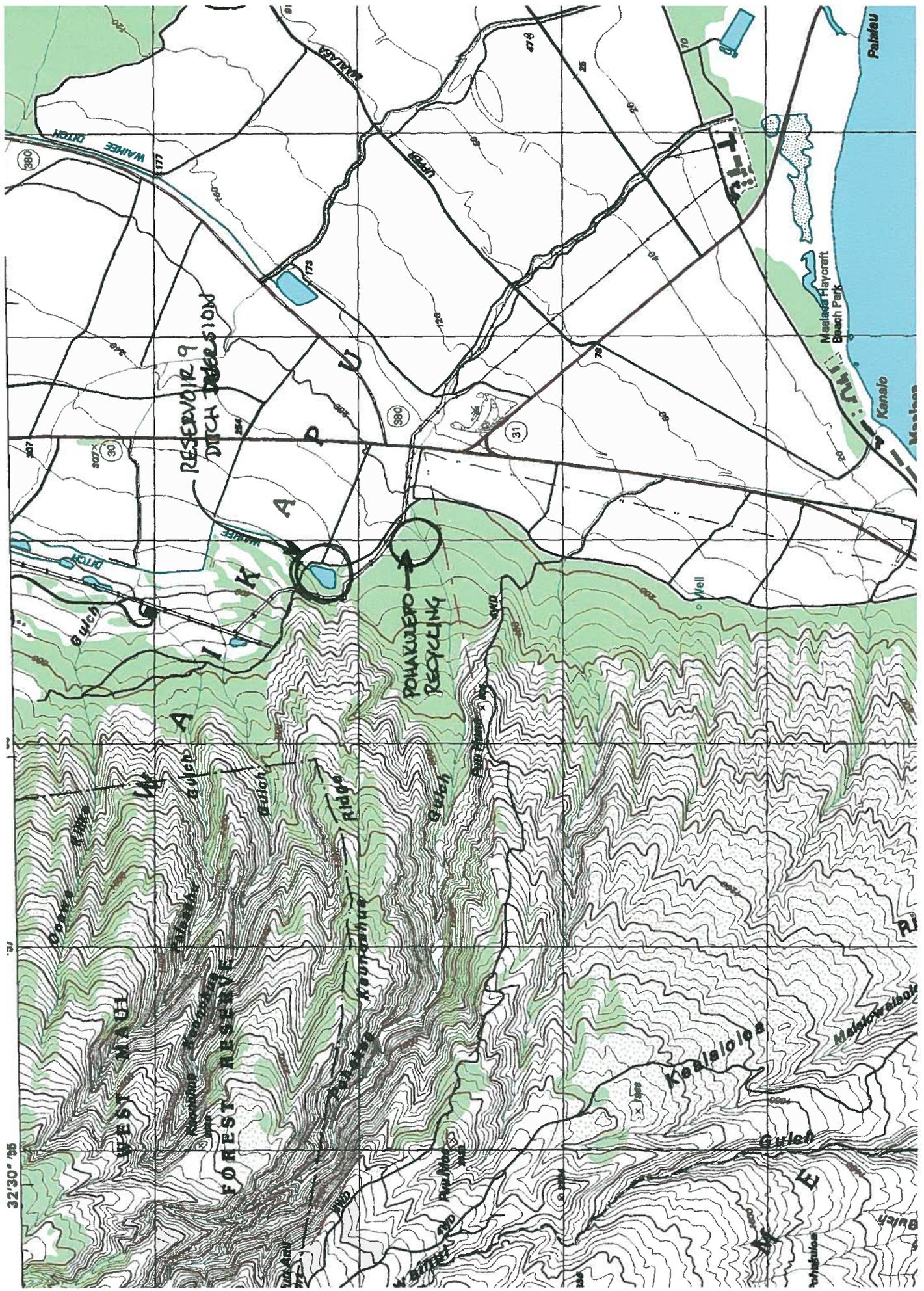
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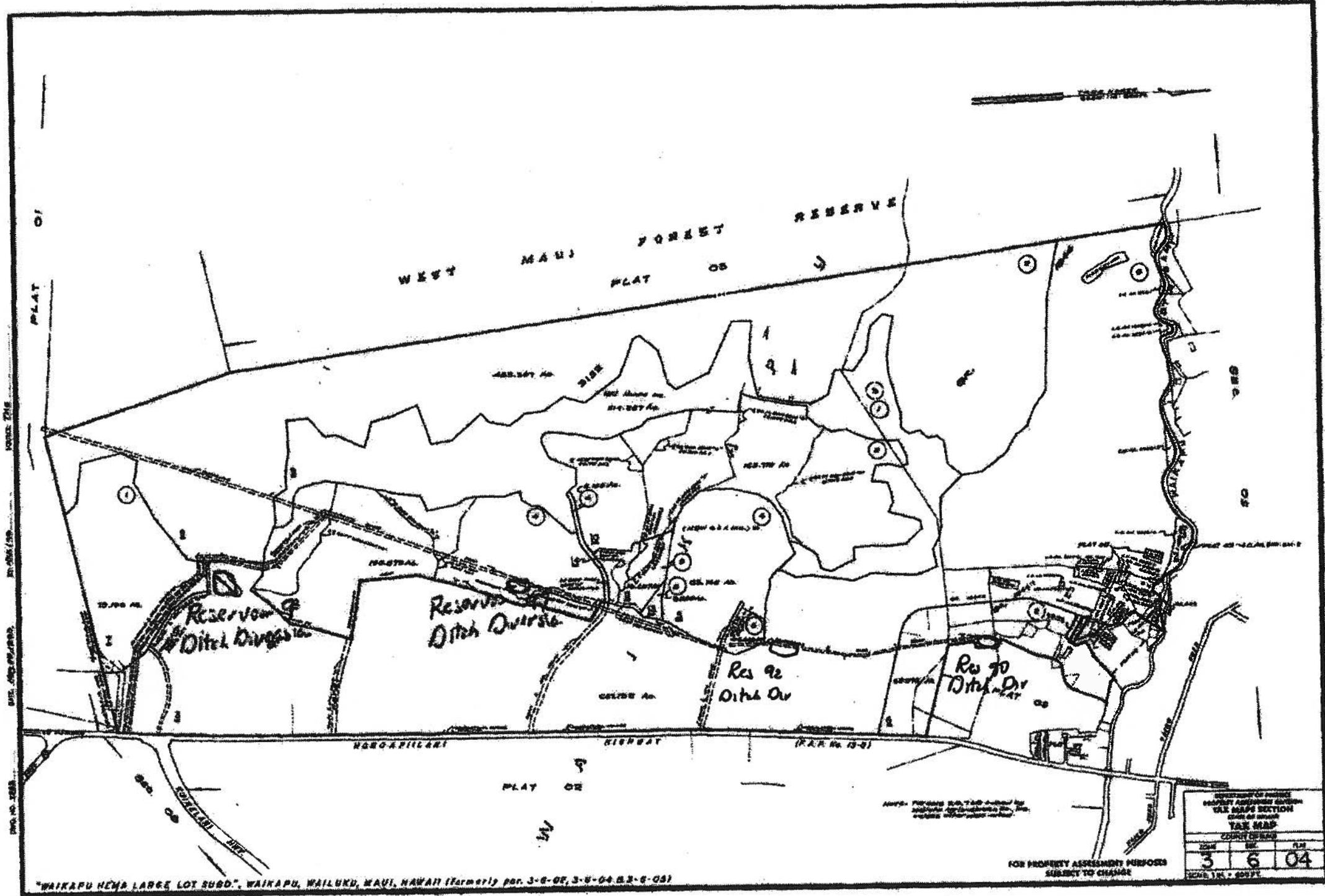
1	2	3	4
5	6	7	8
9	10	11	12

ROAD CLASSIFICATION  
 Primary Highway  
 Secondary Highway  
 Tertiary Highway  
 Unimproved Road  
 Light-duty road, Road 1  
 Improved road  
 U.S. State  
 State Road

MAALAEA, HI  
1986







PLAT OF  
 THIS  
 MAP  
 WAS  
 FILED  
 IN  
 THE  
 OFFICE  
 OF  
 THE  
 COUNTY  
 CLERK  
 OF  
 HAWAII  
 COUNTY  
 ON  
 THE  
 15TH  
 DAY  
 OF  
 APRIL  
 1904

"WAIKAPU HEHA LARGE LOT SUBD.", WAIKAPU, HAILUKU, MAUI, HAWAII (Formerly) Pgs. 3-6-02, 3-6-04 & 3-6-05

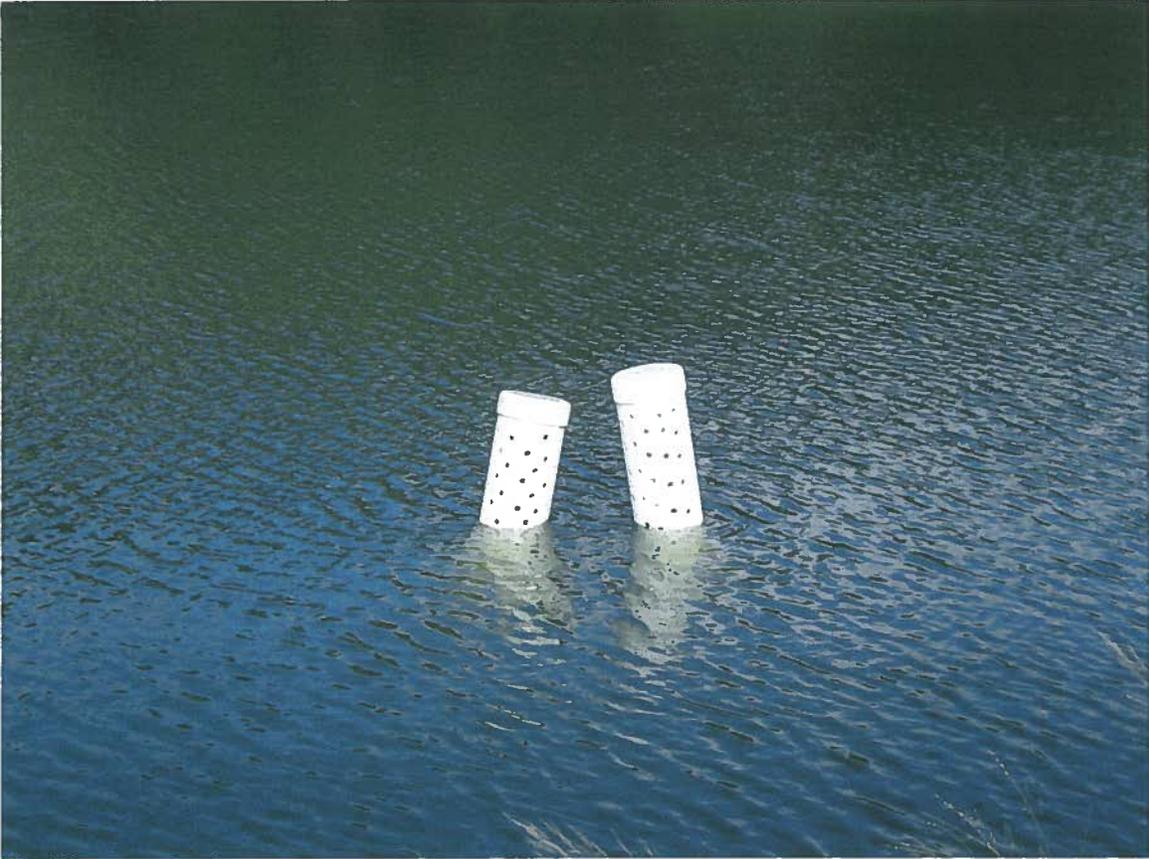
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DEPARTMENT OF PUBLIC PROPERTY ASSESSMENT DIVISION TAX MAPS SECTION STATE OF HAWAII TAX MAP COUNTY OF HAWAII		
3	6	04
SCALE 1" = 500 FT.		



**Reservoir 10  
Iao-Waikapu Ditch**



**Reservoir 9 Out take  
Waihee Ditch  
Maalaea**

TMK (2) 3-6-04:007



TMK (2) 3-6-04:007

