



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

**ORIGINAL**

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

For Official Use Only:  
**RECEIVED**  
**COMMISSION ON WATER**  
**RESOURCE MANAGEMENT**  
**2009 APR 30 AM 10:45**  
 WUP172  
 Event ID: 2339.6

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

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.*

<b>1. APPLICANT'S NAME</b> YAMAOKA, ROGER YAMAOKA, KEVIN		Applicant's Contact Roger Yamaoka	<b>2. SOURCE LANDOWNER'S NAME</b> WAILUKU WATER CO., LLC		Source Landowner's Contact Clayton Suzuki
Applicant's Mailing Address, or Principal Place of Business 1295 OLD WAIKAPU ROAD WAILUKU, HI 96793			Source Landowner's Mailing Address, or Principal Place of Business 225 EAST WAIKO ROAD WAILUKU, HI 96793		
Applicant's Phone	Applicant's Fax	Applicant's E-mail	Source Landowner's Phone (808) 244-7079	Source Landowner's (808) 2427068	Source Landowner's E-mail csuzuki@wailukuwater.com

**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

**4. DIVERSION LOCATION:** Choose the appropriate category and enter information in either 4a or 4b.

**4a. TMK OF STREAM DIVERSION LOCATION:** 3 - 3 - 3 : 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.  
 Pipe  Pump  Ditch/auwai  Other Describe:  
 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:  
 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  
 Estimation based on "5 gallon bucket" test, which is derived from the length of time to fill up a 5 gallon bucket of water by the total usage time.

**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 LLC

**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): Roger Yamaoka and Kevin Yamaoka  
 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.

<b>11. APPLICANT</b>   Signature ROGER K YAMAOKA Print 4/28/2009 Date	<b>12. SOURCE LANDOWNER</b>  Signature Print Date
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FILE ID: SWUP 2339.6  
 DOC ID: 3854

**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  PIPE**  
**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	2475	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
June 2007	2475	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
July 2007	2475	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
August 2007	2475	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
September 2007	2025	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
October 2007	2025	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
November 2007	1575	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
December 2007	1125	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
January 2008	1125	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
February 2008	1575	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
March 2008	2025	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
April 2008	2025	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>SUM OF AVERAGE DAILY USE FOR THE MONTH</b>	23400	<b>GPD</b>				
<b>AVERAGE DAILY USE (Average of the above)</b>	1950	<b>GPD</b>				

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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 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>Uses that do not require potable water</b>									
DOM	2 - 3 - 004 : 039 Zone      Sector      Plat      Parcel	URBAN	N	AG	N	1725	N	1.19	Based on Historical Usage
DOM	2 - 3 - 004 : 038 Zone      Sector      Plat      Parcel	URBAN	N	AG	N	225	N	0.16	Based on Historical Usage
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
	____ - ____ - ____ : ____ Zone      Sector      Plat      Parcel								
<b>TOTAL NON-POTABLE USE</b>						1950			
<b>TOTAL USE REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) =</b>						1950			
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.									

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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.	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>2</u> - <u>3</u> - <u>004</u> : <u>039</u> <small>Zone Sector Plat Parcel</small>	Apple Banana	1.78	0.89	January - December	January - December	Other ( Pipe and Hose)	Irrigate to Field Capacity
<u>2</u> - <u>3</u> - <u>004</u> : <u>039</u> <small>Zone Sector Plat Parcel</small>	Vegetables and Fruits	1.78	0.30	January - December	January - December	Other ( Pipe and Hose)	Irrigate to Field Capacity
<u>2</u> - <u>3</u> - <u>004</u> : <u>038</u> <small>Zone Sector Plat Parcel</small>	Vegetables and Fruits	0.628	0.16	January - December	January - December	Other ( Pipe and Hose)	Irrigate to Field Capacity
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							
<u>    </u> - <u>    </u> - <u>    </u> : <u>    </u> <small>Zone Sector Plat Parcel</small>							

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**TABLE 4: ALTERNATIVES ANALYSIS**

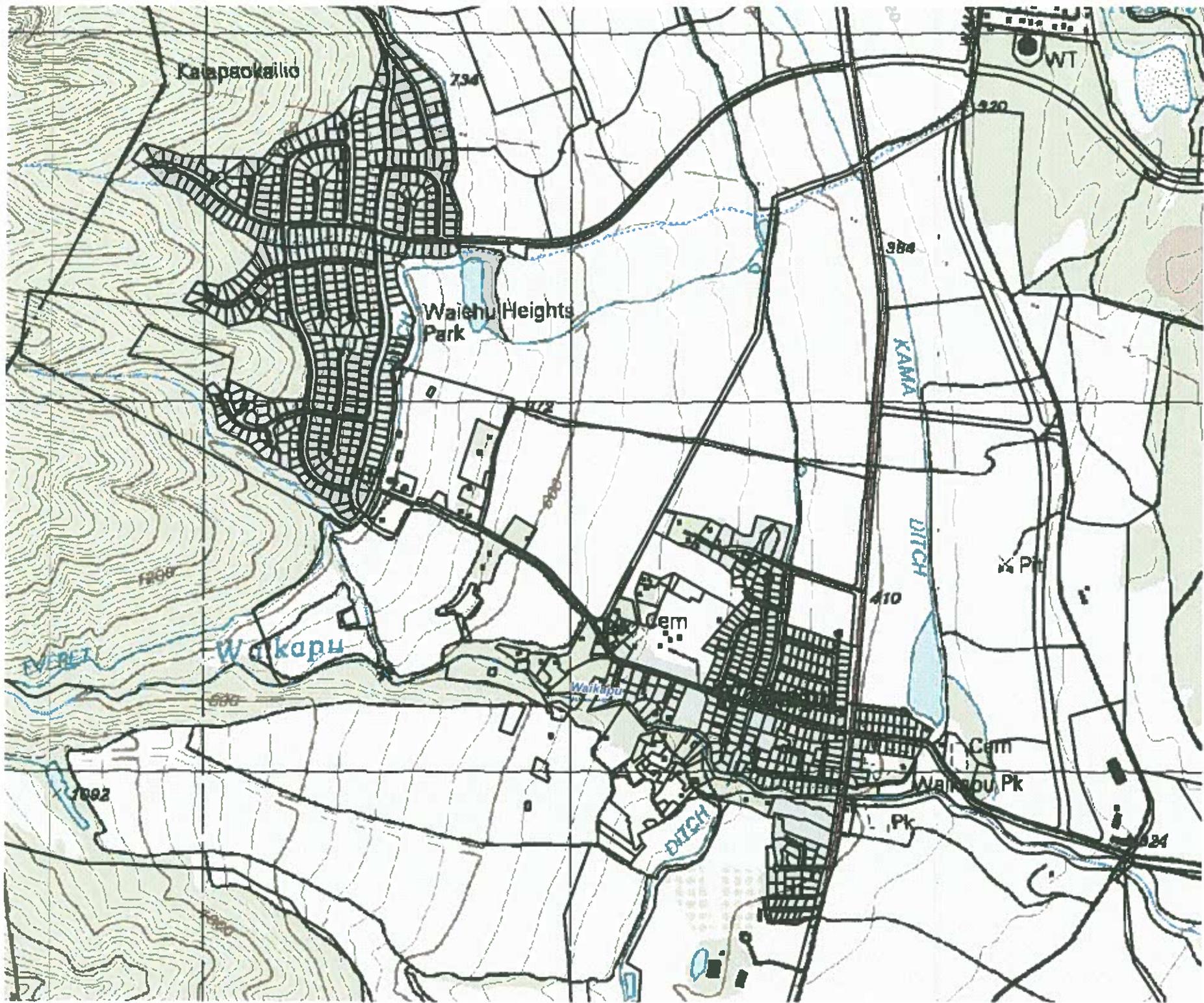
	<b>Potable Alternatives</b> Attach additional sheets if necessary.	<b>Non-Potable Alternatives</b> Attach additional sheets if necessary.
Municipal sources	Not Applicable	Not Applicable
Wastewater reuse	Not Applicable	Not Applicable
Ditch system	Not Applicable	Not Applicable
Desalinization	Not Applicable	Not Applicable
Ground water	Not Applicable	Not Applicable
Other (specify)		

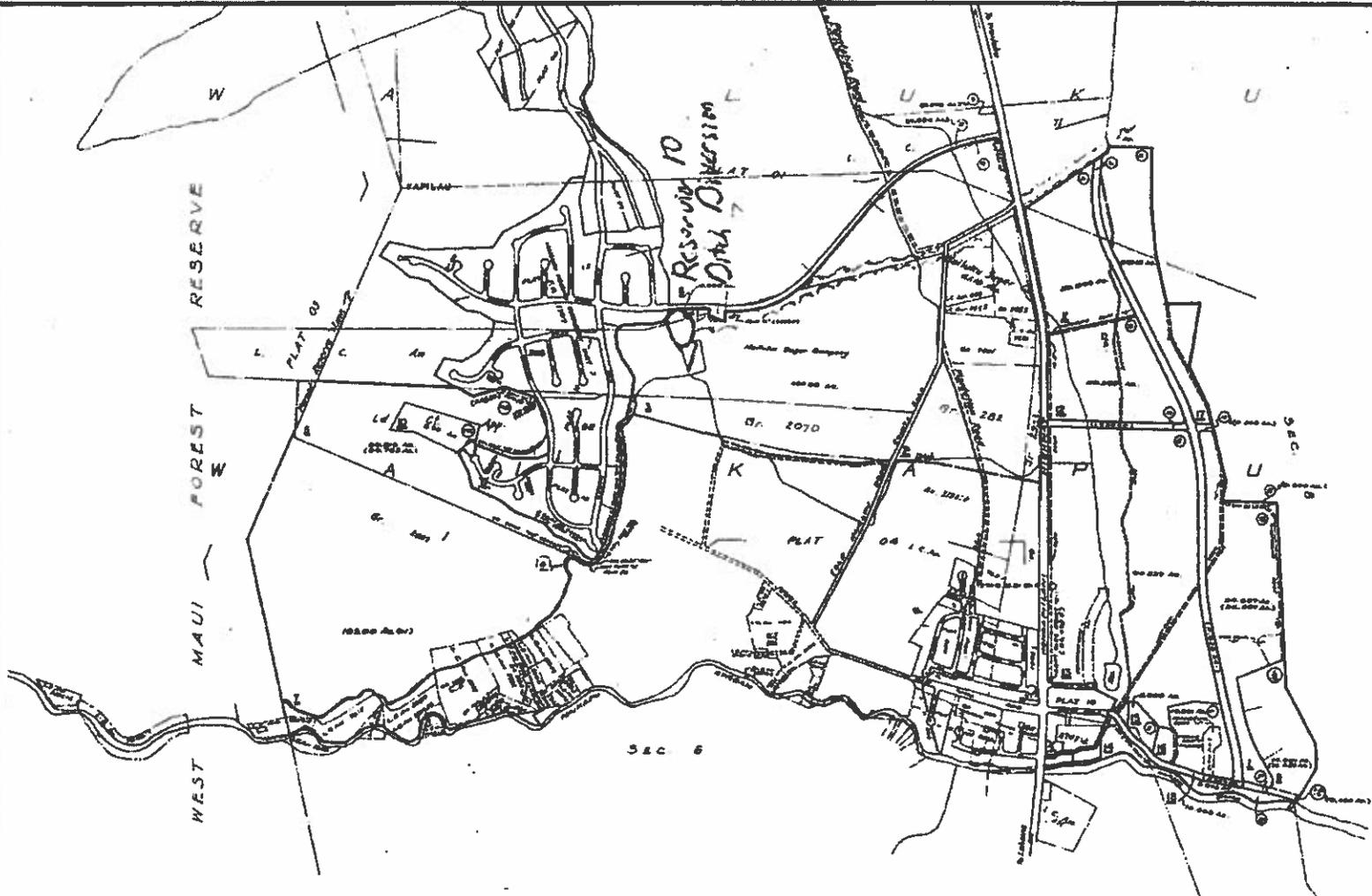
**PUBLIC INTEREST**

*§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 Usage is for the Irrigation of Domestic and Agricultural Purposes. The fruits and vegetables we grow is for our subsistence and to share with our families and the community.





10000 sq. ft.  
 2070  
 282  
 104 1/2 ac.

City of WAIAI  
 Dr. E.C. SAGE, District Engineer  
 Shows The Original Plat

Section of WAIKAPU, MAUI, HAWAII

SECOND DIVISION		
ZONE	SEC	PLAT
3	5	02
CONTAINING PARCELS		
SCALE 1 in. = 800 ft.		

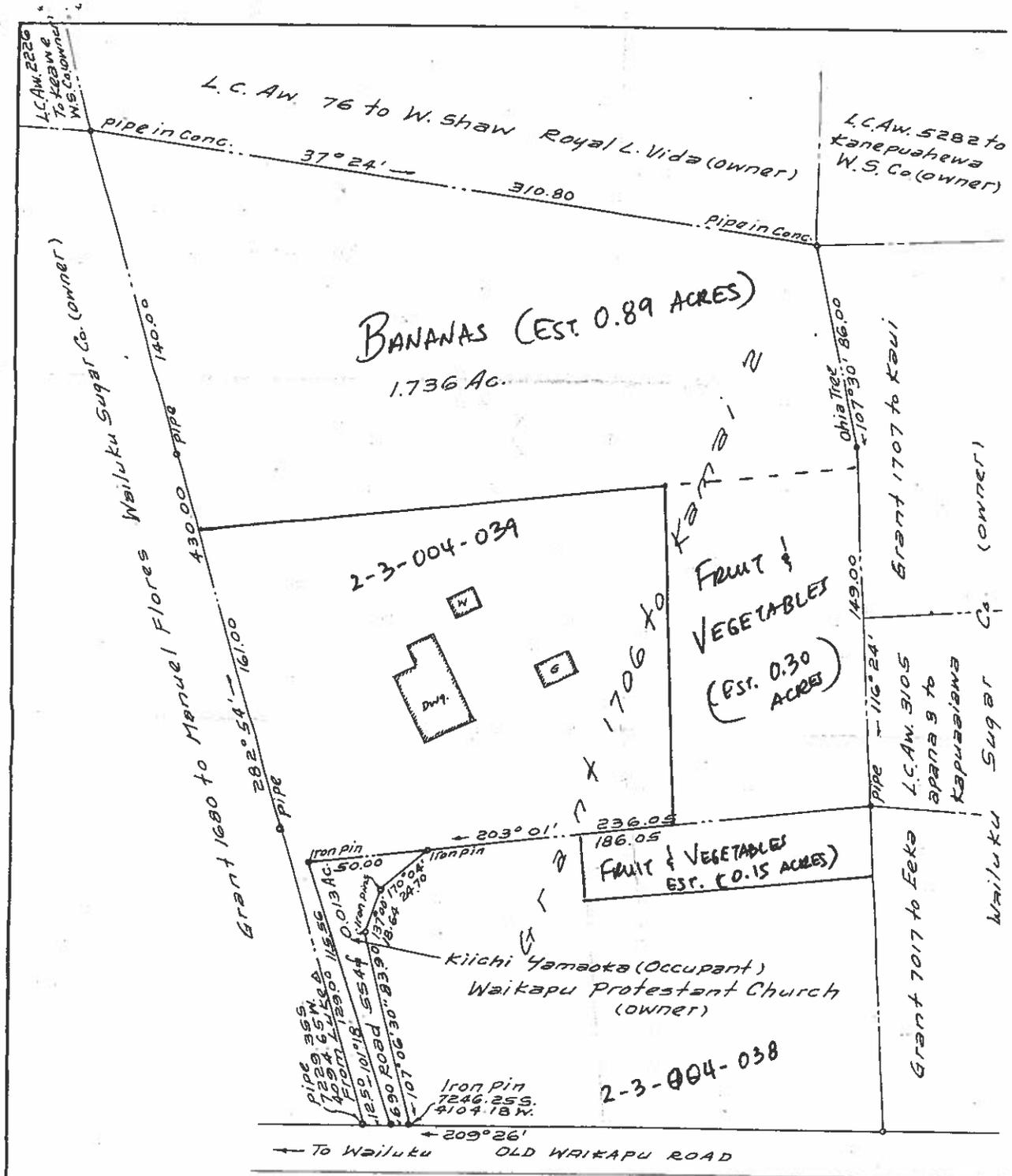
ADVANCE SHEET  
SUBJECT TO CHANGE

PRINTED



**Reservoir 10**  
**Iao-Waikapu Ditch**





True North  
 Scale 1 inch = 40 feet

GRANT 1706 TO KAMA'I  
 at Auwaiolimu, Waikapu, Maui,  
 Kiichi Yamaoka (owner)

Map by M.R. Souza  
 Wailuku, Maui, T.H.  
 October 20, 1954

Tax Key 3-5-04-3





