

RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT
2009 APR 29 AM 11:44
Leslie James Vida Sr.
115 Pilikana Street
Wailuku, Maui, HI 96793

April 2, 2009

State of Hawaii
Department of Land and Natural Resources
Commission on Water Resource Management
P.O. Box 621
Honolulu, HI 96809

Dear Sir/Madam:

We have completed two of the attached SWUPA-E (Na Wai Eha, Maui) application. One for my property and one for the family graveyard. They have different tax map keys. We have also attached a check in the amount of \$50.00 for the fee.

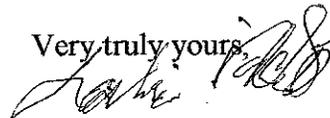
We have taken the application on several occasions to Wailuku Agribusiness for Clayton Suzuki's signature since their company is the water source. He informed us that he was unable to sign it and that the Attorney Generals office was involved with all of this. He has kept telling us to come back after all of this is settled. This has been going back and forth for months and months now. After talking with Robert Chong from your office, he informed us to go ahead and just mail the application in even though Mr. Suzuki did not sign it.

We completed our Registration of Stream Diversion Works and Declaration of Water Use in May of 1989 but have been unable to find it. We have enclosed two maps. One where the water source flows from and the other of my property and the inlet. We have also taken pictures and have attached them to the original application and 15 copies of all documents.

Appurtenant right – Royal Patent 7694, Land Commission Award 76 to William Shaw.

If you need and further information you can call me at [REDACTED]

Very truly yours,



Leslie Vida Sr.

Enclosures:
Fee
SWUPA-E Applications - two
Two Maps
Photographs



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 Official Use Only:
RECEIVED
COMMISSION ON WATER
RESOURCE MANAGEMENT
2009 APR 29 AM 11:42
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: Vida, Leslie Sr. (same)
2. SOURCE LANDOWNER'S NAME: Wailuku Agribusiness & Wailuku Water Company
Source Landowner's Contact: Clayton Suzuki
Applicant's Mailing Address: 115 Pilikana Street, Wailuku, HI 96793
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: [] Waihee/6022 [] Waiehu/6023 [x] Iao/6024 [x] Waikapu/6001

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

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

5. STREAM DIVERSION: How is water diverted from the stream to your property? Check all that apply.
[x] Pipe [x] 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: unknown meter
Describe the device and enter measured amounts in Table 1.
[x] 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? [x] Yes [] No
If yes, has the appurtenant right been established by the courts or the Commission? [x] 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 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):
[] 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 of Leslie Vida, Sr.
12. SOURCE LANDOWNER: Signature

FORM SWUPA-E 02/1998 Page 4 of 8
FILE ID: SWUP.22936
DOC ID: 3334

**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	75GPD/2,350 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
June 2007	75GPD/2,350 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
July 2007	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
August 2007	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
September 2007	75GPD/2,350 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
October 2007	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
November 2007	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
December 2007	75GPD/2,350 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
January 2008	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
February 2008	75GPD/2,100 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
March 2008	75GPD/2,350 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
April 2008	75GPD/2,250 mo	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SUM OF AVERAGE DAILY USE FOR THE MONTH	75GPD/2,250 mo	GPD				
AVERAGE DAILY USE (Average of the above)	75GPD	GPD				

**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. COUP 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									
Uses that do not require potable water									
AGROTH	3 - 5 - 004 : 045 Zone Sector Plat Parcel	urban	no	resi- dential	no	75GPD	no	3,050 sq ft	family graveyard/plants one 5 gal bucket for several plants
	Zone Sector Plat Parcel								
	Zone Sector Plat Parcel								
	Zone Sector Plat Parcel								
TOTAL NON-POTABLE USE						75GPD			
TOTAL USE REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) =						75			
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 - 5 - 004 : 045 <small>Zone Sector Plat Parcel</small>	plants	3,050 sq ft	.25 sq ft	January	February	hand & sprinkler	daily
<small>Zone Sector Plat Parcel</small>							
<small>Zone Sector Plat Parcel</small>							
<small>Zone Sector Plat Parcel</small>							
<small>Zone Sector Plat Parcel</small>							
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<small>Zone Sector Plat Parcel</small>							
<small>Zone Sector Plat Parcel</small>							
<small>Zone Sector Plat Parcel</small>							

**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

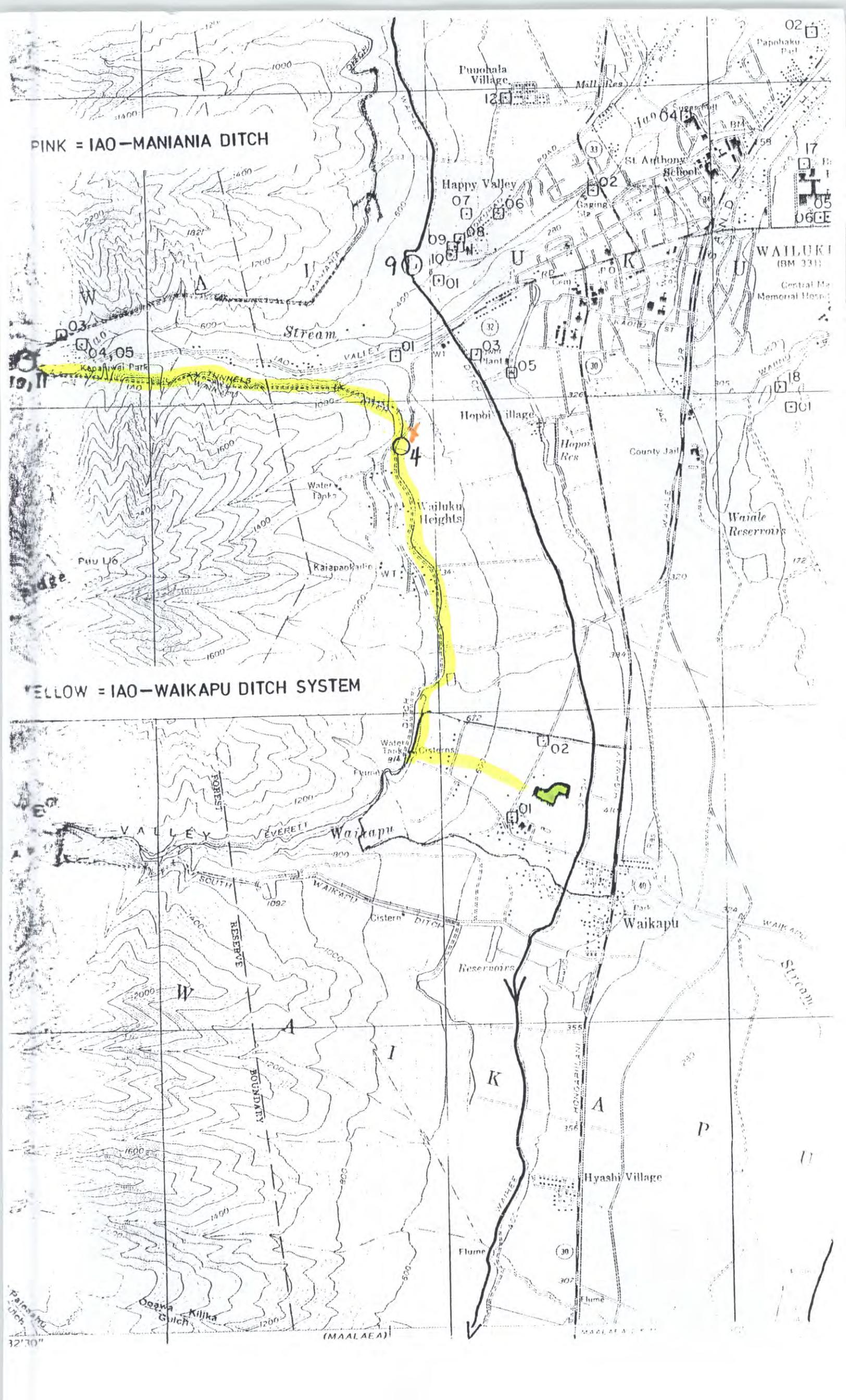
§174C-2(c) states that: *The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate 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.*

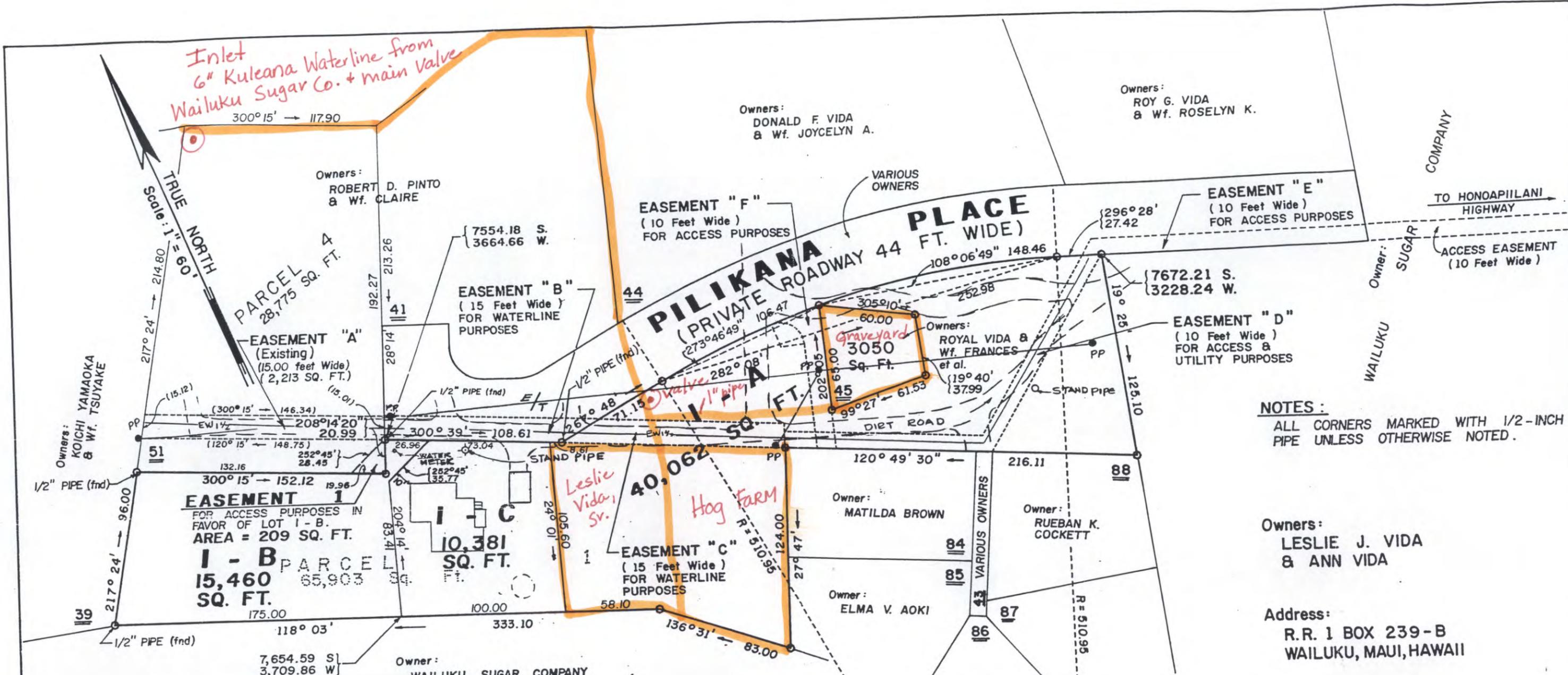
Explain below how the uses in your application are consistent with the public interest as described above. Attach additional sheets if necessary.

KULEANA WATER USED FOR PLANTS AT THE FAMILY GRAVEYARD

PINK = IAO-MANIAIA DITCH

YELLOW = IAO-WAIKAPU DITCH SYSTEM





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



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

Albert S. Saki
 ALBERT S. SAKI
 Reg. Professional Surveyor
 Certificate No. 2720 E-S

11/1/82
 DATE

VIDA SUBDIVISION

SUBDIVISION OF PARCEL 1 INTO LOTS 1-A, 1-B & 1-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

840 ALUA STREET, SUITE 103
 WAILUKU MAUI HAWAII 96793

R. T. TANAKA ENGINEERS, INC.
 SURVEYORS - CIVIL & STRUCTURAL ENGINEERS

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

Revised: FEB. 23, 1994
 SEPT. 22, 1983
 JUNE 29, 1983
 Revised: JAN. 27, 1983
 JOB NO.: 82 - 103
 NOV. 1, 1982

6" Inlet waterline + Valve from Wailuku Sugar Co.



6" Waterline heading east downward



Plants at graveyard



Plants at graveyard



Plants at graveyard