

LINDA LINGLE  
GOVERNOR OF HAWAII



2007 AUG 29 PM 1 24

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

8-8-2:14, 1792  
LAURA H. THIELEN  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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INTERIM DEPUTY DIRECTOR - LAND

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

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COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

REF.:OCCL:MC

CDUP: HA-3403

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

AUG 21 2007

Dear Mr. Mooers:

**SUBJECT:** Conservation District Use Permit (CDUP) HA-3403

This is to inform you that on August 9, 2007, the Chairperson of the Board of Land and Natural Resources approved Conservation District Use Application (CDUA) HA-3403 for the Consolidation and Resubdivision of Land Located at Alika, South Kona, island of Hawaii, TMKs: (3) 8-8-02:14, 17, & 22, subject to the following conditions:

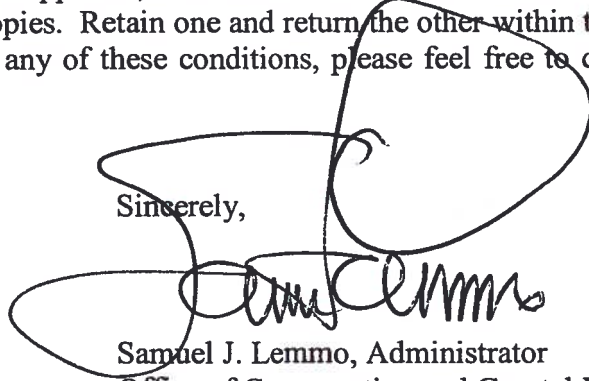
- 1) The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State and County governments;
- 2) The applicant, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim 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;

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- 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;
- 7) The applicant shall obtain the approval for the consolidation and re-subdivision through the applicable County department;
- 8) Other terms and conditions as may be prescribed by the Chairperson; and
- 9) Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other within thirty (30) days. Should you have any questions on any of these conditions, please feel free to contact Michael Cain at (808) 587-0048.

Sincerely,



Samuel J. Lemmo, Administrator  
Office of Conservation and Coastal Lands

*Receipt acknowledged:*

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

cc: Chairperson  
HDLO  
County of Hawaii, Department of Planning

ROUTE SLIP - DATE

DIRECTOR

DEPUTY

FIVE SECRETARY

LONG RANGE DIVISION

PLANNER

*Handwritten signature: [Signature]*

**AUG 30 2007**