



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

For Official Use Only:

APPLICATION FOR SURFACE WATER USE PERMIT FOR PROPOSED NEW USE IN A DESIGNATED SURFACE WATER MANAGEMENT AREA

FORM SWUPA-N Application for New Use
 Application to Modify SWLIP No. _____

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

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 location and the quad map name.
- Property tax map showing the stream or diversion location and location of water use referenced to established property boundaries.
- Photograph(s) of the surface water source, diversion and end use, if applicable.

APPLICANT INFORMATION: NOTE: In accordance with HRS §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 be stated as a joint applicant for the water permit.

1. APPLICANT'S NAME Michael Vida		Applicant's Contact: Michael Vida		2. SOURCE LANDOWNER'S NAME WAILUKU WATER CO INC		Source Landowner's Contact: AVERY CHUMBER	
Applicant's Mailing Address, or Principal Place of Business: [Redacted]				Source Landowner's Mailing Address, or Principal Place of Business: PO Box 2790, WAILUKU 96793			
Applicant's Phone: [Redacted]		Applicant's Fax: [Redacted]		Source Landowner's Phone: 808-241-7079		Source Landowner's Fax: -	
Applicant's E-mail: [Redacted]		Source Landowner's E-mail: abc@aloha.net					

SOURCE INFORMATION

3. SURFACE WATER HYDROLOGIC UNIT: Island: **MAUI** Hydrologic Unit: **L-10** Hydrologic Unit Code: **602**

4. INSTREAM FLOW STANDARD (IFS) FOR HYDROLOGIC UNIT, IF APPLICABLE: **100 Hydrologic unit + 10 mgd**

5. CAN YOUR PROPOSED USE(S) BE ACCOMMODATED WITHIN THE ABOVE AMOUNTS: Yes No
 Explain how your proposed use(s) can be accommodated within the existing IFS for the above hydrologic unit: **In past history the usage of the above hydrologic unit will be in the accommodation to IFS and its usage amount requested**

6a. TMK OF PROPOSED STREAM DIVERSION LOCATION: **2-5-03-01**

6b. TMK OF PROPOSED DITCH DIVERSION LOCATION: **3-3-03-03**

7a. PROPOSED STREAM DIVERSION: How will water be diverted from the stream to your property? Check all that apply:
 Pipe Pump Ditch/auwai Other Describe: **CLOSED PRIVATE PIPE LINE**

7b. WILL THE DIVERTED WATER BE RETURNED TO THE STREAM OR DITCH?
 Yes. How much water will be returned? _____ gallons per day TMK of Returned Water Location: _____
 No

8. PROPOSED FLOW MEASUREMENT INFORMATION:
 Will the stream diversion have a flow meter with totalizer or other device to measure diverted amounts?
 Yes. List the manufacturer and describe the device: _____
 No. Explain how stream diversion will be measured or estimated to justify amounts requested in the space below.
VISUAL

PROPOSED USE INFORMATION §§ 174C-51(4), (5), (6), HRS

9. TOTAL QUANTITY OF WATER REQUESTED: **588** gallons per day. See Table 1, item 14.

10. PROPOSED USE: Check all that apply. Agriculture Domestic Industrial
 Irrigation Military Municipal

11. LOCATION OF PROPOSED WATER USE: Show the location of the proposed use on the same USGS and TMK maps as the proposed source location. Otherwise, attach similar maps. See Table 1, item 2.

PROPOSED USER INFORMATION

12. APPURTENANT RIGHT: Do you claim an appurtenant right for your proposed water use? Yes No
 If yes, has the appurtenant right been established by the courts or the Commission? Yes No

13. PROPOSED END USER INFORMATION: Will you be an end user on an existing water system?
 Yes. List the name of the system operator: **WAILUKU WATER COMPANY** No

14. REGISTRATION AND DECLARATION OF WATER USE: Do you have a Registration and Declaration of Water Use from the Commission?
 Yes. List the file reference name(s): **WAILUKU WATER COMPANY** No

15. STREAM DIVERSION WORKS PERMIT (SDWP): Do you have a SDWP from 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, additional 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.

16. APPLICANT Michael Vida Signature: Michael Vida Date: 11-14-24		17. SOURCE LANDOWNER AVERY B. CHUMBER Signature: AVERY B. CHUMBER Date: 11-13-24	
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APPLICATION FOR SURFACE WATER USE PERMIT - PROPOSED NEW USE

PROPOSED NEW USE OR MODIFIED USE INFORMATION

18. TABLE 1: LAND USE CONSISTENCY / EFFICIENCY OF USE (Attach additional copies of Table 1 if necessary.)

LAND USE CONSISTENCY						EFFICIENCY OF USE				
A	B	C	D	E	F	G	H	I	J	K
PURPOSE / WATER USE CATEGORY	TMK FOR PROPOSED LOCATION OF USE ATTACH THE FOLLOWING: • Property tax map, showing proposed location of use referenced to established property boundaries. • Photograph of the area of proposed use.	STATE LAND USE DISTRICT	CDUP REQ'D Check the appropriate box, and write in the date approved, if applicable.	COUNTY ZONING CODE	SMAP REQ'D Check the appropriate box, and write in the date approved, if applicable.	UNITS OR NET ACREAGE	GPD/UNIT or GPD/ACRE (Gallons per Day)	REQUESTED QUANTITY OF USE (GPD)	SUB-METERED? Check Yes or No	APPLICANT'S JUSTIFICATION FOR REQUESTED QUANTITY OF USE. If applicable, attach sheets to show how this number was calculated. For irrigation uses, fill in Table 2.
Uses that require potable (drinking) water										
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
						TOTAL POTABLE USE (L)			GPD	
Uses that do not require potable water										
AGRI	3 - 5 - 004 : 044 urban		<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No	AG	<input type="checkbox"/> Yes, date approved: / / <input type="checkbox"/> Yes, not acquired <input type="checkbox"/> No	1.35	588 gpd	588 gpd	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	80 chickens; 10 gpd, 100 pigs; 420 gpd 2 lambs; 8 gpd, 150 gpd for our plants ti-leaves, kukui nut, fig trees, bananas lilikoi, starfruit, papaya, ulu, dry land taro yard/landscape to include: lilikoi, dry land taro, plum trees, fig trees and ti-leaves.
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Zone - Sec - 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				<input type="checkbox"/> Yes <input type="checkbox"/> No	
						TOTAL NON POTABLE USE (M)	588		GPD	
						TOTAL QUANTITY OF WATER REQUESTED (Sum of Total Potable Use and Total Non-Potable Use above) (N) =	588		GPD	
0. LIMITATIONS: Please explain if there are any limitations (legal, contractual, etc.) on the use(s) of water described above. §174C-51(5) HRS										
Land is zoned as AG-Agriculture, total living area of 2662 sq-ft / .06 acres, leaving an estimate of 58,823 sq-ft / 1.35 acres.										

APPLICATION FOR SURFACE WATER USE PERMIT - PROPOSED NEW USE

TABLE 2: IRRIGATION INFORMATION

List all crops that will be grown as separate line items and include landscape and golf course irrigation.
Attach additional copies of Table 2 if necessary.

PROPOSED NEW USE OR MODIFIED USE INFORMATION (continued)

19. TABLE 2: IRRIGATION INFORMATION (List all crops that will be grown as separate line items, including landscape and golf course irrigation uses. Copy Table 2 and attach additional sheets to complete your list, as necessary.)

A	B	C	D	E	F	G	H
TMK OF PROPOSED LOCATION OF USE (Attach TMK map outlining area and photos for each proposed use.)	CROP	TOTAL ACREAGE	NET IRRIGATED ACREAGE	BEGIN GROWTH PERIOD (Month)	END GROWTH PERIOD (Month)	IRRIGATION SYSTEM (Refer to instructions.)	IRRIGATION PRACTICE (Refer to instructions.)
3 - 5 - 004 : 044 <small>Zone - Sec - Plat - Parcel</small>	Chickens, pigs lambs	1.35	.7373	January	December	water barrels and automatic feeders	Daily
3 - 5 - 004 : 044 <small>Zone - Sec - Plat - Parcel</small>	plants	1.35	.6130	January	December	sprinkler and 5gal buckets	Daily
<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							
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<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							
<small>Zone - Sec - Plat - Parcel</small>							

Comments:
 Livestock animals: Chickens, pigs, lambs
 Plants: lilikoi, dryland taro, plumeria trees, star fruit, fig trees, ti-leaves, Kukui Nut, ulu, papaya
 banana

APPLICATION FOR SURFACE WATER USE PERMIT - PROPOSED NEW USE

OTHER PERTINENT INFORMATION

20. TABLE 3: ALTERNATIVES ANALYSIS

OTHER PERTINENT INFORMATION	
A. Analysis of Potable Alternatives (Attach additional sheets if necessary.)	B. Analysis of Non-Potable Alternatives (Attach additional sheets if necessary.)
Municipal sources Municipal inadequate for our needs for none potable use	No available alternative
Wastewater reuse Potable water in waste system into septic, No County sewer system	No alternative
Ditch system _____	Iao / waikapu ditch system provide waikapu water - No alternative
Desalination Not an option	Not available
Ground water No well on site	No well on site
Conservation measures Potable water not in use	usage of best practices to conserve water
Other (specify) _____	_____

APPLICATION FOR SURFACE WATER USE PERMIT - PROPOSED NEW USE

OTHER PERTINENT INFORMATION

21. PUBLIC INTEREST: Hawaii Revised Statutes §174C-2(c) states that: *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 proposed new use(s) in your application are consistent with items [a] and [b] above.

Being that I am Kanaka maoli (Native Hawaiian) My family and I are descendants of Native Hawaiians who inhabited the Hawaiian Islands prior to 1778. In Pursuant to Article XII, Section 7 of the Hawaii Constitution and Hawaii Revised Statutes (HRS) section 174C-101, my intended use of stream water is a traditional and customary culture practice that is a protected public trust purpose that we use for agricultural use

21a. 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.

Attached you will find our family lineage dating back to early 1800's and connection to the native Hawaiian heritage, In Hawaiian culture kuleana water refers to the concept of personal responsibility and stewardship over water sources, this is a deeprooted obligation to care for and protect the water on our ancestral lands, treating it as a vital part of our lineage and heritage.

21b. Identify the extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action

There will be no impairment to the streams that is being anticipated at this time as well as no impairment on traditional and customary native Hawaiian rights. No negative affects will take place utilizing our traditional and customary Native Hawaiian practices.

21c. What feasible action, if any, could be taken by the Commission on Water Resource Management in regards to your application to reasonably protect Native Hawaiian rights?

No feasible action is needed to be taken for reasonable protection of our Native Hawaiian rights.

APPLICATION FOR SURFACE WATER USE PERMIT - PROPOSED NEW USE

OTHER PERTINENT INFORMATION

22. INTERFERENCE WITH THE RIGHTS OF THE DEPARTMENT OF HAWAIIAN HOME LANDS

Explain how the proposed new 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.

This is not a new use of water and have been a past history use back when mahela was around in early 1800's. Use of water will not interfere with Department of Hawaiian Home Lands.

23. INTERFERENCE WITH ANY EXISTING LEGAL USES

Explain how the proposed new use(s) of water will not interfere with any other existing legal use(s) of water.

This is not a new use of water and this will allow us to reduce usage of our municipal water usage and in turn become a positive usage.

24. PUBLIC WATER SYSTEM INFORMATION

Check the appropriate box or boxes.

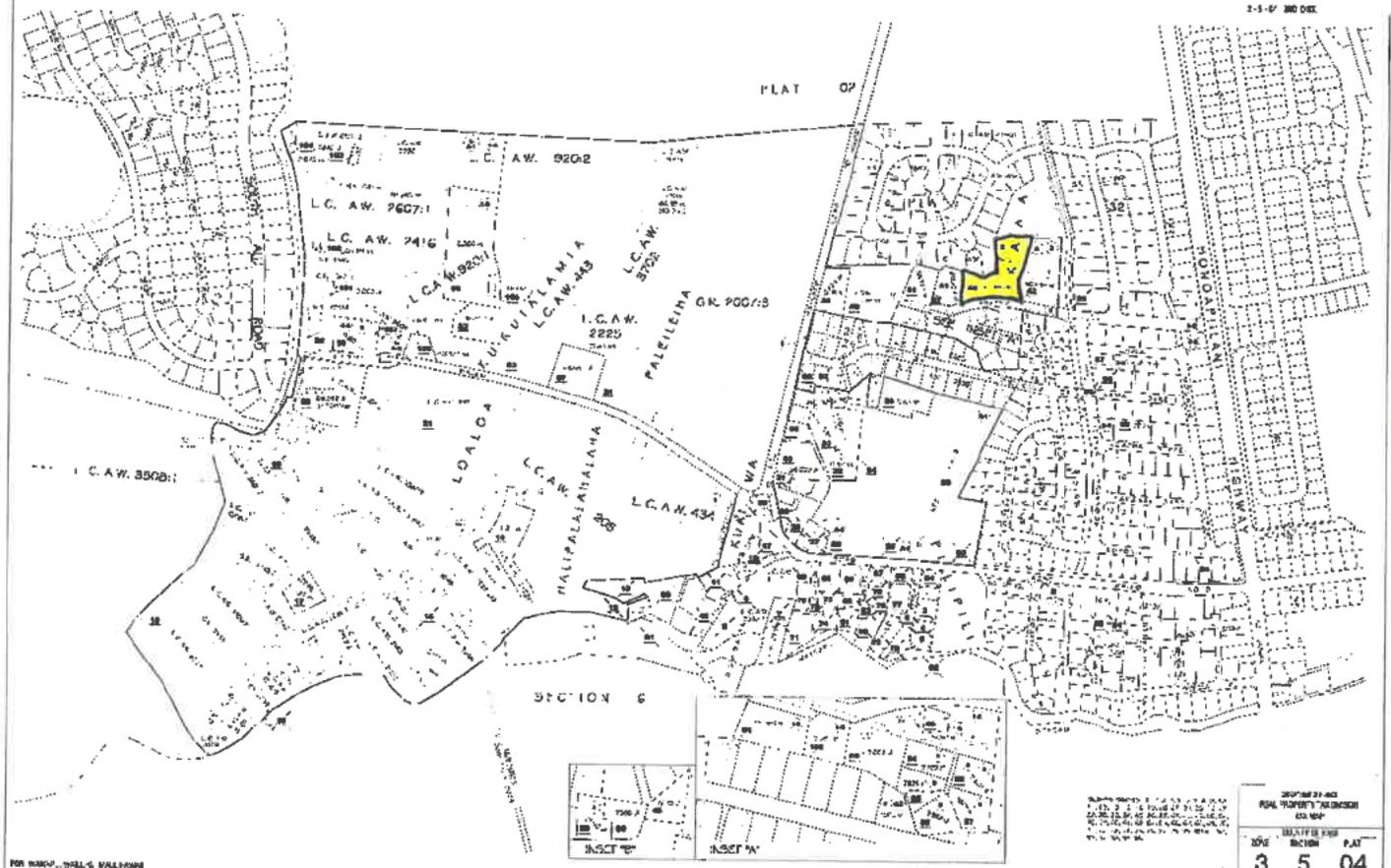
- PUC-Regulated Private System / Non-PUC-Regulated Private System / Not a Public Water System
 Intended dedication to Honolulu Board of Water Supply or to County of Maui, Department of Water Supply.

25. CHAPTER 343

This project proposes:

- | | |
|---|--|
| <input type="checkbox"/> Use of state or county lands, or use of state or county funds | <input type="checkbox"/> A wastewater treatment unit |
| <input type="checkbox"/> Use within a state conservation district | <input type="checkbox"/> Waste-to-energy facility |
| <input type="checkbox"/> Use within a shoreline setback area | <input type="checkbox"/> Landfill |
| <input type="checkbox"/> Use within a national or Hawaii registered historic site | <input type="checkbox"/> Oil refinery |
| <input type="checkbox"/> Use within the Waikiki Special District | <input type="checkbox"/> Power-generating facility |
| <input type="checkbox"/> The construction, expansion or modification of helicopter facility | <input checked="" type="checkbox"/> 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:



FOR MAPS... SHALL G. HALL/FORM

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

SECTION 6		
FOR PROPERTY ASSESSMENT PURPOSES		
3 5 04		
REVISION		

Exhibit 1

AT 02

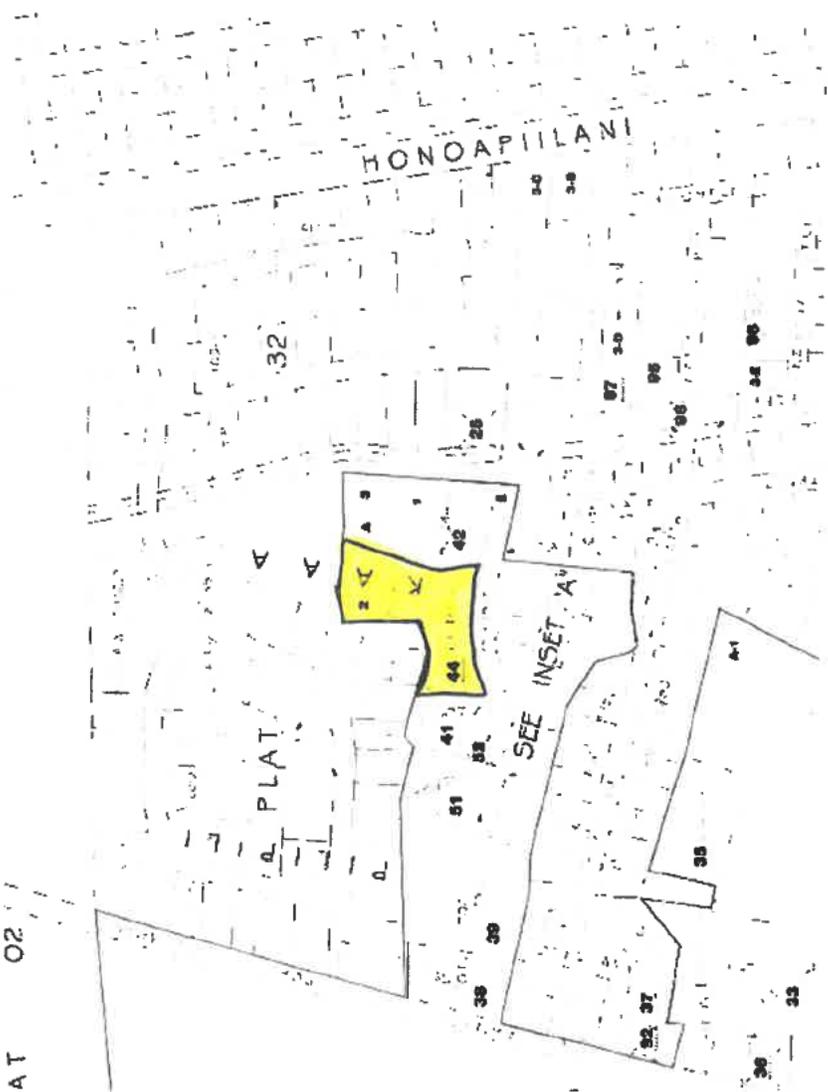


Exhibit 2

TMK 3.5.004.044



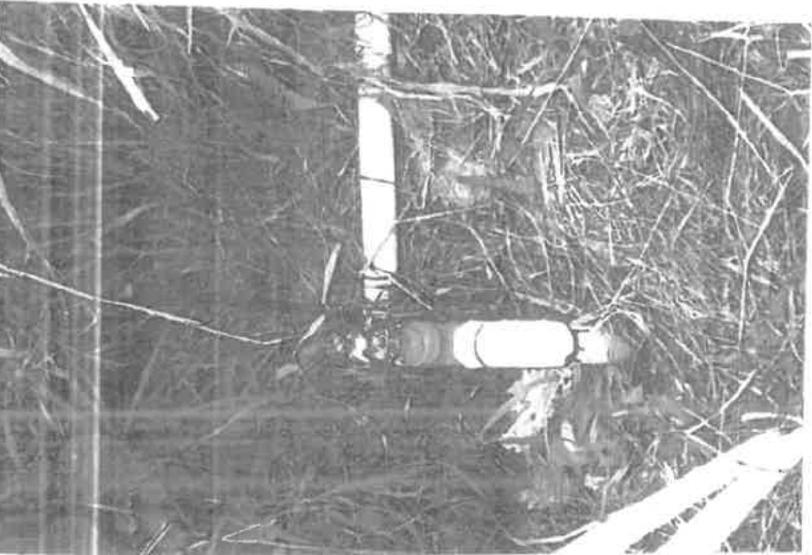
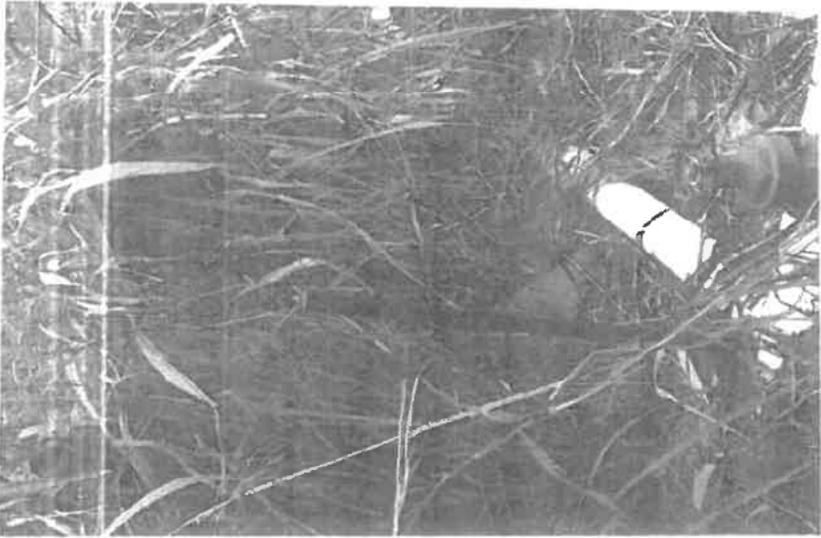
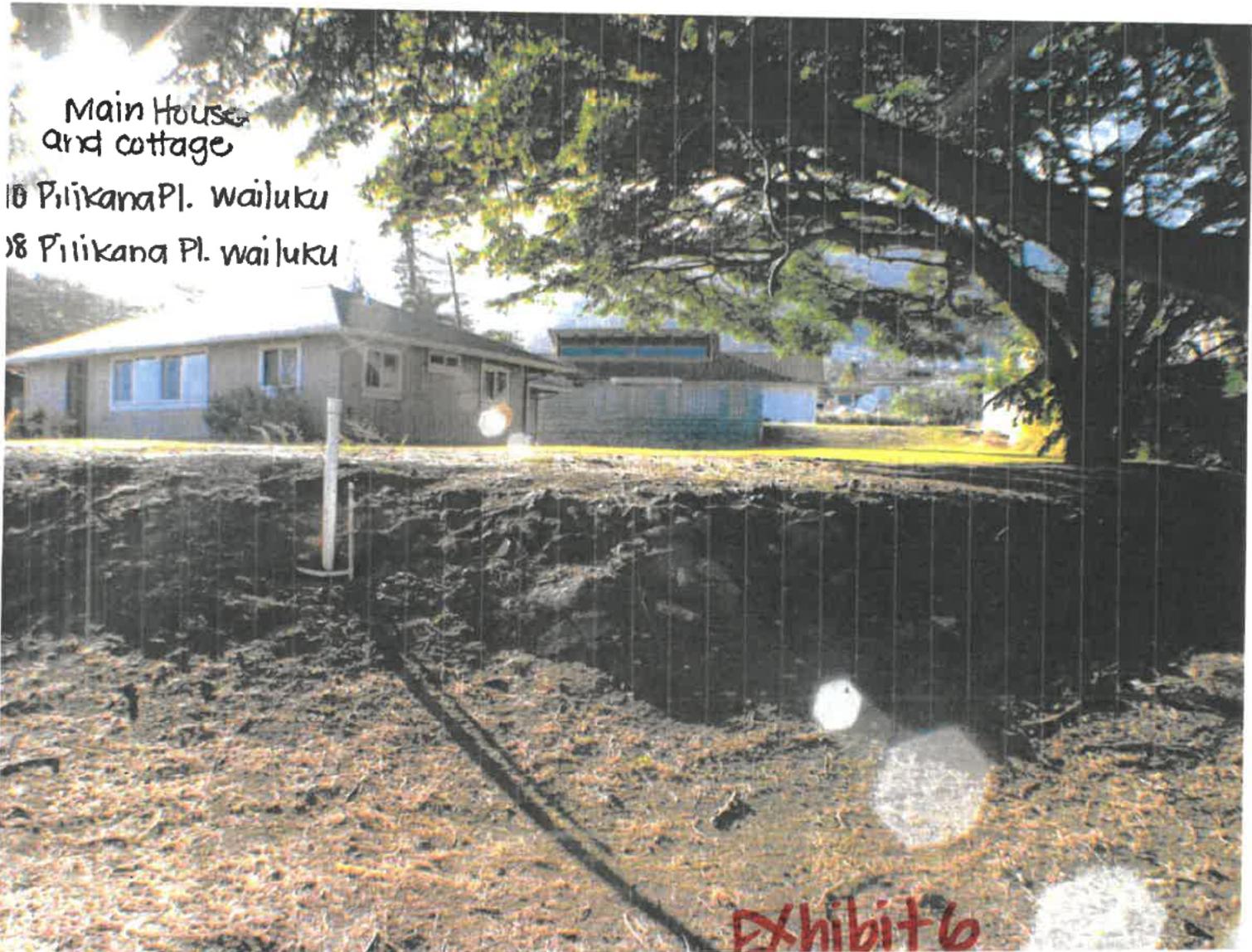


Exhibit 4



Entrance to upper
Piggery

Exhibit 5



Main House
and cottage

10 Piliikana Pl. Wailuku

18 Piliikana Pl. Wailuku

EXHIBIT 6



Back yard
w/ lilikoi from
Argentina

Exhibit 7

Farrowing House

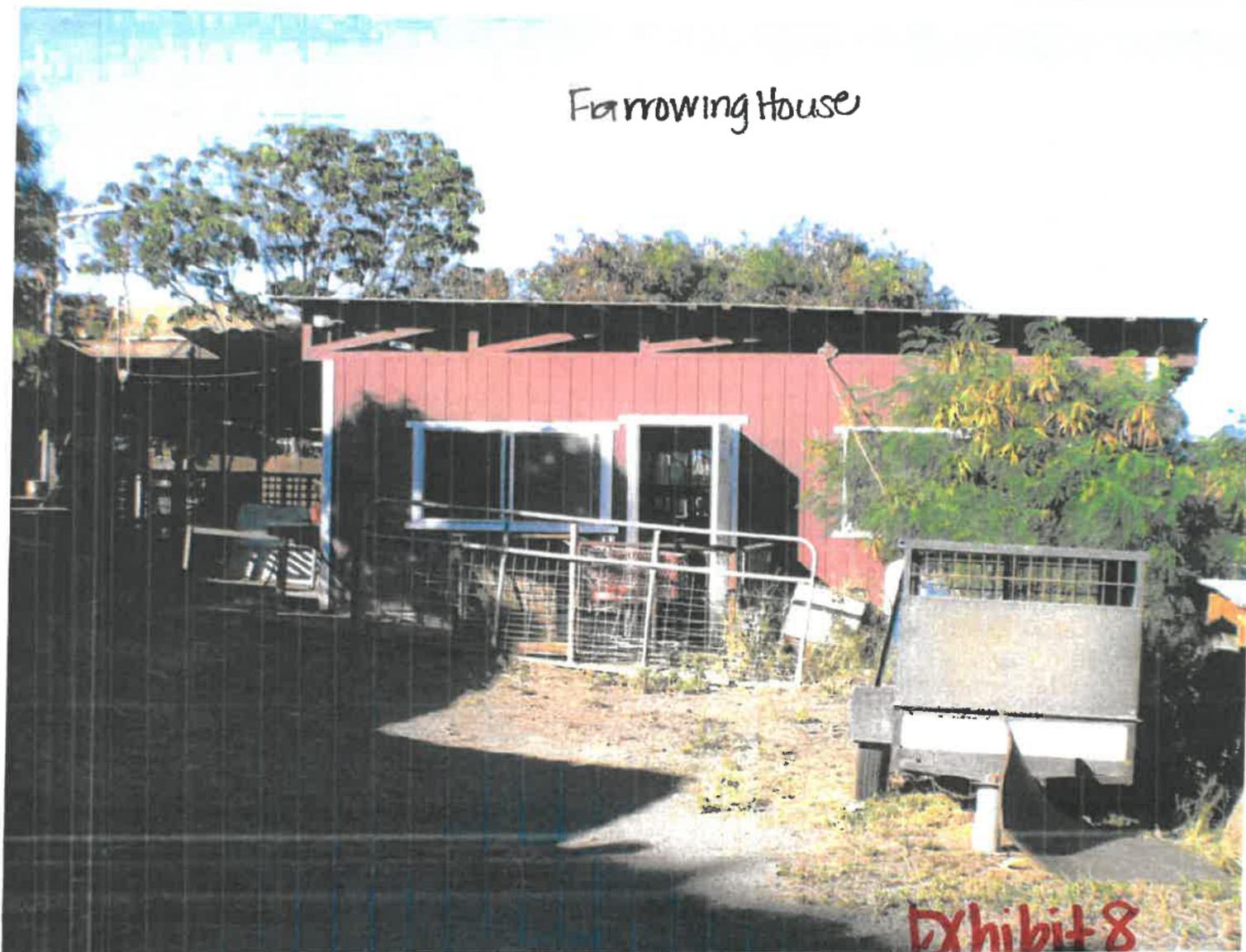


Exhibit 8

inside Farrowing House

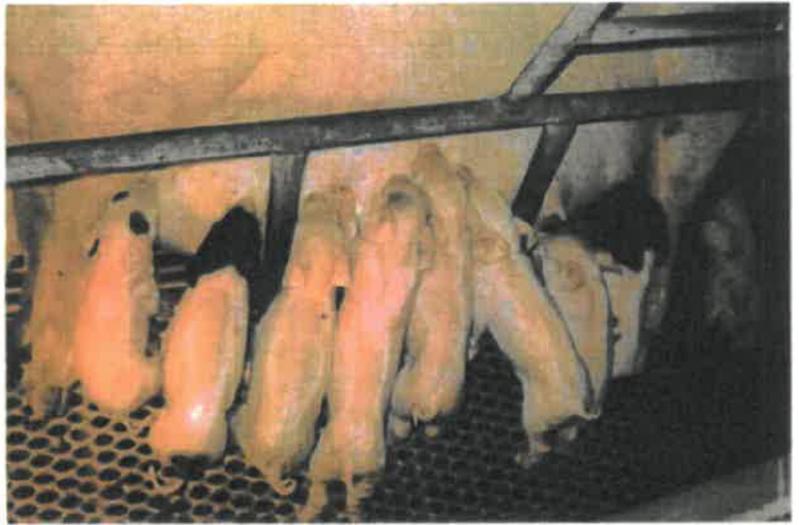
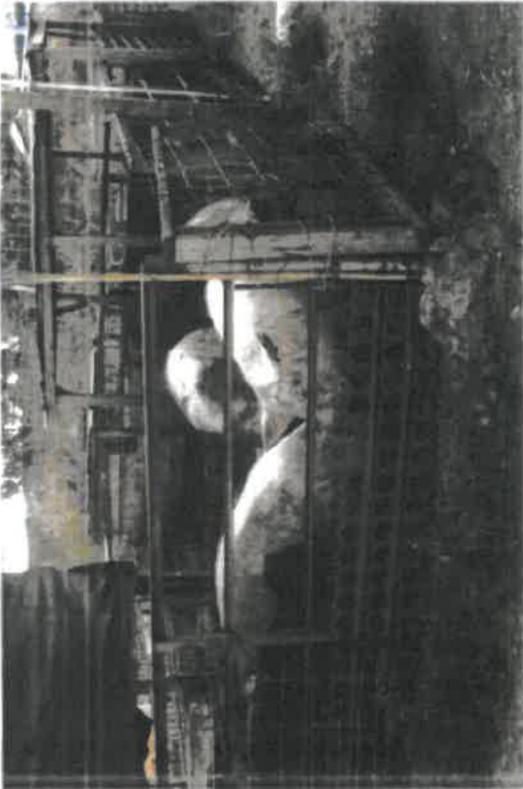


Exhibit 9



Exhibit 10

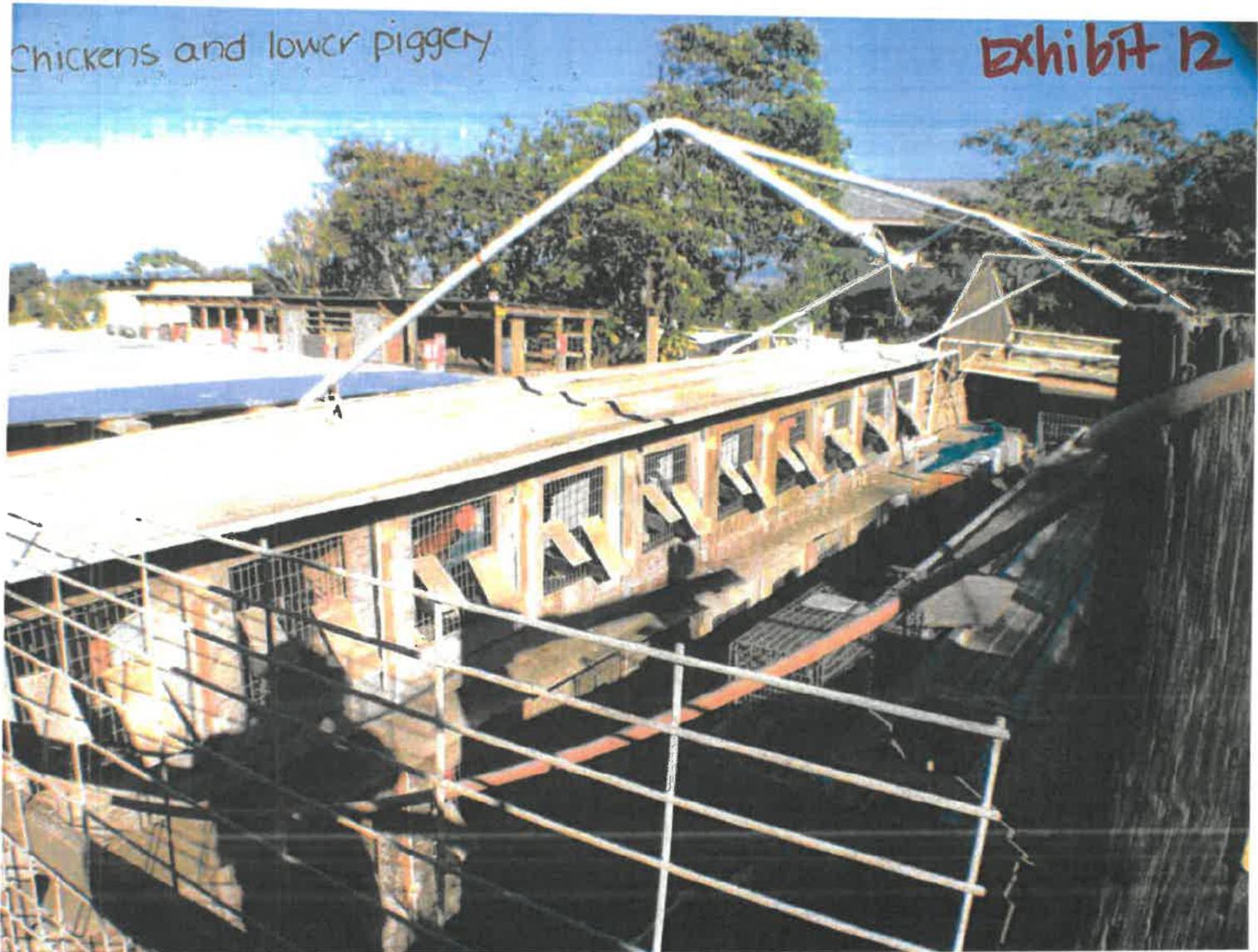


Upper Piggy

Exhibit II

Chickens and lower piggy

Exhibit 12



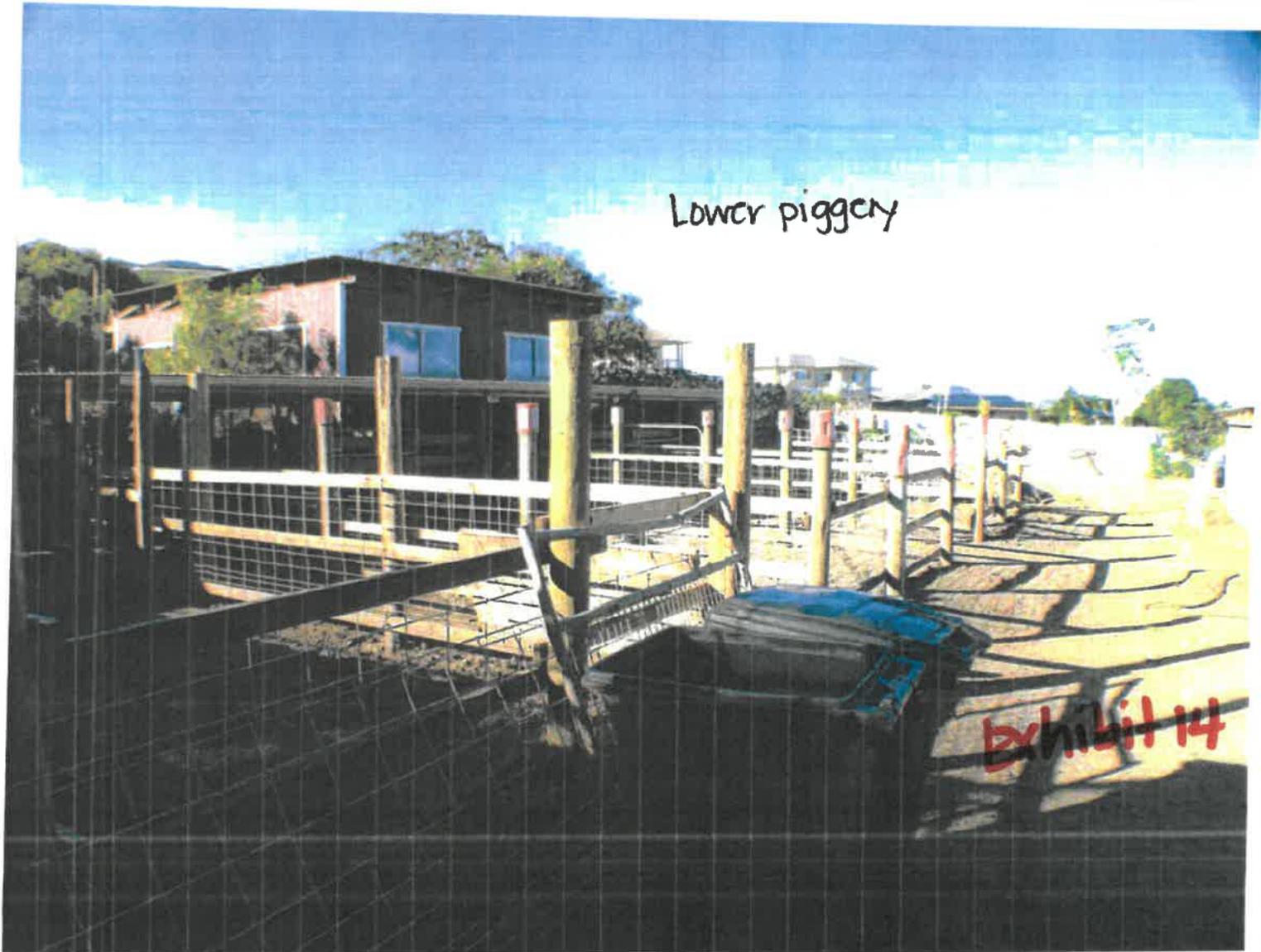


Entrance to lower Piggery

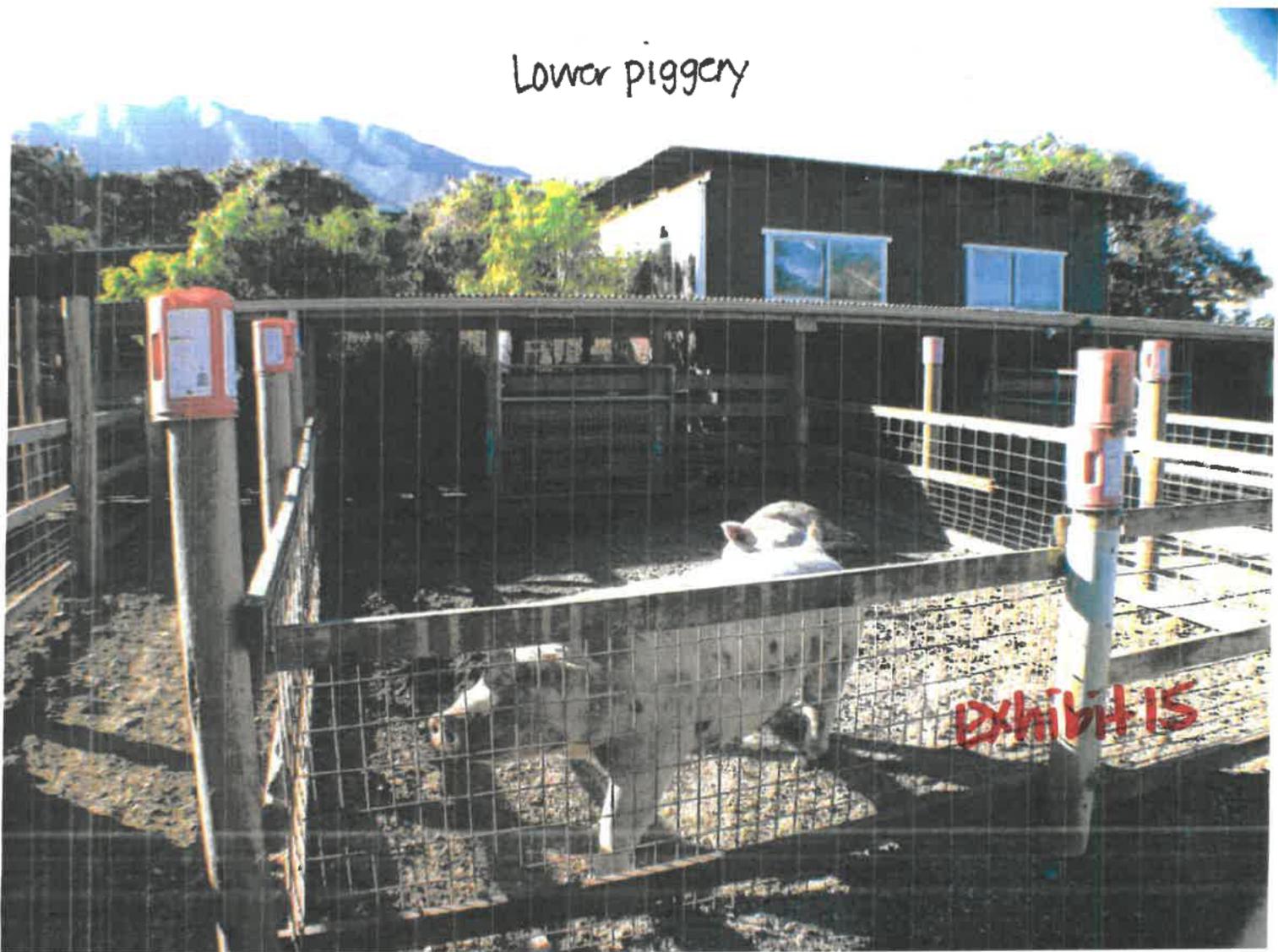
Exhibit 13

Lower piggery

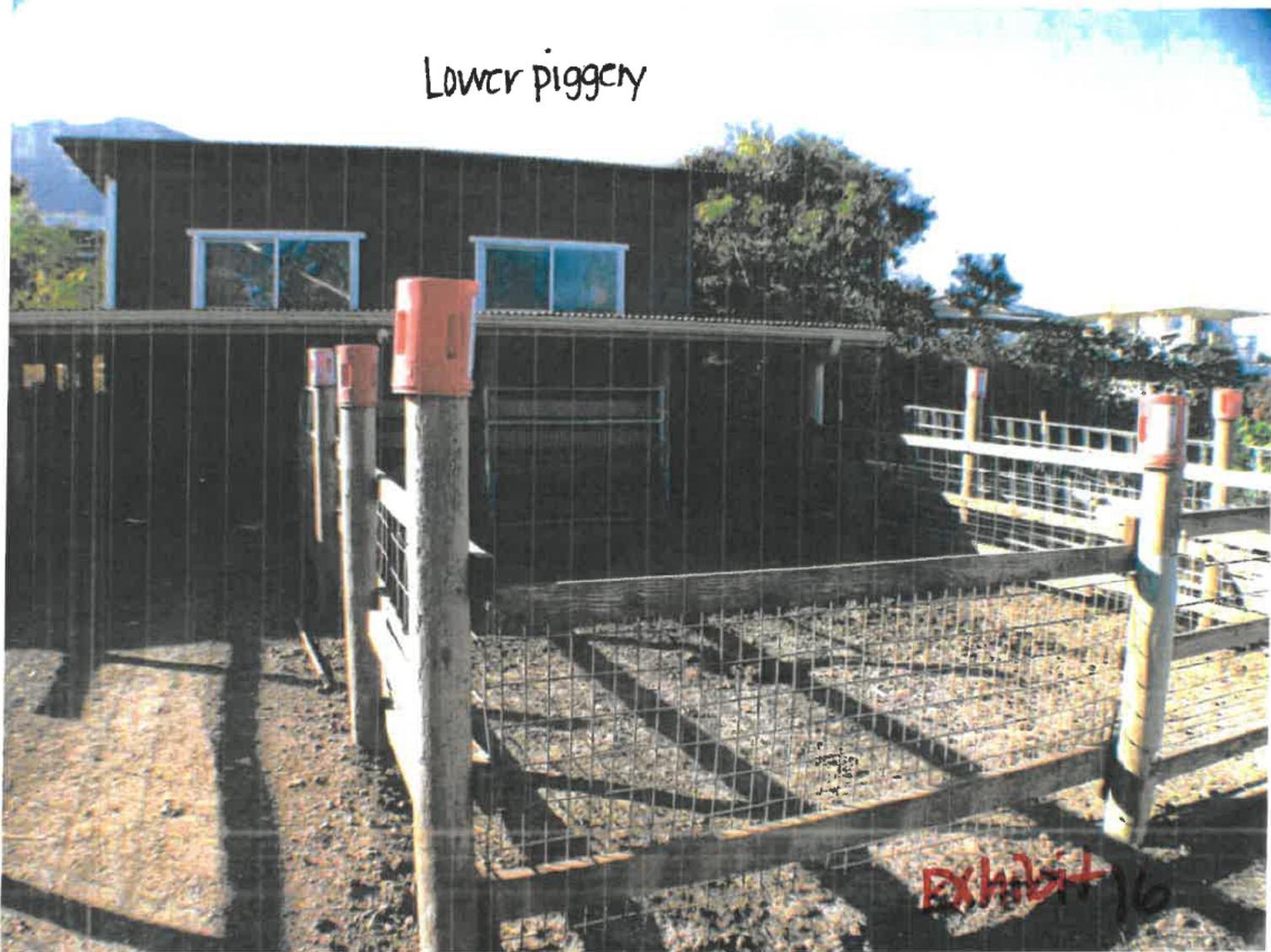
Exhibit 14



Lower piggery



Lower piggery





Lower piggery

Exhibit 17

Baby pig nursery

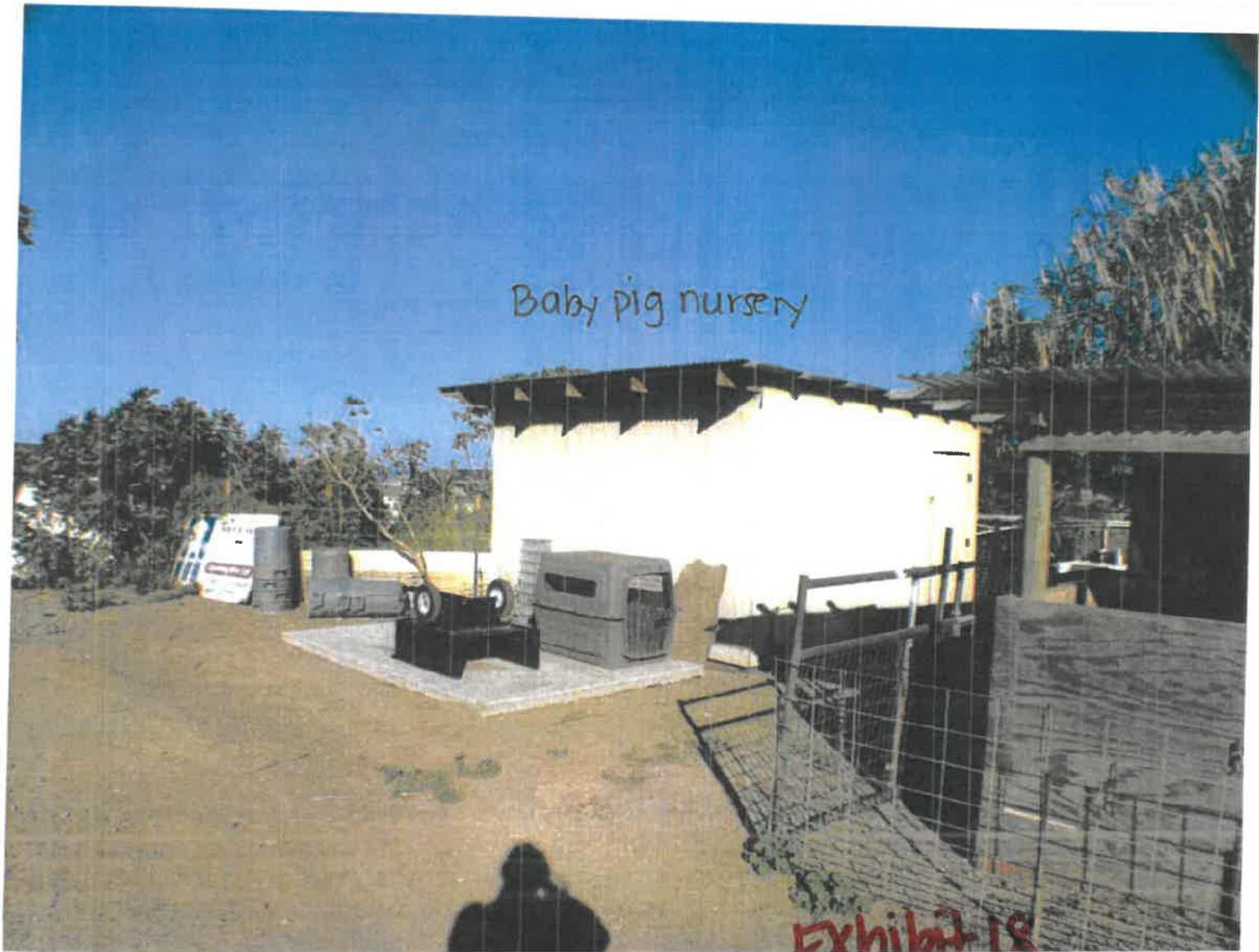


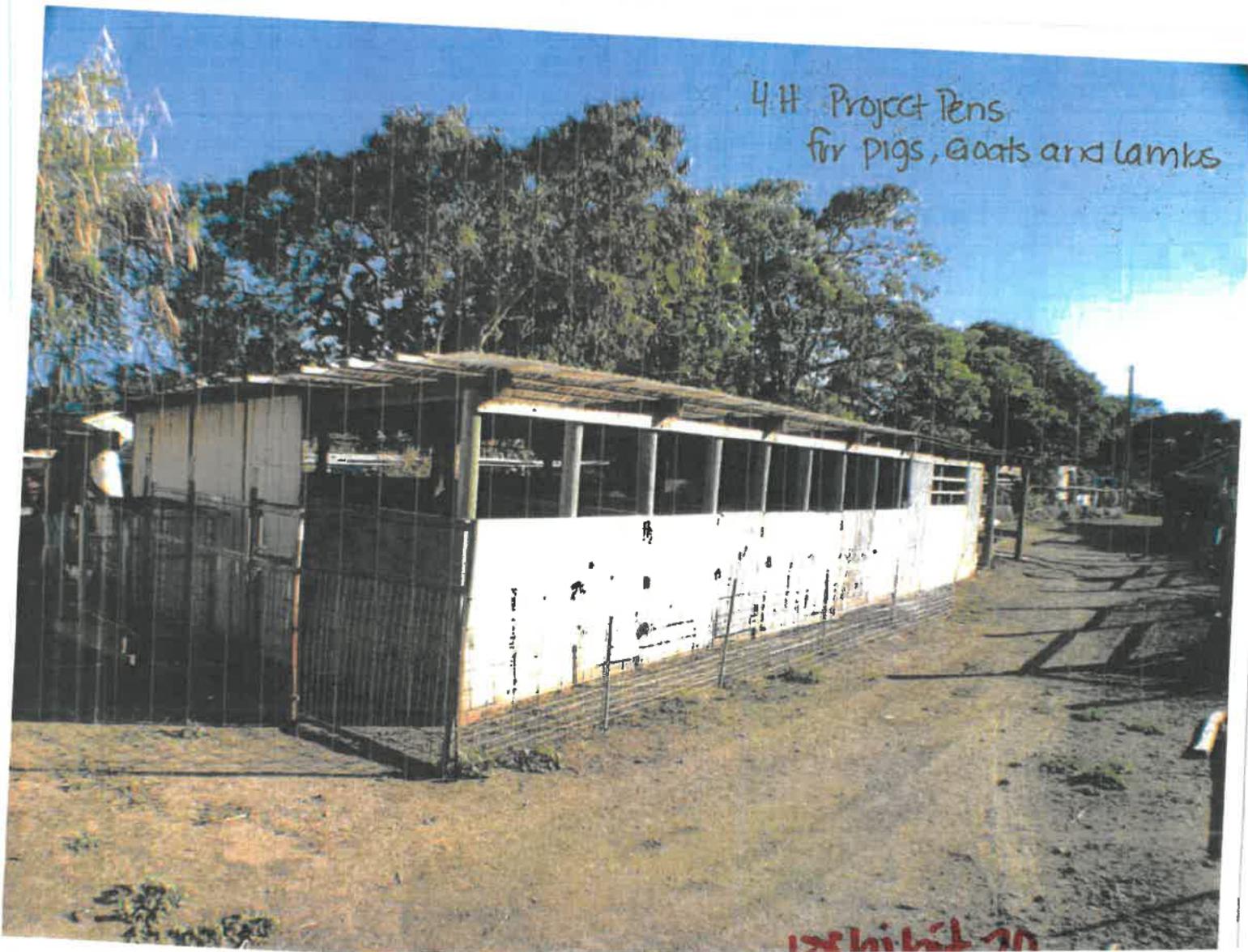
Exhibit 18

4H Project scale

Exhibit 19



4-H Project Pens
for pigs, goats and lambs



12/1/20



inside
nursery



inside nursey

12/07/22



Exhibit 23



Charles Keliipikaneokoloahala - m. 1816
 9-18-1800 - 1870
 1st wife: **Wahinehewa** (d. 1816)
 2nd wife: **Wahinehewa** (d. 1816)
 3rd wife: **Wahinehewa** (d. 1816)

William Shaw 1815
 Native of Dublin, Ireland; came to Hawaii in 1815, the jumped ship at Lahaina in 1817, he was awarded the title of **Kaumohi** by King Kamehameha III. He married a sister of **Wahinehewa**.

Charles Cockett
 1st wife: **Wahinehewa** (d. 1816)
 2nd wife: **Wahinehewa** (d. 1816)

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EXHIBIT 24

