

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 27 PM 3:44
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: DLNR, Division of State Parks; Philip Ohta
2. SOURCE LANDOWNER'S NAME: Same
Applicant's Mailing Address: 54 S. High Street #101, Wailuku, HI 96793
Source Landowner's Mailing Address: Same

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] Iao/6024

4. DIVERSION LOCATION: Choose the appropriate category and enter information in either 4a or 4b.
4a. TMK OF STREAM DIVERSION LOCATION: 3 - 3 - 3 : 02

5. STREAM DIVERSION: How is water diverted from the stream to your property? Check all that apply.
[X] Pipe [ ] Pump [ ] Ditch/auwai [ ] Other Describe:
Is the diverted water returned to the stream or ditch? [X] 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:
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

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? [ ] Yes [ ] No

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

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: Daniel Quinn, 4/27/09
12. SOURCE LANDOWNER: Signature, Date

FILE ID: SWUP 2304.6
DOC ID: 3348 ✓

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

11:3 AM TS 99A 008  
 COUNTY OF MAUI  
 DEPARTMENT OF WATER RESOURCES  
 2008 APR 30 11:31 AM

JAN 21 2008

**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> </b>		<b>GPD</b>	
<b>Uses that do not require potable water</b>									
<b>AGRCP</b>	<b>3</b> - <b>3</b> - <b>3</b> : <b>02</b> Zone      Sector      Plat      Parcel	<b>AG</b>	<b>NO</b>	<b>AG</b>	<b>NO</b>	<b>5,000</b>	<b>NO</b>	<b>500 sf.</b>	
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
<b>TOTAL NON-POTABLE USE</b>						<b>5,000</b>		<b>GPD</b>	
<b>TOTAL USE REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) =</b>						<b>5,000</b>		<b>GPD</b>	
If total use requested is not equal to the total monthly average in Table 1, please explain.									
<b>Current use is not monitored. Total use request is an approximation.</b>									
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.)
<u>3</u> - <u>3</u> - <u>3</u> : <u>02</u> <small>Zone Sector Plat Parcel</small>	Taro	500 sf.	500 sf.	March	February	Flood	Irrigate to field capacity.
_____ - _____ - _____ : _____ <small>Zone Sector Plat Parcel</small>							
_____ - _____ - _____ : _____ <small>Zone Sector Plat Parcel</small>							
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_____ - _____ - _____ : _____ <small>Zone Sector Plat Parcel</small>							

**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	<b>County Water System</b>	<b>County Water System</b>
Wastewater reuse	<b>Not Available</b>	<b>Not Available (cesspool)</b>
Ditch system	<b>Not Available</b>	<b>Not Available</b>
Desalinization	<b>Not Available</b>	<b>Not Available</b>
Ground water	<b>Not Available</b>	<b>Not Available</b>
Other (specify)	<b>None</b>	<b>None</b>

**PUBLIC INTEREST**

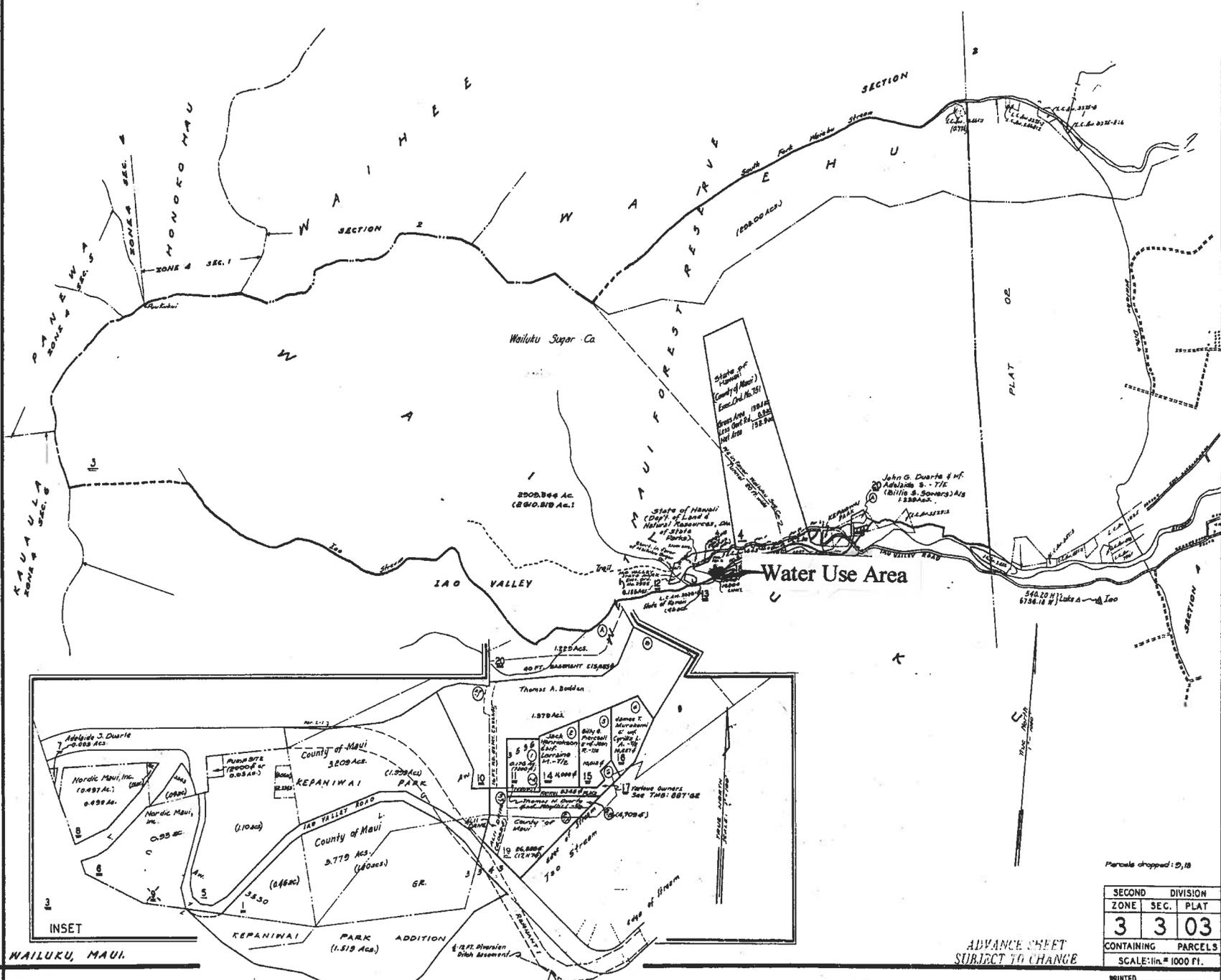
§174C-2(c) states that: *The state water code shall be liberally interpreted to obtain maximum beneficial use of the waters of the State for purposes such as domestic uses, aquaculture uses, irrigation and other agricultural uses, power development, and commercial and industrial uses. However, adequate 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 diverted water at Iao Valley State Park is being used to irrigate taro lo'is for the park's "garden" area. The lo'is offer educational and viewing features for the general public. There are four lo'is totaling approximately 500 square feet. The water is then returned back into Iao Stream.**



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Parcels dropped: 9,18

SECOND DIVISION	
ZONE	SEC. PLAT
3	3 03
CONTAINING PARCELS	
SCALE: in. = 1000 FT.	
PRINTED	

ADVANCE SHEET  
SUBJECT TO CHANGE

WAILUKU, MAUI.

Dwg. No. 100  
 By: J. B. DeL. 1952  
 Source: Bureau of Land Management



INTAKE



OUTLET