

LINDA LINGLE
GOVERNOR OF HAWAII



2007 JUL 23 PM 2 56

PLANNING DEPARTMENT
COUNTY OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

06-000396
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INTERIM CHAIRPERSON
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF.:OCCL:MC

CDUP: HA-3404

Gregory R. Mooers
Mooers Enterprises, LLC
PO Box 1101
Kamuela, HI 96743

JUL 20 2007

Dear Mr. Mooers:

SUBJECT: Conservation District Use Permit (CDUP) HA-3404

This is to inform you that on July 20, 2007, the Chairperson of the Board of Land and Natural Resources approved Conservation District Use Permit (CDUP) HA-3404 for the consolidation and resubdivision of land located at Kahauloa, South Kona, Hawai'i, TMK: (3) 8-3-05:10, 12, & 13, subject to the following conditions:

- 1) The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State and County governments;
- 2) The applicant, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
- 3) The applicant shall provide documentation (e.g. book and page or document number) that this permit approval has been placed in recordable form as a part of each deed instrument;
- 4) In issuing this permit, the Department has relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
- 5) The applicant understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
- 6) Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;

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