



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

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

FORM GWUPA-N

- Application for New Use
 Application to Modify WUP No. _____

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.

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) with source location labeled and include the name of the quad map.
- Property tax map, showing source location referenced to established property boundaries.
- Photograph(s) of the source(s) and location(s) of proposed end use(s), if applicable.

APPLICANT INFORMATION
Note 1: In accordance with 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.

1. APPLICANT'S INFORMATION			2. SOURCE LANDOWNER'S INFORMATION		
Name/Company		Contact Person	Name/Company		Contact Person
Mailing Address			Mailing Address		
Phone	Fax	E-mail	Phone	Fax	E-mail

SOURCE INFORMATION

3. ISLAND

4. GROUND WATER MANAGEMENT AREA	4A. SUSTAINABLE YIELD FOR ITEM 4 MGD
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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

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

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. PROPOSED USE(S): Agriculture Domestic Industrial
 Irrigation Military Municipal
 Check all that apply.

8. LOCATION OF PROPOSED WATER USE(S): Show the location of the proposed use on the same USGS and TMK maps as the proposed source location. Otherwise, attach similar maps. 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	10. SOURCE LANDOWNER/JOINT APPLICANT (if applicable)
Signature _____	Signature _____
Print Name _____ Date _____	Print Name _____ Date _____

PROPOSED NEW USE OR MODIFIED USE INFORMATION

11. TABLE 1: LAND USE CONSISTENCY / EFFICIENCY OF USE (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 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 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											
	_____	_____	_____		<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, 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, 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, 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											
	_____	_____	_____		<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, 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, 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, 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).

PROPOSED NEW USE OR MODIFIED USE INFORMATION (continued)

12. TABLE 2: 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 TMK FOR PROPOSED LOCATION OF USE ATTACH THE FOLLOWING: • Property tax map with an outline around the area of each proposed irrigation use listed in this table. • Photograph of the area of each proposed use.	B CROP	C TOTAL ACREAGE	D NET IRRIGATED ACREAGE	E BEGIN GROWTH PERIOD (month)	F END GROWTH PERIOD (month)	G IRRIGATION SYSTEM (refer to instructions)	H IRRIGATION PRACTICE (refer to instructions)	I 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								
_____ 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		
Conservation Measures		
Other (specify)		

14. PUBLIC INTEREST

§174C-2(C), HRS states: *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 how the proposed new use(s) in your application are consistent with the public interest.

15. 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.

16. 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.

17. 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.

INSTRUCTIONS FOR FILLING OUT APPLICATION FOR GROUND WATER USE PERMIT FOR A PROPOSED NEW USE OR TO MODIFY A GROUND WATER USE PERMIT

This application form is to be used for proposed new uses, including modifications of existing ground water use permits. **If you are applying for an existing ground water use, which are uses prior to the effective date of designation, do not use this form.** Instead, use the *Application for Ground Water Use Permit for Existing Use* (Form GWUPA-E) for existing uses.

Most questions can be addressed by visiting our website at <http://www.hawaii.gov/dlnr/cwrm> or by contacting the Regulation Branch at 587-0225 or by e-mail at dlnr.cwrm@hawaii.gov. If you need further assistance, call the Regulation Branch. The current application forms are available at: http://www.hawaii.gov/dlnr/cwrm/resources_permits.htm.

REQUIREMENTS FOR A COMPLETE APPLICATION

- a. Fill in the most recent application form. A current form can be obtained by going to our website or contacting us by phone or e-mail.
- b. Print in ink or type the information on the application.
- c. The application form has a total of 16 items on 4 pages. Items 11, 12, and 13 are tables, with multiple line items. Fill in the required information for every item in the application form as it relates to your proposed new use or permit modification.
- d. Enclose a check for the non-refundable filing fee of \$25 payable to: Department of Land and Natural Resources. (Government agencies are not required to pay the filing fee.)
- e. Please be aware that the applicant is responsible for paying the cost of publishing any required public notices associated with this application. The cost for public notices is currently approximately \$400.00. Commission staff will provide instructions later in the permit process regarding payment of these costs.
- f. Mark the proposed source and end use location(s) on the appropriate USGS quad map (scale 1:24,000) and property tax map, and attach these maps to the application.
- g. Attach photos showing the existing or proposed source(s), meter(s) (if applicable), and end use area(s).
- h. Both the applicant and the landowner where the source is located ("source landowner") must sign the application form in ink.
- i. Submit the original application, **15 copies** of the application form and all attachments (maps, photos, and other attachments), and the filing fee to the Commission on Water Resource Management, P.O. Box 621, Honolulu, HI 96809.

Further, the applicant must address §174C-49(a) of the State Water Code, which states that:

To obtain a permit pursuant to this part, the applicant shall establish that the proposed use of water:

- (1) *Can be accommodated with the available water source;*
- (2) *Is a reasonable-beneficial use¹ as defined in section 174C-3;*
- (3) *Will not interfere with any existing legal use of water;*
- (4) *Is consistent with the public interest²;*
- (5) *Is consistent with state and county general plans and land use designations;*
- (6) *Is consistent with county land use plans and policies; and*
- (7) *Will not interfere with the rights of the department of Hawaiian home lands as provided in section 221 of the Hawaiian Homes Commission Act.*

¹ According to §174C-3, HRS, "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.

² Public interest is described in §174C-2(c), HRS, which states: [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.

NOTE: Filling in the application completely will address §174C-49(a), HRS.

LINE-BY-LINE INSTRUCTIONS FOR COMPLETING THE APPLICATION FORM

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 information for the applicant. This should be the person who will be responsible for all conditions of the water use permit.
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.

SOURCE INFORMATION

3. **ISLAND** Check the appropriate box, noting the island where the source is located.
4. **GROUND WATER MANAGEMENT AREA** The name of the aquifer system area where the source is located.
- 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, write the state well number here.
 - **WELL NAME** If the proposed source already has a name, write the name here. Otherwise, give it a short name that will differentiate it from other wells.
 - **SOURCE TMK** Fill in the current Tax Map Key number of the parcel where the source is located.
 - **FLOWMETER INFORMATION** 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.)

PROPOSED USE INFORMATION

(Ref. §§ 174C-51(4), (5), (6), HRS)

6. **TOTAL QUANTITY OF WATER REQUESTED** Enter the amount of water requested as gallons per day (GPD) averaged over one year. Fill out Table 1 and enter the amount in Box 14, "Total Use Requested."

- 7. **PROPOSED USE(S)** Check all the boxes that apply for the proposed 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 category to use.
- 8. **LOCATION OF PROPOSED WATER USE(S)** Show the location of the proposed use on the same USGS and TMK maps as the proposed source location. Otherwise, attach similar maps and show the location of the proposed use.

APPLICANT SIGNATURES REQUIRED

- 9. **APPLICANT** The Applicant must sign and date the application. Please print or type the Applicant’s name in the space provided.
- 10. **SOURCE LANDOWNER** The Source Landowner must also sign and date the application. Please print or type the Source Landowner’s name in the space provided.

PROPOSED NEW USE OR MODIFIED USE INFORMATION

11. **Table 1: LAND USE CONSISTENCY / EFFICIENCY OF USE** Provide information on all of the proposed uses you are applying for or seeking to modify. 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 proposed 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.)

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

- 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:
 - (1) A TMK map (or maps) showing each of the lots listed and the boundaries of the end use area(s); and
 - (2) A photograph of the area of use.
- 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 call the City and County of Honolulu at 768-8014 or for Maui County call the Planning Department at 270-8205.
- 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, or number of animals. 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 proposed quantity of water use in gallons per day (GPD). Justification (see Column J) for the quantity(ies) 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** Add the quantities listed in the Column I for proposed potable water use(s). Enter the total quantity in gallons per day (GPD) in Box K.
- L. **TOTAL NON-POTABLE USE** 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.

12. TABLE 2: IRRIGATION INFORMATION

On Table 2, provide the information requested for all the crops you are proposing to grow, including landscapes and golf course turf and plants. Enter only one crop and one parcel number (TMK) per line. For multiple crops, list each one as a separate line item. All proposed or modified irrigation uses you are applying for must be listed. Attach additional copies of Table 2, if necessary.

- A. TMK FOR PROPOSED LOCATION OF USE** Enter the parcel number where the crop will be grown. Also, attach a property tax map with an outline around the area(s) of proposed 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).

13. TABLE 3: ALTERNATIVES ANALYSIS

You should address every alternative and explain why each alternative is or is not available for your proposed potable and non-potable water needs. Other alternatives (last row of Table 3), may include stormwater reclamation, rainwater catchment, or other alternatives not already listed above.

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.*

For **Conservation Measures**, please describe any conservation measures that will be used to ensure that your water use is or will be efficient. 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.

14. PUBLIC INTEREST

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

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

Explain in the space provided or on a separate sheet 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. To inquire about potential interference, you may contact the Department of Hawaiian Home Lands Planning Office at 586-3836.

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.*

16. INTERFERENCE WITH ANY EXISTING LEGAL USES

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

17. PUBLIC WATER SYSTEM INFORMATION

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