ORIGINAL

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

For Official Use Only:

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Event ID:

COMMISSION ON WATER RESOURCE MANAGEMENT

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	Applicant's Contact	2. SOURCE LANDOWNER'S NAME	Source Landowner's Contact
Vida, Leslie Jr.	Vida, Michele	Wailuku Agribusiness & Wailuku Water Company	Clayton Suzuki
Applicant's Mailing Address, or Principal Place of Business		Source Landowner's Mailing Address, or Principal Place of Business	
P.O. Box 976 Wailuku, HI 96793		255 East Waiko Road Wailuku, HI 96793	
Applicant's Phone	Applicant's Fax / Applicant's E-mail	Source Landowner's Phone	Source Landowner's Fax / Source Landowner's E-mail

[redacted]

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: ☐ Waihee/6022 ☐ Waiehu/6023 ☒ Iao/6024 ☒ Waikapu/6001

4a. TMK OF STREAM DIVERSION LOCATION: 3 (Zone) - 3 (Sector) - 03 (Plat) : 3 (Parcel)

4b. TMK OF DITCH DIVERSION LOCATION: 3 (Zone) - 5 (Sector) - 2 (Plat) : 3 (Parcel)

5. STREAM DIVERSION: How is water diverted from the stream to your property? Check all that apply.

☒ Pipe ☒ Pump ☒ Ditch/auwai ☒ Other Describe: Reservoir

Is the diverted water returned to the stream or ditch? ☐ Yes. ☒ 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?

☒ Yes. Enter the installation date: Unknown

Describe the device and enter measured amounts in Table 1. meter

☒ No. Explain how you are measuring flow to justify amounts shown in Table 1 in the space below visual

EXISTING USER INFORMATION

7. APPURTENANT RIGHT: Do you claim an appurtenant right for your water use? ☒ Yes ☐ 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? ☒ Yes ☐ No

If yes, who is the operator of the water system? Wailuku Agribusiness & Wailuku Water Co.

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): VIDA, LJR

☐ No

10. STREAM DIVERSION WORKS PERMIT (SDWP):

Have you ever been issued a SDWP by the Commission?

☐ Yes. List the permit number(s):

☒ 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	12. SOURCE LANDOWNER
Leslie Vida Jr. (Signature)	(Signature)
Leslie Vida, Jr. (Print) 2/1/09 (Date)	(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 or End Use
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	5,000(GPD)155,000mo	☐	☒	☐	☐	
June 2007	5,000(GPD)150,000 mo	☐	☒	☐	☐	
July 2007	5,000(GPD)155,000mo	☐	☒	☐	☐	
August 2007	5,000(GPD)155,000mo	☐	☒	☐	☐	
September 2007	5,000(GPD)150,000mo	☐	☒	☐	☐	
October 2007	5,000(GPD)155,000mo	☐	☒	☐	☐	
November 2007	5,000(GPD)150,000mo	☐	☒	☐	☐	
December 2007	5,000(GPD)155,000mo	☐	☒	☐	☐	
January 2008	5,000(GPD)155,000mo	☐	☒	☐	☐	
February 2008	5,000(GPD)140,000mo	☐	☒	☐	☐	
March 2008	5,000(GPD)155,000mo	☐	☒	☐	☐	
April 2008	5,000(GPD)150,000mo	☐	☒	☐	☐	
SUM OF AVERAGE DAILY USE FOR THE MONTH	5,000 155,000 mo	GPD				
AVERAGE DAILY USE (Average of the above)	5,000	GPD				

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SURFACE WATER USE PERMIT APPLICATION
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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 bound aries • 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.
Uses that require potable (drinking) water									
	Zone - Sector - Plat - Parcel								
	Zone - Sector - Plat - Parcel								
	Zone - Sector - Plat - Parcel								
	Zone - Sector - Plat - Parcel								
					TOTAL POTABLE USE		GPD		
Uses that do not require potable water									
AGROTH	3 - 5 - 004 - 091 (Zone - Sector - Plat - Parcel)	urban	no	resi-dential	no	5,000	no	15,640 sq ft	kalo cultivation, bananas, citrus trees native hawaiian plants, landscape papayas, yard, lmu, outdoor recreation
	Zone - Sector - Plat - Parcel								
	Zone - Sector - Plat - Parcel								
	Zone - Sector - Plat - Parcel								
					TOTAL NON-POTABLE USE	5,000	GPD		
					TOTAL USE REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) =	5,000	GPD		

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
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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. (Zone - Sector - Plat : Parcel)	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 - 5 - 004 : 091	kalo & bananas	one fourth	3,910 sq ft	January	December	sprinkler system & trench irrigation	continuous
3 - 5 - 004 : 091	Lawn	one half	7,820 sq ft	January	December	sprinkler	as needed
3 - 5 - 004 : 091	Fruit Trees	one fourth	3,910 sq ft	January	December	other/ hand water	as needed
- - - :							
- - - :							
- - - :							
- - - :							
- - - :							
- - - :							
- - - :							

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

TABLE 4: ALTERNATIVES ANALYSIS

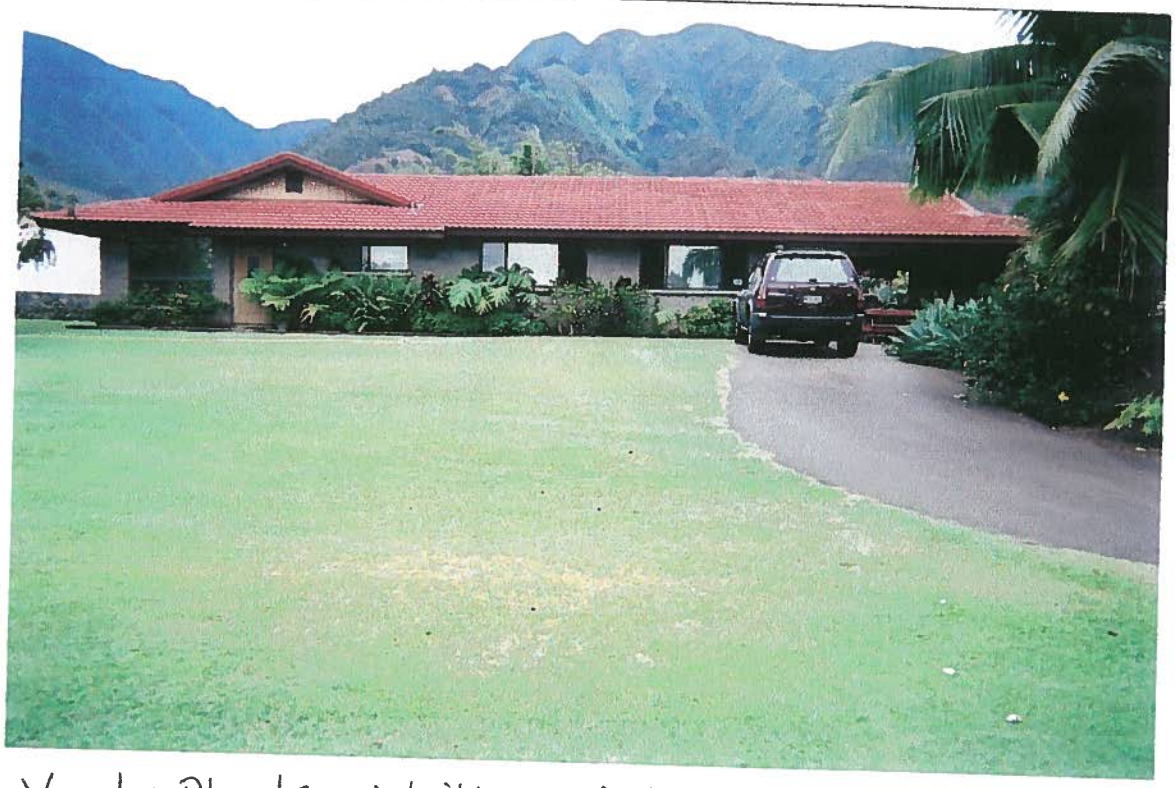
	Potable Alternatives Attach additional sheets if necessary.	Non-Potable Alternatives Attach additional sheets if necessary.
Municipal sources	Not Available	Not Available
Wastewater reuse	Not Available	Not Available
Ditch system		Iao/Waikapu
Desalinization	Not Available	Not Available
Ground water	Not Available	Not Available
Other (specify)	Not Available	Not Available

PUBLIC INTEREST

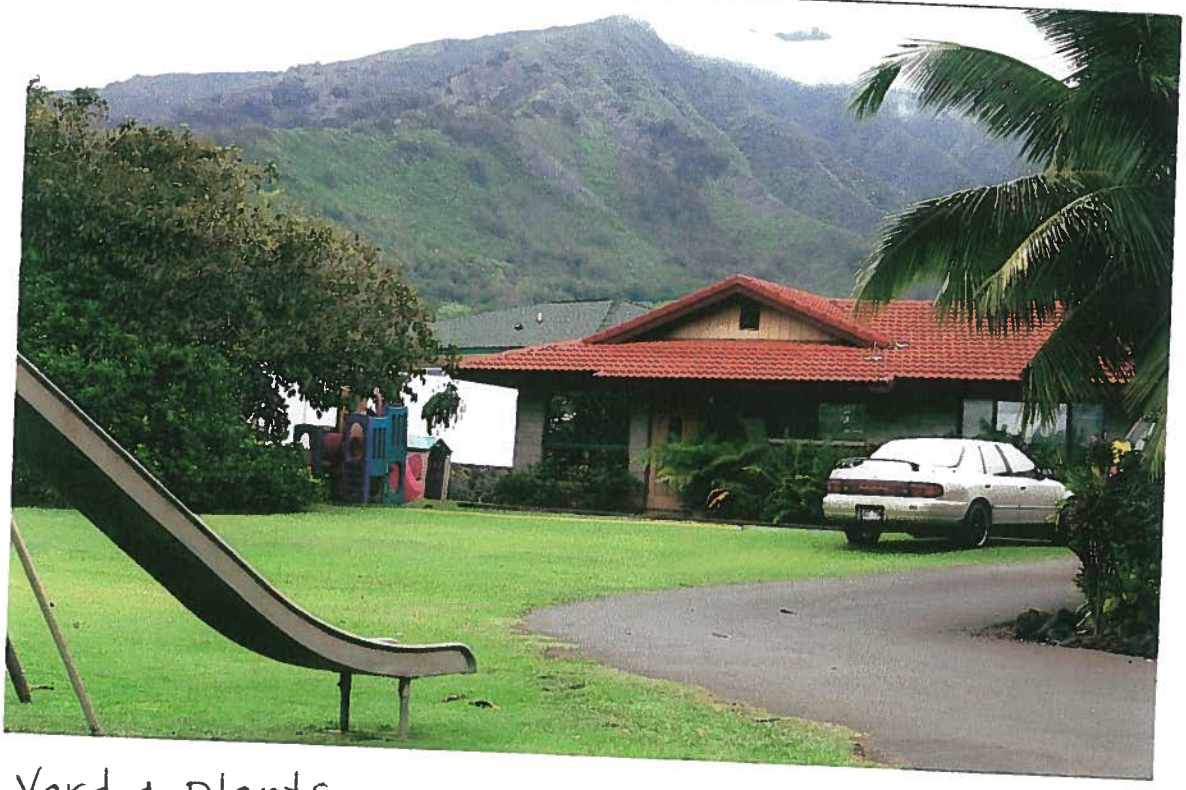
§174C-2(c) states that *The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate 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 that comes from the Iao/Waikapu ditches is used for agriculture, (banana trees, citrus trees, papayas kalo cultivation, landscape, yard, Imu, outdoor recreation, aesthetics, native Hawaiian plants, customary Hawaiian rights.



Yard + Plants, Waikapu Valley in background.



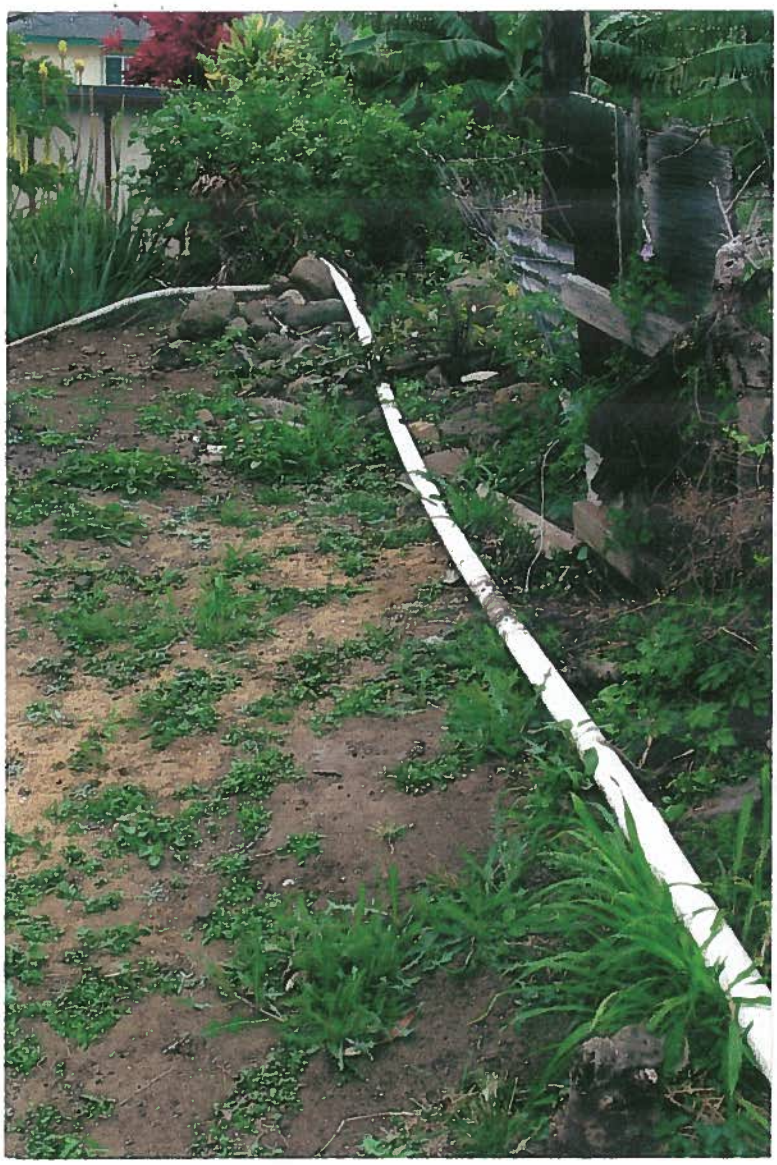
Yard + plants

6" Kuleana waterline from Waiuku Sugar Co. + Valve. 2½" waterline to our property

Valve + Kuleana waterline for our property 2½"

Different photos of Same 6" Kuleana waterline from Wailuku Sugar Co.

2½" Waterline South to our property



2½" waterline to our property

Back of house
Waterline for
bananas

Kalo growing

Kalo growing

Kalo growing

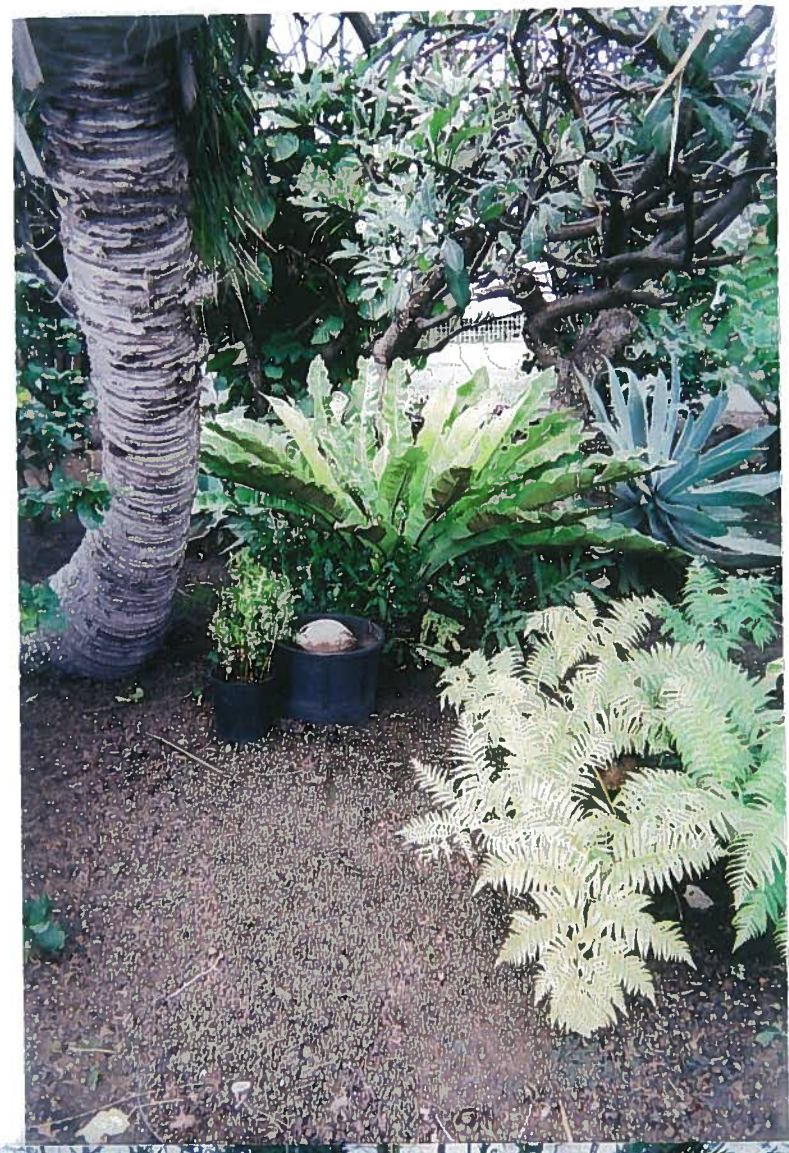
Kalo growing

Banana patches

Banana Patches.

Front Yard

Front Yard



Front Yard

Ferns

trees, Plumerias

Coconut

Front Yard, Imu, bananas

back yard

back yard
Red ti leaf

backyard

Back yard - bananas

Bananas - front yard

Bananas

Imu ↑

Bananas

Papayas

Papayas, Noné, Ti leaf

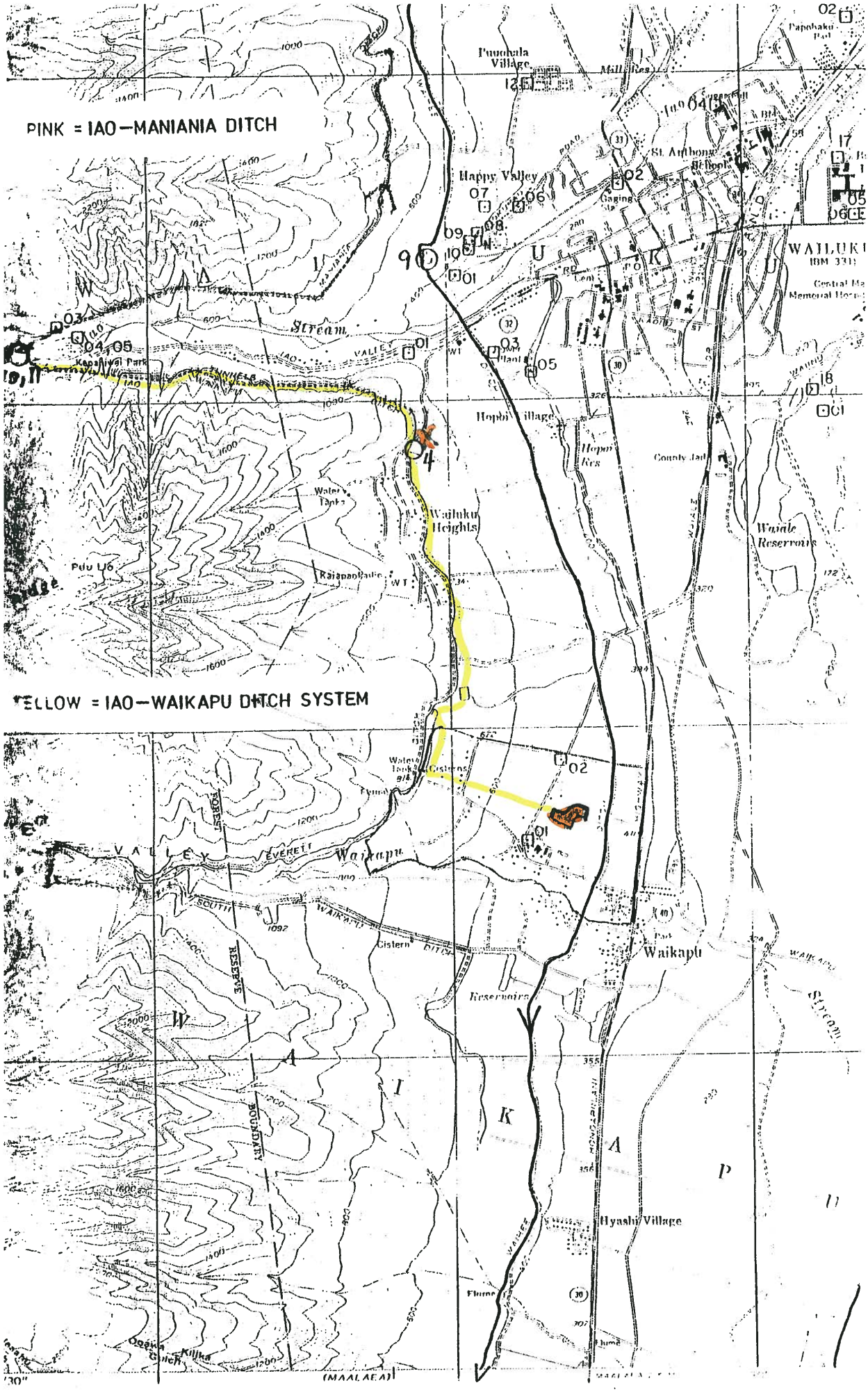
Bay Leaf plant

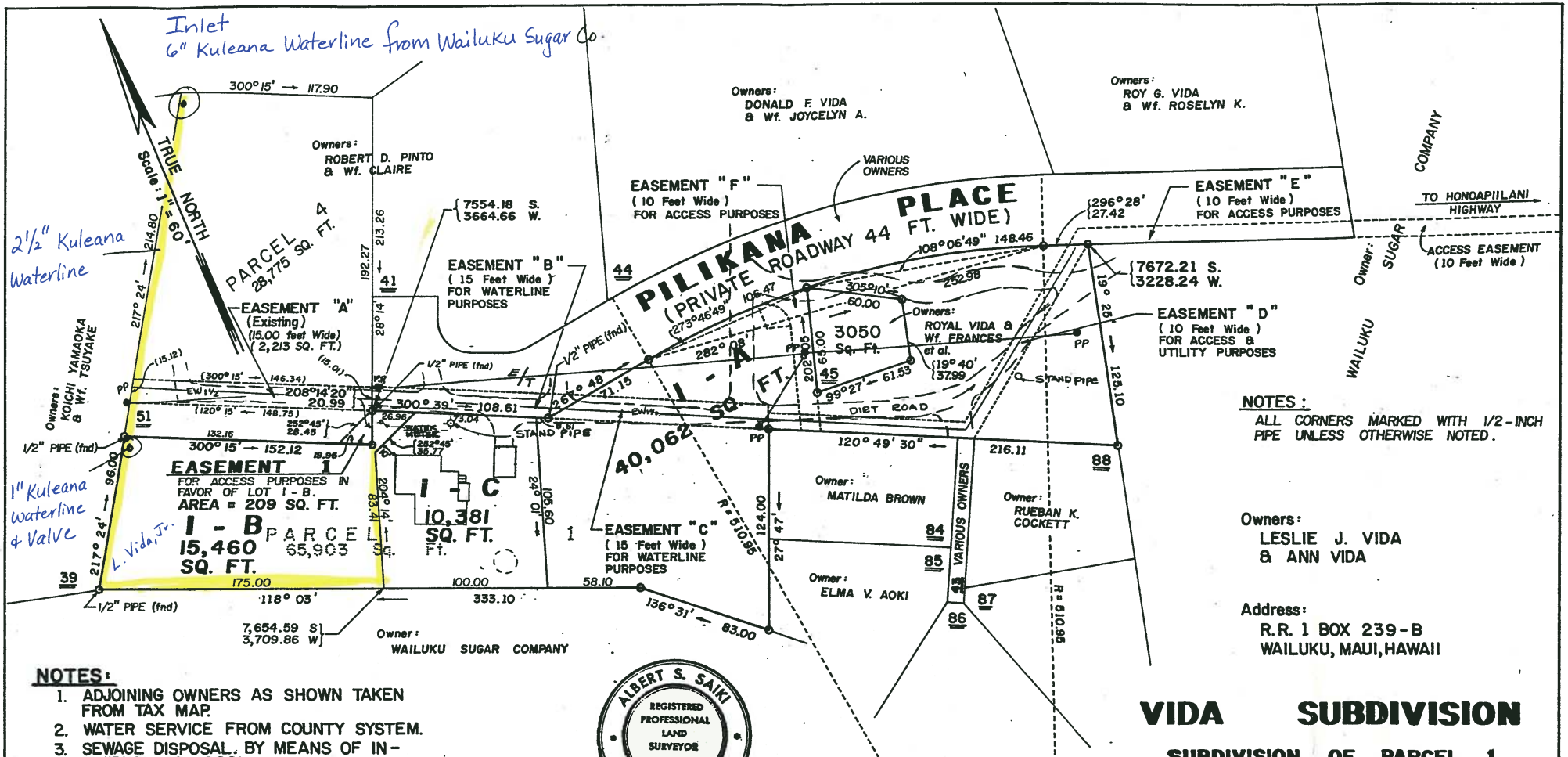
Avocado Tree

Tangerine trees

Hawaiian Lemon tree

Bananas


PINK = IAO—MANIANIA DITCH
YELLOW = IAO—WAIKAPU DITCH SYSTEM
Puuohala Village
Happy Valley
St. Anthony School
WAILUKU
Stream
Hopoi Village
Hopoi Res
County Jail
Wailuku Heights
Waiale Reservoirs
Waikapu
Cistern
Reservoirs
Hyashi Village
Flume
(MAALAEA)



NOTES:

ALL CORNERS MARKED WITH 1/2-INCH PIPE UNLESS OTHERWISE NOTED.

Owners:
LESLIE J. VIDA
& ANN VIDA

Address:
R.R. 1 BOX 239-B
WAILUKU, MAUI, HAWAII

NOTES:

1. ADJOINING OWNERS AS SHOWN TAKEN FROM TAX MAP.
2. WATER SERVICE FROM COUNTY SYSTEM.
3. SEWAGE DISPOSAL BY MEANS OF INDIVIDUAL CESSPOOL.
4. COORDINATES AND AZIMUTHS REFERRED TO "LUKE" Δ
5. EASEMENTS B, C, D, E & F ARE EXISTING.
6. EASEMENTS A, B, C & D IN FAVOR OF DEPARTMENT OF WATER SUPPLY.
7. EASEMENTS D & E IN FAVOR OF PARCELS 84, 85, 86, 87 & 88.
8. EASEMENT F IN FAVOR OF PARCEL 84.
9. EASEMENT 1 FOR ACCESS PURPOSES IN FAVOR OF LOT 1 - B.

ALBERT S. SAIKI
REGISTERED PROFESSIONAL LAND SURVEYOR
No. 2720
HAWAII, U.S.A.

THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

Albert S. Saiki
ALBERT S. SAIKI
Reg. Professional Surveyor
Certificate No. 2720 E-S

11/1/82
DATE

VIDA SUBDIVISION

SUBDIVISION OF PARCEL 1 INTO LOTS I - A, I - B & I - C AND DESIGNATION OF EASEMENT 1 AFFECTING PARCEL 4

Being a Portion of R. P. 7694, L. C. Award 76 to William Shaw

AT WAIKAPU, WAILUKU, MAUI, HAWAII

TAX MAP KEY: 3 - 5 - 04 : 56

L.U.C.A. Ref. No. 3.1184

Revised: FEB. 23, 1994
SEPT. 22, 1983
JUNE 29, 1983

JOB NO.: 82 - 103

840 ALUA STREET, SUITE 103

R. T. TANAKA ENGINEERS, INC.