



WK-27

MAR 8 2012

RECEIVED AT WK MEETING ON \_\_\_\_\_

*Ikeaumoku Kapu*

**BOARD OF WATER SUPPLY  
COUNTY OF MAUI,  
P.O. BOX 1109  
WAILUKU, MAUI, HAWAII 96793-7109**

April 8, 1994

Charles Haia, et al  
530 Kawainui Street  
Honolulu, Hawaii 96734-2407

Re: Repair of Landslide Damage to Kanaha Intake;  
Access through property located at ~~TMK 4-6-17-001~~

Dear Mr. Haia,

We are writing to request a Right of Entry through your property located at TMK 4-6-17:001, to repair landslide damage to the Kanaha Stream intake. This will give us permission to travel across your property to get to the intake and make the necessary repairs.

This intake is the major municipal drinking water source for the town of Lahaina. It was destroyed by a landslide in May of 1992. Under emergency provisions, the Department of Water Supply has maintained municipal supply with temporary measures since that time. The stream bed has now had time to stabilize, making the repair possible.

The Kanaha intake was first built in 1904, and moved to its current elevation in 1908. It has been serving water to Lahainaluna School and to Pioneer Mill since that time. The County obtained interest in this intake in 1909. Although several repairs have been made during the 90 year existence of the Kanaha Stream intake, we have been unable to locate formal Rights of Entry for your property or your share of a property at TMK 4-6-17:001. We must traverse this property in order to reach the intake. This is a matter of public necessity.

Our request to traverse your property to repair this crucial municipal supply does not in any way constitute an intention on our part to infringe with your kuleana water rights.

We feel it would be more beneficial to all involved to formalize rights of entry, for the purposes of repairing and maintaining the intake. We do not require a permanent easement through your property, only permission to access our intake when necessary for repairs and maintenance. However, we would be willing to survey and delineate an easement if you should so desire.

Please advise us at your earliest convenience as any difficulties you foresee in granting us the Right of Entry. Thank you for your cooperation.

Sincerely,

David Craddick  
Director  
elk

**EXHIBIT "H"**

*"By Water All Things Find Life"*





**BOARD OF WATER SUPPLY  
COUNTY OF MAUI  
P.O. BOX 1109  
WAILUKU, MAUI, HAWAII 96793-7109**

August 15, 1994

Charles Haia, et al  
530 Kawainui Street  
Honolulu, Hawaii 96734-2407

Re: Documentation of Lo'i Damage from Emergency Intake Repairs  
Access to property located at TMK 4-6-17:001

Dear Mr. Haia,

Immediately after the landslide, the Water Department re-opened the historic access road to the intake, in order to make emergency repairs. In the process of permit preparation for permanent repairs, we discovered that historic lo'i along the access route had been damaged through these emergency measures.

We apologize for this damage, and have contacted DLNR regarding possible mitigative measures. We are writing to request permission to bring the DLNR staff archaeologist on to your land for the purpose of data recovery on these damaged lo'i walls.

Please advise us at your earliest convenience as any difficulties you foresee in granting us this permission. Thank you for your cooperation.

Sincerely,

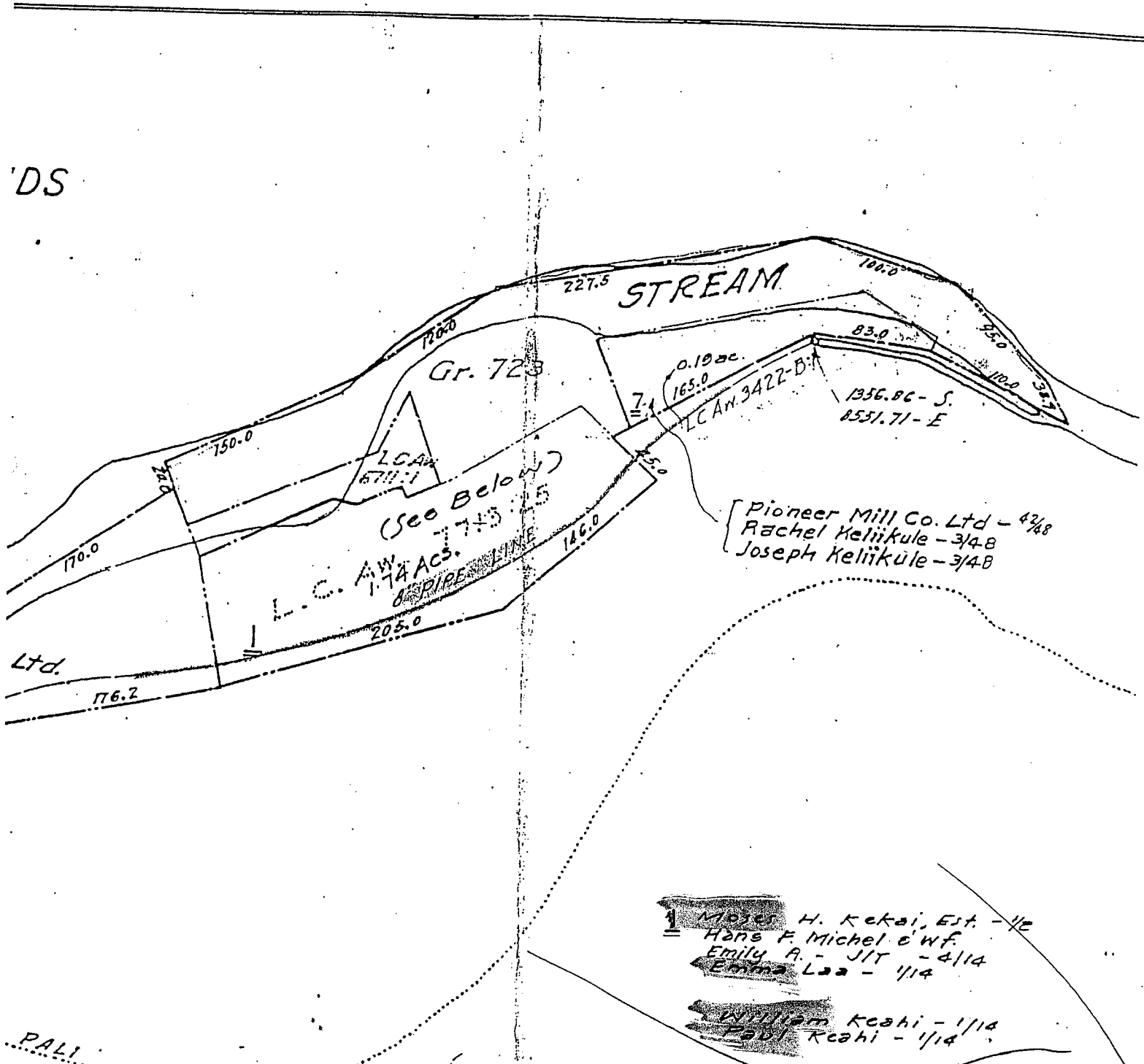
David Craddick,  
Director  
elk

**EXHIBIT "H"**

*"By Water All Things Find Life"*

VDS

DS



Ltd.

PALI

DS

Pioneer Mill

1. Moses H. Kekai, Est. - 1/2  
 Hans F. Michel & wf.  
 Emily A. - J/T - 4/14  
 Emma Loo - 1/14

William Keahi - 1/14  
 Paul Keahi - 1/14

SECOND DIVISION		
ZONE	SEC.	PLAT
4	6	17
CONTAINING PARCELS		