

PUBLIC HEARING

Applications for Surface Water Use Permits - Existing Uses
Na Wai Eha Surface Water Management Areas
(Waihee, Waiehu, Iao and Waikapu Streams) Maui

The following applications for surface water use permits for existing uses as of April 30, 2009, in the Na Wai Eha Surface Water Management Areas have received objections and are subject to public hearing. On September 24, 2009, the Commission approved an extension to the 180-day deadline to act on surface water use permit applications for existing uses in the Na Wai Eha Surface Water Management Areas, Maui, pending appointment of a hearings officer to conduct a Hearing on Objections to the Applications, including the required public notice procedures. The Commission on Water Resource Management has scheduled a public hearing on:

**Wednesday, March 31, 2010,
9:00 a.m. – 5:00 p.m.
Waikapu Neighborhood Center
22 East Waiko Road
Waikapu, Maui 96793**

SWUP No.	Applicant	Source Hydro Unit*	End Use TMK Abbreviation in parenthesis denotes use type**	Quantity Requested (mgd)
1	County of Maui, Department of Water Supply	6024	Various (AGROTH); Various (DOM); Various (DOMNCB); Various (DOMNOTH); Various (DOMNRI); Various (DOMNSC); Various (INDOTH); Various (IRRGC); Various (IRRHOT); Various (IRROTH); Various (MUNCO)	1.78400
3	Kihei Gardens & Landscaping Co. LLP	6024	(2) 3-5-002:017 (AGRON)	0.03326
4	Mr. David Niehaus	6001	(2) 3-5-002:007 (AGROTH); (2) 3-5-002:007 (IRRHM)	0.04800
6	Mr. Charles Dando, Sr. & Jr.	6022; 6023	(2) 3-4-033:014 (DOM)	0.00171
7	Mr. Nadao Makimoto	6022	(2) 3-6-006:021 (DOM)	0.01040
8	Mr. Charles Dando, Sr. & Jr.	6024	(2) 3-5-030:116 (DOM)	0.00174
9	Clayton Suzuki	6001	(2) 3-6-006:013 (AGRCP); (2) 3-6-006:022 (AGRLI); (2) 3-6-006:013 (AGRLI); (2) 3-6-006:013 (DOM); (2) 3-6-006:009 (DOM)	0.01738
10	Heinz Jung	6022	(2) 3-2-016:001 (DOM)	0.00068
11	Wailuku Water Company	6001; 6022; 6023; 6024	Various (IRROTH)	3.17400
12	Waiolani Mauka Community Association	6024	(2) 3-5-032:VAR (IRRLA); (2) 3-5-032:106 (IRRPA)	0.07547
13	MMK Maui, LP, The King Kamehameha Golf Club	6001; 6022; 6023; 6024	(2) 3-6-004:014 (IRRGC); (2) 3-6-004:012 (IRRGC); (2) 3-6-004:011 (IRRGC); (2) 3-6-004:010 (IRRGC)	1.29270
14	Hawaiian Commercial & Sugar Co.	6001; 6022; 6023; 6024	(2) 3-8-005:023 (AGRCP); (2) 3-6-004:006 (AGRCP); (2) 3-6-004:003 (AGRCP); (2) 3-6-002:003 (AGRCP); (2) 3-6-002:001 (AGRCP)	10.58000
15	Hawaiian Commercial & Sugar Co.	6022; 6023; 6024	(2) 3-8-005:036 (AGRCP); (2) 3-8-008:035 (AGRCP); (2) 3-8-008:008 (AGRCP); (2) 3-8-006:003 (AGRCP); (2) 3-8-006:001 (AGRCP); (2) 3-8-005:018 (AGRCP); (2) 3-8-005:017 (AGRCP); (2) 3-8-005:003 (AGRCP); (2) 3-5-005:002 (AGRCP)	36.29000
16	Mr. Leslie Vida, Jr.	6024; 6001	(2) 3-5-004:091 (AGROTH)	0.00500
17	Mr. Robert L. Hanusa	6022	(2) 3-2-016:025 (DOM)	0.00091
18	Makani Olu Partners LLC	6024	(2) 3-5-004:018 (AGRCP); (2) 3-5-004:014 (AGRCP); (2) 3-5-004:018 (AGRLI); (2) 3-5-004:018 (AGRON); (2) 3-5-004:014 (AGRON); (2) 3-5-004:018 (IRRLA); (2) 3-5-004:014 (IRROTH)	0.01795
19	Mr. Vernon Bal	6022; 6023; 6024	(2) 3-4-007:042 (DOM)	0.00060
20	Ms. Dorothy T. Bell	6001	(2) 3-5-012:011 (DOM)	0.00144
21	Mr. Douglas Bell	6001	(2) 3-5-012:008 (DOM)	0.00216
22	Mr. Alan Birnie	6001	(2) 3-5-012:010 (DOM)	0.00061
23	Gary & Evelyn Brito	6022; 6023; 6024	(2) 3-3-002:029 (AGRCP); (2) 3-3-002:029 (DOM)	0.00849
24	John Minamina Brown Trust	6001	(2) 3-6-006:029 (AGRCP); (2) 3-6-006:025 (AGRCP); (2) 3-6-006:029 (DOM); (2) 3-6-006:025 (DOM)	0.09030
25	Regino Cabacungan	6023	(2) 3-2-017:023 (DOM)	0.00060
26	Cordell Chang	6022	(2) 3-2-006:004 (AGRCP)	0.00113
27	Winifred/Gordon Cockett	6022; 6023; 6024	(2) 3-4-031:008 (DOM)	0.00094
28	James Phillip Dodd	6001	(2) 3-5-012:005 (DOM)	0.00411
29	Michael Doherty	6022	(2) 3-2-005:008 (AGRCP); (2) 3-2-005:006 (AGRCP); (2) 3-2-005:007 (AGRCP); (2) 3-2-005:007 (DOM)	0.30225

30	Richard Emoto	6022	(2) 3-2-004:012 (AGRCP); (2) 3-2-004:011 (AGRCP); (2) 3-2-004:011 (DOM)	0.43200
31	Stanley Faustino	6022	(2) 3-2-004:013 (AGRCP)	0.02100
32	Patricia Z. Federcell	6001	(2) 3-5-012:005 (DOM)	0.00411
33	Diannah K. Goo	6022	(2) 3-2-011:079 (DOM); (2) 3-2-011:065 (DOM); (2) 3-2-011:066 (DOM); (2) 3-2-011:067 (DOM); (2) 3-2-011:019 (DOM); (2) 3-2-011:006 (DOM)	0.00360
34	Diannah K. Goo	6022	(2) 3-2-004:007 (AGRCP)	0.05430
35	Russel Gushi	6001	(2) 3-5-012:015 (DOM)	0.00060
36	Valentine Haleakala	6022; 6023; 6024	(2) 3-3-002:003 (DOM)	0.00060
37	Karl & Lee Ann Harders	6001	(2) 3-5-012:013 (DOM)	0.00060
38	T&Z Harders FAM LTD PTNSHP; EH Rogers; WF Rogers	6001	(2) 3-5-012:007 (DOM); (2) 3-5-012:006 (DOM)	0.00120
39	Theodore & Zelig Harders	6001	(2) 3-5-012:016 (DOM)	0.00060
40	T&Z Harders FAM LTD PTNSHP; EH Rogers; WF Rogers	6001	(2) 3-5-004:028 (AGRCP); (2) 3-5-004:028 (DOM)	0.02068
41	Darrell Higa	6022; 6023; 6024	(2) 3-4-004:016 (DOM); (2) 3-4-004:017 (DOM)	0.00120
42	Hooululahu LLC	6024	(2) 3-5-003:018 (AGRCP); (2) 3-5-003:018 (DOM)	0.02660
43	Greg Ibara	6022; 6023; 6024	(2) 3-4-004:020 (AGRCP)	0.00210
44	Vanessa J. Ince & WS Kinzer	6022; 6023; 6024	(2) 3-4-004:019 (AGRCP); (2) 3-4-004:019 (DOM)	0.00109
45	Kenneth Kahalekai	6022	(2) 3-2-005:027 (AGRCP); (2) 3-2-004:019 (AGRCP); (2) 3-2-004:003 (AGRCP); (2) 3-2-005:002 (AGRCP); (2) 3-2-005:029 (DOM); (2) 3-2-004:003 (DOM)	1.15890
46	Alfred Kailiehu Jr.	6022	(2) 3-2-007:017 (AGRCP); (2) 3-2-007:017 (DOM)	0.00143
47	Cristal Koki	6022	(2) 3-2-003:037 (DOM); (2) 3-2-003:004 (DOM)	0.00157
48	David & Katherine Lengkeek	6022	(2) 3-2-003:019 (DOM)	0.00025
49	Kenneth Mendoza	6022; 6023; 6024	(2) 3-3-002:025 (DOM)	0.00060
50	Mr. Lawrence Miyahira	6023	(2) 3-3-002:009 (AGRCP); (2) 3-3-002:010 (DOM); (2) 3-3-002:021 (DOM); (2) 3-3-002:009 (DOM)	0.15402
51	Elsie Miyamoto	6001	(2) 3-5-012:009 (DOM)	0.00060
52	Jinsei Miyashiro Trust	6001	(2) 3-6-006:027 (DOM)	0.00286
53	Kalani & Tera Paleka	6022	(2) 3-2-005:035 (AGRCP); (2) 3-2-005:035 (DOM); (2) 3-2-005:041 (DOM)	0.06185
54	Piko Ao, LLC	6022	(2) 3-2-006:008 (AGRCP); (2) 3-2-006:008 (AGRCP); (2) 3-2-006:008 (DOM)	0.06118
55	Ms. Isabelle Rivera	6023	(2) 3-2-017:012 (DOM)	0.00060
56	Katherine T. Riyu	6001	(2) 3-5-012:028 (DOM)	0.00123
57	Michael Rodrigues	6022	(2) 3-2-004:017 (AGRCP); (2) 3-2-004:016 (AGRCP); (2) 3-2-004:015 (AGRCP); (2) 3-2-004:017 (DOM)	0.47400
58	Waldemar & Darlene Rogers	6001	(2) 3-5-012:012 (DOM)	0.00060
59	Alfred Santiago	6022; 6023; 6024	(2) 3-4-024:027 (AGRCP); (2) 3-4-024:022 (AGRCP)	0.01000
60	Duke & Jean Sevilla & Christina Smith	6024	(2) 3-3-001:001 (DOM); (2) 3-3-001:041 (DOM); (2) 3-3-001:054 (DOM)	0.00420
61	Ione Shimizu	6001	(2) 3-5-012:031 (AGRCP); (2) 3-5-012:031 (DOM)	0.01105
62	Warren K.H. Soong	6001	(2) 3-5-012:026 (DOM)	0.00448
63	Noel & Katherine Texeira	6022	(2) 3-2-007:010 (DOM)	0.00099
64	Thomas & Patricia Texeira & Denise Texeira	6022	(2) 3-2-005:031 (AGRAQ); (2) 3-2-005:032 (DOM); (2) 3-2-005:031 (DOM)	0.00485
65	MTP Operating Company LLC, DBA Maui Tropical Plantation	6022; 6023; 6024; 6001	(2) 3-6-005:007 (AGRCP); (2) 3-6-005:007 (AGRON); (2) 3-6-005:007 (IRRLA)	0.12453
66	Wailuku Country Estates Community Association, c/o Maui Land Broker and Property Management, Inc.	6024	(2) 3-3-017:VAR (IRRLA)	0.15877
67	Wailuku Country Estates Community Association, c/o Maui Land Broker and Property Management, Inc.	6024	(2) 3-3-017:VAR (AGRCP); (2) 3-3-017:VAR (AGRLI); (2) 3-3-017:VAR (AGRON); (2) 3-3-017:VAR (IRRLA)	0.21090
68	Hawaiian Cement	6001; 6022; 6023; 6024	(2) 3-8-007:101 (INDMI)	0.00996
69	Dr. Lorrin Pang	6022	(2) 3-2-003:016 (AGRAQ); (2) 3-2-003:016 (AGRCP); (2) 3-2-003:016 (AGRON)	0.01080
70	Steve Haller	6022; 6023; 6024	(2) 3-4-031:001 (AGRCP); (2) 3-4-031:001 (AGRON)	0.01952
71	Pohakulepo Recycling, LLC	6001; 6022; 6023; 6024	(2) 3-6-004:007 (INDMI); (2) 3-6-004:007 (INDMI)	0.00856

****USE TYPES:**

AGRICULTURE		INDUSTRIAL	
AGRAQ	Aquatic Plants & Animals	INDMI	Mining, Dust Control
AGRCP	Crops & Processing	INDOTH	Industrial – Other
AGRLI	Livestock & Processing, and Pasture	IRRIGATION	
AGRON	Ornamental & Nursery Plants	IRRGC	Golf Course
AGROTH	Other	IRRHM	Habitat Maintenance
DOMESTIC		IRRLA	Landscape/Water Features
DOM	Single & Multi Low Rise & High-Rise Household	IRRHOT	Hotels
DOMN	Domestic (Non-residential)	IRROTH	Other
DOMNCB	Commercial Businesses	IRRPA	Parks
DOMNOTH	Domestic Non-Residential – Other	MUNICIPAL	
DOMSC	Schools	MUNCO	County
		MUNST	State

Materials related to the noticed items are available for review at the Commission office located at 1151 Punchbowl Street, Room 227, Honolulu, Hi, or online at www.hawaii.gov/dlnr/cwrn/hawaiehaswma.htm, and will also be available at this public hearing.

The hearing may be left open to allow for additional information as may be requested by the Commissioners. If, during the course of the hearing, a contested case hearing is requested, the requester will be required to complete a written request, identifying HRS §174C-50(b) for existing uses as the authority under which the action is to be made. The following may be admitted as a party to a contested case hearing: persons within the Na Wai Eha Surface Water Management Areas with a property interest, who reside on the land, or can otherwise demonstrate that they will be so directly and immediately affected by the proposed water uses that their interest is clearly distinguishable from that of the general public; others who can show a substantial interest in the matter and can substantially assist the Commission in its decision making; agencies whose jurisdiction includes the land or water in question.

If you do not make a request or fail to file a timely written petition for contested case hearing on a particular application noticed herein with the Commission, you will be precluded from obtaining a contested case hearing later and from seeking judicial review of any adverse decision (HAR Chapter 13-167).

Disabled individuals planning to attend the public hearing are asked to contact the Commission at the above address or toll free from Maui at 984-2400 ext. 70214 **at least three days in advance of the public hearing** if they have special needs that require accommodation.

COMMISSION ON WATER RESOURCE MANAGEMENT

**KEN C. KAWAHARA, P.E., Deputy Director for
LAURA H. THIELEN, Chairperson**

Dated: March 15, 2010

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