



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

APPLICATION FOR GROUND WATER USE PERMIT

FORM GWUPA

☐ New Use

☐ Modification of WUP No. \_\_\_\_\_

☐ Existing Use

For Official Use Only:

For detailed instructions on filling out this application form completely, refer to the attached instructions. Incomplete applications will not be accepted for processing.

APPLICANT INFORMATION

1. APPLICANT INFORMATION

Name/Company

Contact Person

Mailing Address

Phone

Fax

E-mail

2. SOURCE LANDOWNER INFORMATION

Name/Company

Contact Person

Mailing Address

Phone

Fax

E-mail

SOURCE INFORMATION

3. ISLAND

4. AQUIFER SYSTEM AREA

4A. SUSTAINABLE YIELD FOR ITEM 4  
MGD

5. SOURCE INFORMATION  
Attach additional sheets, if necessary.

Well Number (if known)	Well Name	Existing or Proposed?	TMK	Flowmeter installed?
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No
			_____ - _____ - _____ : _____ zone sector plat parcel	<input type="checkbox"/> Yes, date installed _____ / _____ / _____ <input type="checkbox"/> No

USE INFORMATION

6. TOTAL QUANTITY OF WATER REQUESTED: In the space below, enter total from Box M in Item 11 (Table 1) of this application.  
gallons per day, averaged over 1 year

7. USE: ☐ Agriculture ☐ Domestic ☐ Industrial  
Check all that apply. ☐ Irrigation ☐ Military ☐ Municipal

8. LOCATION OF WATER USE: Show the location of the use on a map, attached as a .pdf to this application.  
See Item 11 (Table 1, column B) of this application.

Note 2: 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. Further, 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 is subject to any existing legal uses, changes in sustainable yields and instream flow standards, reserved uses as defined by the Commission, and Hawaiian Home Lands' future uses; and (3) the applicant is responsible for paying the public notice fees associated with this application. Additionally, as stated in Note 1, above, HRS § 174C-51(1) the landowner shall be the joint applicant in the event the applicant is a lessee, licensee, developer or any person with a terminable interest or estate in the land that is the water source of the permitted water.

9. APPLICANT

Signature

Print Name

Date

10. SOURCE LANDOWNER/JOINT APPLICANT (if applicable)

Signature

Print Name

Date

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USE INFORMATION											
11. TABLE 1: LAND USE CONSISTENCY (Attach additional copies, if necessary.)											
LAND USE CONSISTENCY						EFFICIENCY OF USE					
A	B			C	D	E	F	G	H	I	J
PURPOSE / WATER USE CATEGORY (See the Instructions for water use category descriptions.)	TMK FOR LOCATION OF USE ATTACH THE FOLLOWING: <ul style="list-style-type: none"><li>Property tax map, showing location of use referenced to established property boundaries.</li><li>Photograph of the area of use.</li></ul>			STATE LAND USE DISTRICT	CDUP REQUIRED? Check the appropriate box, and write in the date approved, if applicable.	COUNTY ZONING CODE	SMAP REQUIRED? Check the appropriate box, and write in the date approved, if applicable.	UNITS OR NET ACREAGE	GPD/UNIT or GPD/ACRE	QUANTITY OF USE (GPD)	JUSTIFICATION FOR QUANTITY OF WATER REQUESTED (If applicable, attach additional sheets showing how the quantity was calculated.) For irrigation uses, fill in Table 2.
USES THAT REQUIRE POTABLE (DRINKING) WATER											
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
TOTAL POTABLE USE										K	GPD
USES THAT DO NOT REQUIRE POTABLE WATER											
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
	zone	sector	plat	parcel		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No			
TOTAL NON-POTABLE USE										L	GPD
TOTAL QUANTITY OF WATER REQUESTED (sum of total potable use and total non-potable use) =										M	GPD
Please explain if there are any limitations (e.g., legal, contractual) on the proposed water use(s) described in Table 1. Ref. HRS § 174C-51(5).											

USE INFORMATION (continued)

12. TABLE 2: AGRICULTURE/IRRIGATION INFORMATION

List all crops that will be grown, including landscape and golf course irrigation uses. Copy Table 2 and attach additional sheets to complete your list, if necessary.

A	B	C	D	E	F	G	H	I
TMK FOR LOCATION OF USE ATTACH THE FOLLOWING: <ul style="list-style-type: none"><li>Property tax map with an outline around the area of each irrigation use listed in this table.</li><li>Photograph of the area of each use.</li></ul>	CROP	TOTAL ACREAGE	NET IRRIGATED ACREAGE	BEGIN GROWTH PERIOD (month)	END GROWTH PERIOD (month)	IRRIGATION SYSTEM (refer to instructions)	IRRIGATION PRACTICE (refer to instructions)	COMMENTS (Continue comments below, if more space is needed.)
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								
____ - ____ - ____ : ____ zone sector plat parcel								

Comments (continued from Column I). Please clearly indicate the crop (i.e., the row in table) these comments relate to.

OTHER PERTINENT INFORMATION

13. TABLE 3: ALTERNATIVES ANALYSIS

	A. Analysis of <i>potable</i> alternatives Attach additional sheets if necessary.	B. Analysis of <i>non-potable</i> alternatives Attach additional sheets if necessary.
Municipal sources		
Wastewater reuse		
Ditch system		
Desalinization		
Surface water		
Other		

14. PUBLIC INTEREST

§174C-2(C), HRS states: *The state water code shall be liberally interpreted to***[a]** *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,* **[b]** *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 how the use in your application is consistent with items **[a]** and **[b]** above.

15. KA PA'AKAI ANALYSIS:

- a. Please provide the identity and scope of cultural, historical, and natural resources in which traditional and customary Native Hawaiian rights are exercised in this area.
- b. Identify the extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action.
- c. What feasible action, if any, could be taken to reasonably protect Native Hawaiian rights?

OTHER PERTINENT INFORMATION

16. INTERFERENCE WITH THE RIGHTS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS  
Explain how the use of water will not interfere with the rights of the Department of Hawaiian Home Lands, as provided in section 221 of the Hawaiian Homes Commission Act.

17. INTERFERENCE WITH ANY EXISTING LEGAL USES  
Explain how the use of water will not interfere with any other existing legal use(s) of water.

18. EFFICIENCY  
If a water conservation plan was prepared, please attach to this application.  
  
If no water conservation plan was prepared, please explain how your use of water will be as efficient as possible.

19. PUBLIC WATER SYSTEM INFORMATION  
Check the appropriate box or boxes.  
☐ PUC-Regulated Private System / ☐ Non-PUC-Regulated Private System / ☐ Not a Public Water System  
☐ Intended dedication to Honolulu Board of Water Supply or to County of Maui, Department of Water Supply.  
If a Level-1 validated AWWA water loss audit was completed, please attach.

20. CHAPTER 343  
This project proposes:  
☐ Use of state or county lands, or use of state or county funds  
☐ Use within a state conservation district  
☐ Use within a shoreline setback area  
☐ Use within a national or Hawaii registered historic site  
☐ Use within the Waikiki Special District  
☐ The construction, expansion or modification of helicopter facility  
☐ A wastewater treatment unit  
☐ Waste-to-energy facility  
☐ Landfill  
☐ Oil refinery  
☐ Power-generating facility  
☐ None of the above 11 items  
  
☐ If none of the above 11 items are applicable, no 343 compliance is necessary  
☐ An Environmental Assessment was completed, and  
☐ An Environmental Impact Statement was required and has been accepted (attach letter of acceptance). Publication date in The Environmental Notice:  
  
☐ A Finding of No Significant Impact has been determined (attach letter). Publication date in The Environmental Notice:

21. TABLE 4: 12-MONTH AVERAGE CALCULATION AS OF THE DATE OF DESIGNATION. FOR EXISTING USES ONLY.

MM/YY	Average Daily Pumpage for the Month (Gallons per Day)	Check one per row			
		Metered	Estimated	Active but unknown	Inactive

**INSTRUCTIONS FOR FILLING OUT APPLICATION FOR GROUND WATER USE PERMIT**

This application form is to be used for **both** existing uses in newly designated ground water management areas and proposed new uses, including modifications of existing ground water use permits.

Most questions can be addressed by visiting our website at <http://www.hawaii.gov/dlnr/cwrn> or by contacting the Ground Water Regulation Branch at 587-0225 or by e-mail at [dlnr.cwrn@hawaii.gov](mailto:dlnr.cwrn@hawaii.gov).

The current application form link is here: <https://files.hawaii.gov/dlnr/cwrn/forms/GWUPA.pdf>

**REQUIREMENTS FOR A COMPLETE APPLICATION**

- a. Fill in the most recent application form. An updated fillable PDF can be found at <https://files.hawaii.gov/dlnr/cwrn/forms/GWUPA.pdf>
- b. We require a digital copy to be circulated for review. If you are unable to submit a digital copy, print in ink or type the information on the application form but be aware that there will be delays in processing your application.
- c. E-mail a PDF of the application to [dlnr.cwrn@hawaii.gov](mailto:dlnr.cwrn@hawaii.gov) A check for the non-refundable filing fee of \$25 payable to Department of Land and Natural Resources can be dropped off at 1151 Punchbowl Street, Room 227, Honolulu 96813, or mailed to P.O. Box 621, Honolulu, HI 96809. Please attach a printed copy to this filing fee check. Note that government agencies as applicants are not required to pay this filing fee.
- d. The applicant is responsible for paying the cost of publishing any required public notices associated with this application, and unlike the application fee, government agencies are *not* exempt from this. The cost for public notices is approximately \$1000.00. Commission staff will pay this fee up front and will provide instructions later regarding your reimbursement of this cost. Failure to reimburse the Commission will result in non-action on your water use permit application.
- e. Attach photos showing the well source(s), meter(s) (if applicable), and end use area(s).
- f. The water user and the landowner of the source location (“source landowner”) must sign the application form.

**INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM**

**PAGE 1**

**APPLICANT INFORMATION**

In accordance with the Hawaii Water Code, both the applicant and the person who owns the property where the water source is located are required to apply for a water use permit. §174C-51(1)(B), HRS, states, *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 INFORMATION** Fill in the applicant’s contact information. This should be the person who will be responsible for all conditions of the water use permit. If this is for multiple sources and it doesn’t fit on the table, please attach a separate sheet listing these sources.
- 2. **SOURCE LANDOWNER INFORMATION** Fill in the information for the landowner of the property where the proposed ground water source (e.g., well, modified spring, tunnel, shaft, etc.) is located. If this is for multiple sources and different landowners, please attach a separate sheet listing these landowners and their acknowledgement regarding this application.

**SOURCE INFORMATION**

- 3. **ISLAND** Indicate the island on which the source is located.
- 4. **AQUIFER SYSTEM AREA** The name of the aquifer system area where the source is located. <https://dlnr.hawaii.gov/cwrn/info/maps/>
- 4A. **SUSTAINABLE YIELD** The sustainable yield for the aquifer system area.
- 5. **SOURCE INFORMATION**
  - **WELL NUMBER** If the source already has a state-assigned well number, enter the state well number here.
  - **WELL NAME** If the source has a name, enter the name here. Otherwise, assign a short name that will differentiate it from other wells. This should be the same as the name listed on the accompanying well construction / pump installation permit application, where applicable.
  - **SOURCE TMK** Fill in the current Tax Map Key number of the parcel on which the source resides.
  - **FLOWMETER INFORMATION** You must have a flowmeter to accurately indicate that your water usage is in compliance with your proposed approved allocation. Check either “Yes” or “No.” If you answer “Yes,” write in the date the flowmeter was installed month/day/year in the space provided. The definition of a working flowmeter is a water meter with a totalizer that gives the total quantity of water used from a source.

**WATER USE INFORMATION**

- 6. **TOTAL QUANTITY OF WATER REQUESTED** Enter the amount of water requested as gallons per day (GPD) averaged over one year from Box M of Table 1.
- 7. **USE(S)** Check all the boxes that apply for the use. Refer to the instructions for Table 1: Land Use Consistency/Efficiency of Use, Item 1: Purpose/Water Use Category below to determine which water use categories to use.
- 8. **LOCATION OF WATER USE(S)** Show the location of the use on a map. This is essential for agricultural uses and will be attached to your water use permit, if approved.

**APPLICANT SIGNATURES REQUIRED**

- 9. **APPLICANT** The applicant must sign and date the application.
- 10. **SOURCE LANDOWNER** The source landowner must also sign and date the application.

**PAGE 2**

**USE INFORMATION**

**Note that you will need to fill out each section for potable and non-potable needs separately. This means that even though your source is defined as potable, you may have end use needs that don’t require potable water, such as landscape irrigation. This will help the Commission determine whether or not non-potable alternatives are available for your non-potable needs.**

- 11. **Table 1: USE INFORMATION** Provide information on all of the uses you are applying for or seeking to modify to. In the space provided below the table or on a separate sheet, explain whether there are any limitations [e.g., a contract or other legal agreement(s)] on your water use(s), as required by §174C-51(5), HRS.

**A. PURPOSE / WATER USE CATEGORY** For each purpose of use, choose one of the categories listed in the table below and enter the appropriate code in the space provided (e.g., AGRAQ, IRRGC, etc.)

<b>AGRICULTURE</b> AGRAQ      Aquatic Plants & Animals AGRCP      Crops & Processing AGRLI      Livestock & Processing, and Pasture AGRON      Ornamental & Nursery Plants AGROTH    Other	<b>DOMESTIC</b> 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
<b>IRRIGATION</b> IRRGC      Golf Course IRRHM      Habitat Maintenance IRRHOT      Hotel IRRLA      Landscape/Water Features IRROTH      Other IRRPCA      Parks IRRSC      Schools	<b>INDUSTRIAL</b> INDEL      Geothermal, Thermoelectric Cooling, Power Development INDFP      Fire Protection INDMI      Mining, Dust Control INDOTH     Industrial – Other
<b>MILITARY</b> MIL        Military	<b>MUNICIPAL</b> MUNCO     County MUNPR     Privately-owned but defined as public water system by MUNST     DOH State

- B. USE TMK** Enter the tax map key (TMK) number for the parcel of land over which the use is applied. There should only be one parcel for each line. Also, attach:
- C. STATE LAND USE DISTRICT** Write in the name of the current land use district. To find the Land Use District, contact the Land Use Commission at (808) 587-3822.
- D. CDUP REQUIRED?** Check the appropriate box. If a Conservation District Use Permit (CDUP) is required and you have a CDUP applicable to this project, check “Yes” and write in the date approved in the space provided (month/day/year). If your parcel is in a conservation district, as indicated in Column C of this table, contact the Office of Conservation and Coastal Lands at (808) 587-0328 to find out if a CDUP is required.
- E. COUNTY ZONING CODE** To find out the County Zoning Code for Oahu, contact the City and County of Honolulu at 768-8041. For Maui County, contact at 270-7253.
- F. SMAP REQUIRED?** Check the appropriate box. If a Special Management Area Permit (SMAP) is required, and you have an SMAP applicable to this project, check “Yes” and write in the date approved in the space provided (month/day/year). To find out if your parcel is in a Special Management Area and requires an SMAP, for Oahu contact the City and County of Honolulu Department of Planning and Permitting or for Maui County contact the Planning Department.
- G. UNITS or NET ACREAGE** This is the total number of units or the net number of acres as a basis for calculating your requested allocation. “Unit” can mean a dwelling unit, number of people, acres, number of animals, etc. Some examples of units or acreages to enter in this column would be 400 dwelling units, 500 people, or 3.74 acres.
- H. GPD/UNIT or GPD/ACRE** (GPD = gallons per day) Enter the gallons per day per unit (GPD/unit) or gallons per day per acre (GPD/acre) for each water use category listed in Column A.
- I. QUANTITY OF USE** Enter the quantity of water use in gallons per day (GPD). Justification (see Column J) for the quantity requested may depend on the information provided in columns G and H of this table.
- J. JUSTIFICATION FOR QUANTITY OF WATER REQUESTED** Explain how you are justifying the quantity of water requested for each use, in Column I of this table. Attach additional sheets, if necessary, showing how the proposed quantity was calculated. For all proposed irrigation uses, you are required to also complete Item 12 (Table 2) of the application.
- K. TOTAL POTABLE USE NEEDS** Add the quantities listed in the Column I for proposed potable water use. Enter the total quantity in gallons per day (GPD) in Box K.
- L. TOTAL NON-POTABLE USE NEEDS** Add the quantities listed in Column I for proposed uses that do not require potable water. Enter the total quantity of proposed non-potable water use in gallons per day (GPD) in Box L.
- M. TOTAL QUANTITY OF WATER REQUESTED** Add the totals in Box K and Box L, and enter the sum in Box M. The quantity in Box M should be the same as the amount entered under Item 6 on the page 1 of the application.

**PAGE 3**

**12. TABLE 2: AGRICULTURE/IRRIGATION INFORMATION**

On Table 2, provide the information requested for all of the plant types or other needs such as aquaculture, etc. Enter only one plant and one parcel number (TMK) per line. For multiple crops, list each one as a separate line item. All uses you are applying for must be listed. Attach additional copies of Table 2, if necessary.

- A. TMK FOR LOCATION OF USE** Enter the parcel number where the crop is/will be grown. Also, attach a map with an outline around the area(s) of use(s) and a photograph of each area of proposed use.
- B. CROP** Enter the crop type
- C. TOTAL ACREAGE** Enter the total acreage of the parcel listed.
- D. NET IRRIGATED ACREAGE** Enter the acreage that the specific crop will be grown.
- E. BEGIN GROWTH PERIOD (MONTH)** This is the month of the start of the growth cycle.
- F. END GROWTH PERIOD (MONTH)** This is the month of the end of the growth cycle.
- G. 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 in the space provided for comments (Column I and/or below the table).

- H. IRRIGATION PRACTICE** Enter one of the following:  
IRRIGATE TO FIELD CAPACITY  
APPLY A FIXED DEPTH PER IRRIGATION  
DEFICIT IRRIGATION  
OTHER – Please describe in the space provided for comments (Column I and/or below the table).

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**13. TABLE 3: ALTERNATIVES ANALYSIS**

You should address every alternative and explain why each alternative is or is not available for your potable and non-potable water needs. Note that simple “not available” answers are not acceptable. If the alternative is not feasible, please explain.

**Municipal sources** Please contact your County’s Department of Water Supply to identify if a municipal source is available to supply water to your area of need.

**Wastewater reuse** Please contact your County’s Wastewater Division to identify if reuse water is available to supply water to your area of need.

**Ditch system** Please identify whether a ditch system is available to supply water to your area of need. You can contact the Department of Agriculture, but you should also identify private ditch systems and the availability of that source as well.

**Desalinization** Please explain why drilling a well deeper or finding an alternative source of saline water and desalinizing is not a feasible alternative.

**Surface water** is defined in §174C-3, HRS 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.*

**Other** Other alternatives may include stormwater reclamation, rainwater catchment, or other alternatives not already listed above.

**14. PUBLIC INTEREST**

Explain in the space provided or on a separate sheet why the use(s) on your application are consistent with the public interest.

**15. KA PA’AKAI ANALYSIS**

In the case of Ka Pa’akai O Ka’Aina vs. the Land Use Commission, State of Hawaii, it was determined that an analysis must be conducted for the following items:

- a. The identification and scope of cultural, historical, and natural resources in which traditional and customary Native Hawaiian rights are exercised in the area.
- b. The identification of the extent to which those resources listed in item a., including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action.
- c. The determination of the feasible action, if any, that could be taken to reasonably protect Native Hawaiian rights.

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**16. INTERFERENCE WITH THE RIGHTS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS**

Explain in the space provided or on a separate sheet how the use(s) of water will not interfere with the rights of the Department of Hawaiian Home Lands, as provided in section 221 of the Hawaiian Homes Commission Act. To inquire about potential interference, you may contact the Department of Hawaiian Home Lands main line at 620-9500, or the DHHL Planning Office at 620-9480. You may also visit their website at [dhhl.hawaii.gov](http://dhhl.hawaii.gov), where you can review DHHL’s Island Plans, Regional Plans, and their Water Policy Plan.

The State Water Code in §174C-101(a), HRS [Native Hawaiian water rights], states: *Provisions of this chapter shall not be construed to amend or modify rights or entitlements to water as provided for by the Hawaiian Homes Commission Act, 1920, as amended, and by chapters 167 and 168, relating to the Molokai irrigation system. Decisions of the commission on water resource management relating to the planning for, regulation, management, and conservation of water resources in the State shall, to the extent applicable and consistent with other legal requirements and authority, incorporate and protect adequate reserves of water for current and foreseeable development and use of Hawaiian home lands as set forth in section 221 of the Hawaiian Homes Commission Act.*

**17. INTERFERENCE WITH ANY EXISTING LEGAL USES**

Explain in the space provided or on a separate sheet how the use(s) of water will not interfere with any other existing legal use(s) of water.

**18. EFFICIENCY**

A **conservation plan** should describe any conservation measures that will be used to ensure that your water use is or will be efficient, and is different from a water shortage plan. Conservation measures may include, but are not limited to, water reuse or recycling systems, monitoring the water distribution system for pressure drops that are indicative of leaks or line breaks, or use of drought-tolerant and xeriscape landscape plants.

**19. PUBLIC WATER SYSTEM INFORMATION**

Check the appropriate box or boxes relating to your water system.



20. **CHAPTER 343** If an Environmental Assessment was completed, fill in the dates of publication and acceptance. For additional information about the proposed uses checkboxes, refer to [http://luc.state.hi.us/docs/hrs\\_343.pdf](http://luc.state.hi.us/docs/hrs_343.pdf)
21. **TABLE 4: 12-MONTH MOVING AVERAGE CALCULATION AS OF THE DATE OF DESIGNATION. FOR EXISTING USES ONLY.**
- For existing use permit applications, list the pumpage for the 12 months prior to designation. Also identify how that measurement was taken.