



STATE OF HAWAII ORIGINAL
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 30 AM 8:27
 SWUP NO. 92
 Event ID: SWUP.2330.6

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 Peter Lee (landowner) Lester Nakama (lessee)	Applicant's Contact Lester Nakama (Aloha Poi Factory)	2. SOURCE LANDOWNER'S NAME Wailuku Water Co. LLC	Source Landowner's Contact Avery Chumbley
Applicant's Mailing Address, or Principal Place of Business Aloha Poi Factory, Inc. 800 Lower Main Street Wailuku, HI 96793		Source Landowner's Mailing Address, or Principal Place of Business 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

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 Walehu/6023 Iao/6024 Waikapu/6001

4a. TMK OF STREAM DIVERSION LOCATION: 3 - 2 - 014 : 001
 Zone Sector Plat Parcel

4b. TMK OF DITCH DIVERSION LOCATION: 3 - 2 - 018 : 040
 Zone Sector Plat Parcel

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

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.
 No. Explain how you are measuring flow to justify amounts shown in Table 1 in the space below
 See Attachment I

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 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): LEE CB
 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 Signature K. PETER LEE Print APRIL 21, 2009 Date	12. SOURCE LANDOWNER Signature Print Date
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LES NAKAMA

FILE ID: SWUP.2330.6
 DOC ID: 3463V

**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	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
June 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
July 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
August 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
September 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
October 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
November 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
December 2007	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
January 2008	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
February 2008	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
March 2008	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
April 2008	62,000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SUM OF AVERAGE DAILY USE FOR THE MONTH	744,000	GPD				
AVERAGE DAILY USE (Average of the above)	62,000	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. 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						0	GPD			
Uses that do not require potable water										
AGRCP	3 - 2 - 018 : 040 Zone Sector Plat Parcel	AG	NO	AG	NO	77040	NO	1.066	see Attachment 1	
	____ - ____ - ____ : ____ Zone Sector Plat Parcel									
	____ - ____ - ____ : ____ Zone Sector Plat Parcel									
	____ - ____ - ____ : ____ Zone Sector Plat Parcel									
TOTAL NON-POTABLE USE						77040	GPD			
TOTAL USE REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) =						77040	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. To the best of my knowledge, there are no limitations on the use 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 - 2 - 018 : 040 <small>Zone Sector Plat Parcel</small>	TARO (WETLAND)	2.132	1.066	YEAR ROUND	YEAR ROUND	FLOOD (TARO)	IRRIGATE TO FIELD CAPACITY
- - - : - <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>							

**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		See Attachment 1
Wastewater reuse		See Attachment 1
Ditch system		See Attachment 1
Desalinization		See Attachment 1
Ground water		See Attachment 1
Other (specify)		N/A

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.
See Attachment 1

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.

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.
- 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/
- 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 I

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 - Measured or calculated use of water at the source or end use 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^a of 12 months of consecutive use^b from the last month^c 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, Thermoelectric 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 12th 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.*

ATTACHMENT 1

EXHIBITS: Appended hereto as **EXHIBIT 1** is a copy of the 7.5 minute-series USGS topographic map with the North Waiehu and Waihe`e Ditch diversions labeled. **EXHIBIT 2A** is a TMK map showing the location of our property and **EXHIBIT 2B** is a map of our kuleana water system. **EXHIBIT 3** contains copies of photographs of our `auwai diversion and area of use. **EXHIBIT 4** is described below.

ADDITIONAL INFORMATION FOR SWUPA-E BOXES:

2. Source Landowner:

Not applicable pursuant to HRS § 174C-51(1)(B), because applicant does not have a terminable interest in the land which is the source of the permitted water. According to the Water Commission's records, which have not been verified, Wailuku Water Company claims to be the source landowner.

5. Stream Diversion:

We are kuleana users in **Waiehu** that receive kuleana water from **two sources** (see Exhibits 2B and 3). One source is a kuleana `auwai that receives water from **North Waiehu Stream**. Water is diverted from North Waiehu Stream (TMK No. 3-2-014:001) (see attached USGS topo map) into the North Waiehu Ditch and a 6 inch pipe in North Waiehu Ditch brings water across Waihe`e Ditch and under a plantation road. At some point under the plantation road, the pipe is reduced to 4 inches. The pipe splits and some water comes east toward the Ciacci's land and some goes toward the Ho`opi`i's land. The outflow from the Ho`opi`i's pipe eventually meets up with the portion of the water that comes toward the Ciacci's land. The water flows through the Ciacci's lo`i kalo and other neighboring land and the outflow comes onto our land in an open ditch.

The **other source** is a kuleana `auwai that runs along **Malaihi Road**. The `auwai receives water from Waihe`e Ditch, **after Waihe`e Ditch receives water from Waihe`e River and North Waiehu Stream**. Water is diverted from Waihe`e River at the Waihe`e diversions (see attached USGS topo map) into the Waihe`e Ditch. Water is diverted from North Waiehu Stream (TMK No. 3-2-014:001) (see attached USGS topo map) into the North Waiehu Ditch, then into Waihe`e Ditch. Water from the Waihe`e Ditch flows into a pipe and weir, then into an open ditch. The water continues makai in the ditch and pipes down both sides of Malaihi road until it passes adjacent to TMK 3-2-018:044. The water cuts across the Ciacci property and meets up with the **North Waiehu kuleana `auwai** (described above). The combined `auwai continues through the neighboring land and onto our property where we access the water via an open ditch for our lo`i kalo. The outflow empties into Spreckels Ditch and/or Reservoir 25 via an open ditch.

6. Flow Measurement Information: See explanation for Table 2 Box 10, below.

7. Appurtenant Rights:

Our property has appurtenant rights because it was in kalo cultivation at the time of the Māhele of 1848. In fact, almost all of the stream water we currently use is for ancient lo`i kalo that we have restored. Attached hereto as **EXHIBIT 4** are true and correct copies of Māhele records for Land Commission Award No. 11256, Royal Patent No. 7248 and Land Commission Award No. 2475, Royal Patent No. 6528, including testimony indicating the land was in kalo. This land has been in our family for many generations, and based on our knowledge of the history of this kuleana and our family we have no evidence, indication, or any other reason to believe that our appurtenant rights have been extinguished. This application should be granted pursuant to HRS § 174C-63.

Table 2. Justification for Requested Quantity:

Our existing water use is not gauged, but we measured our use by using the bucket method. See 'Onipa'a Nā Hui Kalo, Guidelines for Grassroots Lo'i Kalo Rehabilitation 70. We measured the amount of time it took to fill a five-gallon bucket five times, and the average time was 7 seconds. Then, using the table on page 70 of Guidelines for Grassroots Lo'i Kalo Rehabilitation, we calculated our existing use as 62,000 gallons per day. This approximates the amount we were using on the date of designation, but this amount is not adequate for a healthy kalo crop.

Table 4: Alternatives Analysis

Because our land has an appurtenant right to stream water, which is in the nature of an easement that was conveyed with the land at the time of the Māhele, we do not need to demonstrate that we have no practicable alternative source of water. Our appurtenant right is for stream water, not to water from some other source, and our exercise of this appurtenant right enjoys maximum protection and first priority under the law.

Moreover, even if we did not have protected rights to stream water, there is no potentially available alternative source that is economically practicable. We lease our land to Aloha Poi Factory to grow kalo in the traditional manner in the ancient lo`i on our land. Aloha Poi makes poi out of the kalo they grow to provide the local community with a nutritious and culturally significant food source. An alternative water source that would require us or Aloha Poi to pay for the volumes of constantly flowing water in our lo`i necessary to keep temperatures cool and support healthy kalo would make Aloha Poi's wetland kalo cultivation using traditional methods economically impossible. We would effectively be denied our appurtenant right and the opportunity to grow kalo on our land. As shown below, each potentially available alternative water source is impracticable and imposes a cost on exercising our protected right.

Municipal Sources. Our domestic water service is a typical residential service and does not have the capacity to deliver the volumes of water we require. Even if the Maui County Department of Water Supply were willing to provide municipal water for wetland kalo cultivation by installing a larger water meter, the cost of using municipal water for such purposes would be prohibitive. Additionally, water from the Maui County Department of Water Supply is chlorinated, which is detrimental and unsuitable for wetland kalo.

Wastewater reuse. Reusing wastewater is impracticable because we would still be required to pay for large volumes of flowing water. Additionally, the closest wastewater treatment plant is in Kahului. As a small user engaged in wetland kalo cultivation using traditional irrigation methods, we do not have the means to hookup to and use that water.

Ditch system. We are currently using water from an existing `auwai, although water is not available consistently and in sufficient amounts to support the existing uses on our system, including our own uses. Getting water from a different ditch system other than the existing system that already services our land is not practicable or efficient. First, the other ditch systems in Nā Wai `Ehā do not consistently have enough water to support additional users. Second, we lack the property, access, permissions and funding necessary to permit and construct an additional ditch diversion and irrigation system. As a small user engaged in wetland kalo cultivation, the cost of taking water from or constructing another ditch is not practicable.

Desalinization. Desalinization of brackish water is not a practicable alternative because we are not aware of any such plant having been built on Maui. According to the County's estimates, a plant is expected to be built in 2013 at the earliest.

Ground Water. Even if we were able to secure the permits necessary to drill a well and pump ground water for our uses, installing and operating such a well to provide flowing water for kalo cultivation would be unprecedented and extremely burdensome. As a small user engaged in wetland kalo cultivation using traditional methods, we do not have the means to install and maintain such infrastructure.

Table 4: Public Interest

Our Existing Use is Consistent with the Public Interest

Generally, "water use for diversified agriculture on land zoned for agriculture is consistent with the public interest." In re Waiāhole Ditch Combined Contested Case, 94 Hawai'i 97, 162, 9 P.3d 409, 474 (2000) ("Waiāhole I"). Further, HRS § 174C-2(c) provides that the protection of traditional and customary Hawaiian rights, agriculture, and the maintenance of proper ecological balance and scenic beauty are "in the public interest." The water we use is for kalo cultivation. We grow kalo in traditional ways and use it to make poi for sale in local stores. Our lo`i kalo help maintain ecological balance and scenic beauty and allow the perpetuation of the Native Hawaiian culture. As such, our existing use of stream water is consistent with the public interest. Additionally, the exercise of appurtenant rights is a protected public trust purpose. Waiāhole I, 94 Haw. at 137 n.34, 9 P.3d at 449 n.34.

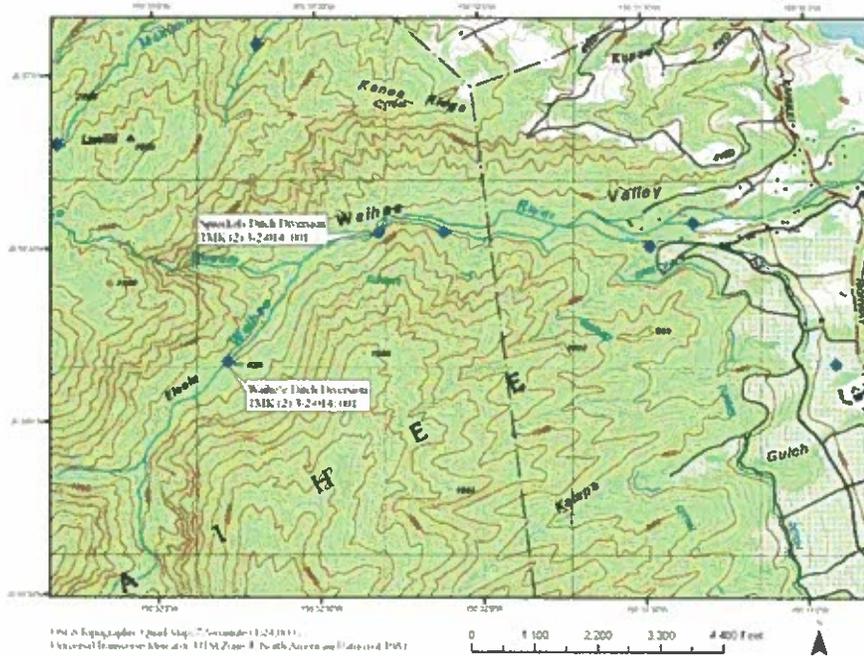
Our Existing Use is a "Reasonable-Beneficial Use"

Kenneth Lee (landowner)
Lester Nakama (lessee)
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“Reasonable-beneficial use” is defined as “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 public interest.” HRS § 174C-3. As indicated, our existing use of stream water is consistent with state and county land use plans and the public interest. It will also be “economic and efficient” because we will only use the amount we need. Therefore, the water we use is for a “reasonable-beneficial use.”

Kenneth Lee (landowner)
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Topographic map of the Wahe'e ahupua'a in central Maui, Hawaii (Source: U.S. Geological Survey, 1996).



Topographic map of the Wahe'e ahupua'a in central Maui, Hawaii (Source: U.S. Geological Survey, 1996).

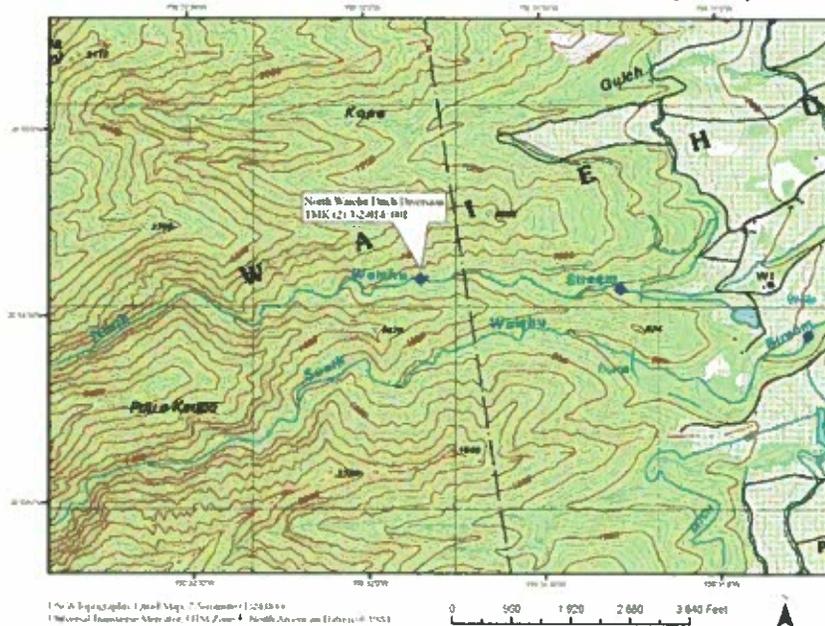


EXHIBIT 1: USGS MAPS

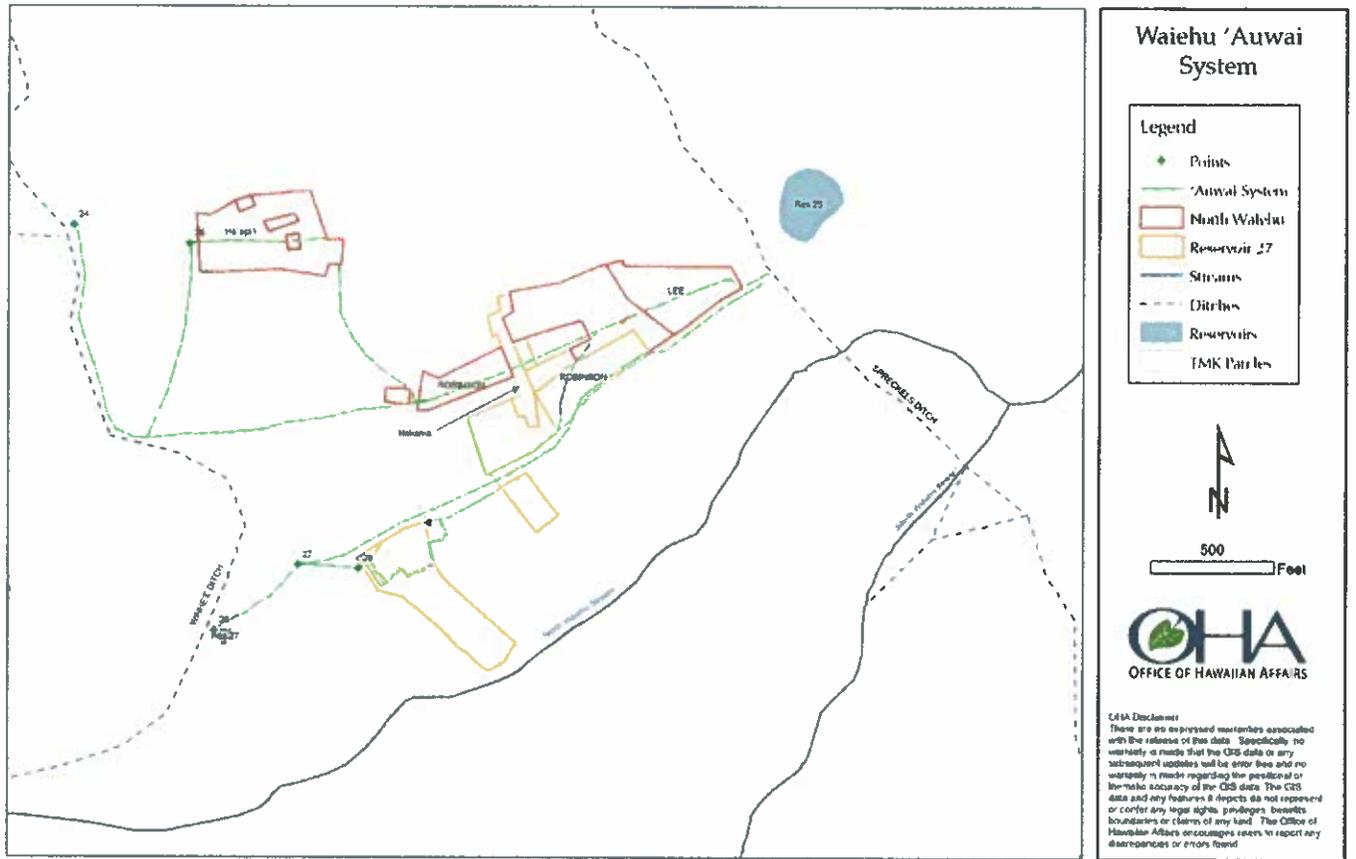


EXHIBIT 2B: TMK Map depicting the water system in relation to land

EXHIBIT 3



The above photograph depicts the 6-inch pipe that crosses Waihe`e Ditch and goes underground before delivering kuleana water to our land. The North Waiehu Ditch is emptying into the Waihe`e Ditch to the right.

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These photographs depict the `auwai as it runs down Malaihi Road on a rainy day.



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The above photo depicts the inflow onto our land after the North Waiehu and Malaihi Road `auwai have combined.



The above photo depicts a portion of our lo`i kalo.

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Mahe 2118
Palapala Sila Nui
 A KE ALII, MAMULI O KA OLELO A KA POE HOONA KULEANA.

No ka Aho, Co-hehoho o ka Lona Hoona i na kumu kuleana oia i ka olelo, he kuleana nui ho
 ma ke Aho Alohe Uka o ka i olelo maia.

NOAHO, me keia Palapala Sila Nui, he haka aha o KALAKAUA, he Alii Nui o ka Aha
 i haka i ka maika i hana o ka maia o ka Hawaii Pae Aina, i na haka a poe, i ka maia o ka
 kua maia he Alii, a na haka aha oia, ma ke Aho Alohe i
 i kaia Mahe wahi a poe he ma Mahe o Pahakani Mahe
 me ka Makupuni o Mahe paha na makua:

Lona Hoona

O huumaka ma ke kiki oia o ka olelo

Ah 111 No 100	haka ma	Mahe
Ah 87 1/2 No 326	haka ma	Mahe
Ah 75 1/2 No 119	haka ma	Mahe
No 23 1/2 No 108	haka ma	Mahe
No 107 1/2 No 288	haka ma	Mahe
No 52 1/2 No 162	haka ma	Mahe

Paha maia

Kenneth Lee (landowner)
Lester Nakama (lessee)
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Mafoke o hewa _____ 58/00 _____

o oi lili aku, o emi ihi makai. Ua hoo me i ho Aupuni na mea maunahi, o me na makahi o pau.

Ho Sonoala _____

na mea i i hooia na ka hooi hooi o na hooi hooi, o me hooi hooi: na pii na ho hooi o.

na Poo Ahoolole'i hooi ihi o na hooi hooi i hooi hooi: hooi hooi.

At i hooi o hooi hooi hooi hooi: hooi hooi, hooi hooi hooi hooi hooi hooi hooi.

Ahoolole'i hooi hooi: De July _____

Ma Ka Hooi: _____

Ma Ka Hooi: _____

De July

De July

me, and so his son shall hold it under
my son hereafter.

S. Kaku, sworn, says he knows this lot
in dispute between Kaupuni and A. Kaku.
Knows that Mamoo was in possession of
this place as far back as 1835, or '36, and
up to the time he went to Hawaii. He it
was who enclosed the lot, - erected houses on
it, and planted it with trees.

Maucha, sworn, says she lives on the lot in
dispute. Her Kaku planted on there about
six years ago. The house I live in was built
by Mamoo. When I went there to live, the
family of Mamoo were living there.
It was partially enclosed before Mamoo lived
on it, by the fence of the Ahupuaa built
by Kaniamalala. When Mamoo enclosed
it properly. When Mamoo left for Hawaii
the lot reverted to Kaniamalala. Kaupuni
was then at school at Lahainaluna, and
did not live on this lot.

Hailu ka Nov. 11, 1858

No. 11,256.

Lonoasa.

Kapela, sworn. I wrote out this claim in
1827, and filed this with many others on board a
sloop at Lahaina bound for Oahu. Some others
on the same sloop were examined at the Hale
Kona. (Witness exhibited a note book he had left
in which this claim was recorded among others
he had written.)

Kauoa, sworn. Knows the claim in the land
in the title of "Ahakani", Maucha, Maui. It is now

piece of Hale land, and is bounded,
 Maunaloa by Kahala's land.
 Waikoa .. Kawa
 Kakaia .. Konehiki
 Waikoa .. Kahala .. & the Palms
 Claimant received this land from his
 father who received it from Kawa. The
 Konehiki, in 1816, and he has occupied it
 without dispute till the present time.
 There are five lots of the Konehiki adjacent
 to this land.
 Kawa, however, is in full the
 testimony of Kawa.

Waikoa, Aug 5 1856

Mr. Robertson Esq
 Dear Sir

Herewith I send you the follow

ing survey
 665 Ulani .. Kakaia
 647 Kawa
 653 Apuku .. Konehiki
 9-21 Kama .. Konehiki

The new piece surveyed was to be added to the other by consent
 of the Konehiki - B. J. Driffin.

1871 B. Kawa .. probably identical with the amount
 \$750, but Mr. Driffin relinquished the balance of his claim to which
 he had a good right and wished, that might be enlarged
 rather than have his children in different places.

The old deed might be suppressed and the cost of
 both changed in the new deed.

HELU 6528.

PALAPALA SILA NUI

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

NO KA MEA, Ua hoooho na Luna Hoona i na kumu kuleana aina i ka olelo, ho kuleana oiajo ko
ma ke **Ano Alodio** iloko o kahi i okeleis matalo. Kuleana Helu 2475

Hahakulu
Nolaila, ma keia Palapala Sila Nui, ke hoike aku nei o **Kamehameha**, ko Alii Nui a ke Akua i
Kona lokomaikai i hoonoho ai maluna o ko Hawaii Pae Aloa, i na kanaka a pau, i koia la nona iho, a no
i kela wahi a pau loa ma **Hawaii**
ma ka Mokupuni o **Hawaii** penei na tokuna:

Op 1. Mahale I. Ue. Kamehameha. Chormata ki ana ma ka Paha Paha; Keia
Op 46' N 5.75 Waul ana Kamehameha
Ue 40' " 2.11 " " "
" 87' N 1.12 " " "
" 68' " 5.12 " " "
Pali a ana Kahi i hounaia
Anapuni i ana Mahale I. 1/2 O'Ka.

Mahale II Chormata ki ana ma ka Paha Paha; Keia i Pali ana ka Mahale
Kahi Paha.
Ue 87' N 2.88 Waul ana ka Pali
Op 77' " 1.75 " " "
" 55' W 1.72 " " "
Ue 76' " 3.49 " " " a hiki ana Kahi i hounaia.

Op 2. Ue. Paha. Chormata ki ana ma ka Paha Paha; Keia
Ue 85' N 2.87 Waul ana ka Paha
Op 57' N 3.5 " " "
" 42' N 2.07 " " "
" 87' N 6. " " " a hiki i Kahi i hounaia.

Op III. Ue. Paha. Chormata ki ana ma ka Paha Paha; Keia
Paha ma Kamehameha

Op 43' N 0.41 Waul ana ka Paha
Ue 68' " 1.75 " " "
Op 84' " 1.75 " " "
Op 53' " 2.42 " " "
Op 48' " 1.75 " " "
Op 57' " 1.75 " " "
Op 62' N 1.75 " " "
Op 44' " 1.75 " " "
Op 42' " 1.75 " " "
Op 49' " 1.75 " " "
" " " " " a hiki ana Kahi i hounaia.

HELE

PAIAPALA SIA NI



A KE AII. MAWALI O EA OLELO A KA POE HOONA KULEANA

NO KA MEA, Ua booholo na Laha Iloona i na kumu kuleana eia i ka olelo, ka kuleana eia ka
Kuleana Hele

Ua hana ma ka Laha Iloona i ka olelo a ka poe hoona kuleana eia i ka olelo, ka kuleana eia ka
Kuleana Hele

[Faint, mostly illegible text, likely a list of names or descriptions of land parcels.]

Maloko o *Kia* a ni iki aku, a emi iki mai paha. Ua koe ma i ke Aupuni o mine mihareia e na me maha eia
No

Ua aia la i haawia ma ke Aho Aloha o ke kono maan i ka hana, a ma kono waihana, a ma kono
a ka Poe Ahaolelo a kau like ai ma ke kono i ke kono maan i ke kono maan i ke kono maan
A I MEA E MEA AI, ua kau au i ke kono maan i ke kono maan i ke kono maan i ke kono maan
i ke kono maan i ke kono maan i ke kono maan i ke kono maan i ke kono maan i ke kono maan

By the Order of the Committee of the Hawaiian People

Lester Nakama

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who administer the land claims of the people from Hawaii to Kauai:
The person living at Wahikuli, Island of Maui hereby tells of his
places cultivated at Waiehu and at Ahikuli.

At Poohuea, an 'ili at Ahikuli, I have 49 lo'i, 1 hala tree and also
a kula in this 'ili. This is a separate 'ili which I have -- it is
Kaulu nui, an 'ili at Waiehu. It is bounded on the east by the land
of Kaohē, on the west by the land of Kaulu iki, a stream is on the
south, a pali is on the north. It is ended.
Ahikuli

KAHOLOMOANA

No. 2474 Kuhl Dec. 29, 1847

Greetings to the Land Commissioners sitting at Halekauila to adminis-
ter the claims for land from Hawaii to Kauai: At Kaohē in the 'ili
of Kaneiakala I have 1 Alani tree /orange?/. I have an independent
'ili named Kaula iki. It is bounded on the east by the land of Kaula
nui, on the west by Kaohē, on the north by a stream, on the south by
a pali. It is finished.
Ahikuli, Maui

KUHI

No. 2475 Kahalehuki Dec. 23, 1847, Waiehu

To the Land Commissioners: I hereby tell of my lo'is, at Ahi-

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kuli in Kaluaolena, 10 lo'i. At Pohakunui are 13 lo'i. At Poohuea 1.
are 3 lo'i. From Lonoaea are these lo'is which jump in various
places. From Kaai are some lo'i at Poohuea, 5 lo'i. From Kekawai
is 1 also at Poohuea /and/ 2 other lo'i.

KAHALEHUKI

No. 2476 Kalauao

To the Land Commissioners, Greetings: I hereby state my claim for land
in the 'ili of Punaluu, Ahupua'a of Kaneohe on Oahu. 5 lo'i are in
one place, one lo'i is in the 'ili of Puuiki, in Kaneohe. My kula is
at my mo'o in Punaluu also. My house is a claim at Punaluu also.

KALAUAO X his mark

No. 2477 Kahau

To the Land Commissioners, Greetings: I hereby state my claim in
the 'ili in Waikalua in Kaneohe, Island of Oahu. There are 3 taro
lo'i and also a kula in one place with my lo'is. There are also two
seaside sand hill /ponds/, and three sweet potato fields. My house
is another claim, it is in my mo'o.

KAHAU X his mark

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Part of *Waikehu, Makua*, by *Pohia's & Schute's* hand. *Maulana* by *Ulu*
lanakua's hand.
N^o 3, is bounded, *Waikehu*, by *Kantua's* land, *Waikehu* & *Waikehu*
side, by the *Panaka's* land, *Maulana*, by the *Creek of Waikehu*.

Ch. 2475. Uluhanuku.

House for *the* *Ch. land* consist of 3 pieces, 2 of which in the *Ulu*
piece of Uluhanuku, and one in *Uluhanuku, Maua*.

- N^o 1* is a *title* to the *title of Uluhanuku*.
- 2* " *10* *bits* in the *title of Uluhanuku*.
- 3* " *one* *bit* " " " *2*
- 4* " *13* *bits* " " " *Uluhanuku*

The *Ch. no. 2475, 2 & 4*, from *Louisa* in *1836*, and *18*
3, from *Uluhanuku* in the *year 1837*. *His* *title* was not *disputed* until
 after his *death* in *February 1849*. *Then* *she* *claimed* it as the *Land*
 of *Uluhanuku*. *The* *Ch. no. 1* was *land* to *Kahala* his *daughter* who
 is the *wife* of *Milakahi*. *She* *strove* to *wash* it to *drive* her *from* the
land, and *he* *appealed* to the *Hon. J. K. K. K.* *and* *decided*
against *her*. *It* was *then* *taken* up to *Judge* *Robinson* who
confirmed the *land* to *Milakahi*. *There* is *probably* *bits* in *it*.

N^o 2 is bounded, *Waikehu*, by *Uluhanuku's* land, *Waikehu*, by
 the *Creek of Uluhanuku*, *Maulana*, by *Uluhanuku's* land, *Maulana*, by the
Piki.

N^o 3 is bounded, *Waikehu*, by my *land*, *Waikehu* & *Waikehu*, *side*,
 by the *same*, *Maulana*, by the *Creek of Uluhanuku*.

N^o 4 is bounded, *Waikehu*, by *Kahala's* land, *Waikehu*,
 by *Pohia's* land, *Waikehu*, by *Uluhanuku's* land, *Maulana*, by *Kama*
huku's land.

N^o 5 is bounded, *Waikehu*, by the *Palms* *land*, *Waikehu*, by
Kama's land, *Waikehu*, by the *Palms* *land*, *Maulana*, by *Mr. Dick's*
land. *See* *Ch. no. 2475, 2 & 4*. *See* *1899 & 15*.

Ch. 2476. Uluhanuku.

House for *the* *Ch. land* consist of two *pieces* in *Uluhanuku, Maua*.

No. 2451 Kaelepulu

July 18, 1849

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Kula sworn He has seen 2 sections in Wailuku and Waiehu. First section from Keahi in 1844. Keahi's interest from Naea, Naea's interest from Namakaeha. Namakaeha's land from Kaunuohua. Kaunuohua's land from Moi in 1837. Section 2 from Makamui in 1845. Makamui's land from Eleele at the time of Kam II, no objections. 1 Poalima in the first section.

Section 1 - 42 patches at Pilipili

Mauka	Naheana's land
Waihee	Z. Nakookoo's land
Makai	Naheana's land
Maalaea	Government enclosure

Section 2 - 8 patches, pastures at Kumuiliuili

Mauka, Waihee, makai	Makanui's land
Maalaea	Z. Nakookoo's land

No. 3443 Kamai

July 18, 1849

Muhiwa sworn He has seen 3 sections in these ilis at Waiehu. All sections from Polea in 1838. 2 Poalimas in first section, 1 poalima in section 2. No one has objected.

Section 1 - 11 Taro patches at Kalaino

Mauka	Mokupanee
Waihee	Kaneiki
Makai	Kalaikaukeha
Maalaea	Polea's land

Section 2 - 6 taro patches at Kalaino

Mauka	Polea's land
Waihee	Waiehu pali
Makai	Polea's land/Kapohuli
Maalaea	Kilaukea

Section 3 - 8 taro patches at Kepoino

Mauka	Kaahu
Waihee and makai	Prisoners' patch
Maalaea	Stream

No. 2475 Kahalehuki

July 18, 1849

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Hanae sworn He has seen 4 sections in these ilis at Ahikuli and Pohakunui. Sections 1,2,4 from Lonoaea in 1836. Section 3 from Kekawa in 1837. Kahalehuki died in feb. 1849. Kahale, his daughter and wife of Malaihi is his heir. Lii had objected to the first section and Malaihi complained to Kiuhelani the tax assessor and the decision was in Malaihi's favor. Lii did not submit to this decision and Malaihi, this time complained to John Richardson. Again he won and Lii agreed. No objection and no poalima.

Section 1 - Whole ili of Kaluaolena

Mauka	Kamahaloa
Waihee	Ahikuli stream
Makai	Waiwaiole
Maalaea	Ahikuli pali

Section 2 - 10 Patches at Poohuea 1

Mauka, Waihee, makai	Hanae
Maalaea	Ahikuli stream

Section 3 - 1 patch at Poohuea 2

Mauka	Kaholomoana
Waihee	Pahanui
Makai	Waiwaiole
Maalaea	Kamenele

No. 2475 Kahalehuki (cont.)

Section 4 - 13 patches at Pohakunui

Mauka	Poalima
	Kaiuipoepoe's land
Waihee	Kaai
Makai	Poalima
Maalaea	Kamana Baisa's land

No. 2474 Kuhi July 18, 1849

Kapohuli sworn Ehas seen 2 sections in these ilis of Ahikuli. Land from Kaai-malani at the time of Kam. II. Their house site is old. 2 Fridays in the first section, no one has obje cted.

Section 1 - Whole ili of Kauuili and a pasture

Mauka	Kaneiakala
Waihee	Stream
Makai	Kamaholoa
Maalaea	Pali

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Section 2 - House site and pasture in the ili of Kaohe

Mauka, Waihee, makai	Kaneiakala
Maalaea	Ahikuli pali

No. 3456 Keliimui July 18, 1849

Nuuhiwa sworn He has seen 3 sections in the ilis of Waiehu. Sections 1 and 2 from Keliimui's parents at the time of Kam. II. Section 3 from Pepe before 1834. 1 Friday in Kaohe, no one has objected.

Section 1 - Taro pauku at Kaohe

Mauka	Kaholomoana
Waihee	Polea's land
Makai	Kaleo
Maalaea	Stream

Section 2 - 25 taro patches at Ohia 1

Mauka	Z. Nakookoo's land
Waihee	Stream
Makai	Kaleo
Maalaea	Keau

Section 3 - 3 taro patches at Ohia 2

Mauka	Kaniolo
Waihee and makai	Pepeiao
Maalaea	Stream/ Pepeiao

No. 3457 Kamaka July 18, 1849

Ehu sworn He has seen 1 section in the ili of Kapalaaa in Polipoli consisting of a taro moo and pasture. Land from Kanalo in 1846, an old land for Kanaka's grandmother since Kam I, to the time of Kam, III, she is deceased, no one has objected.

Auwae has stopped pressing for that one patch, it has been returned to Kamaka.

Mauka	Auwae's poalima
Waihee	Pea
Makai	Ehu's land
Maalaea	Auwae's land