

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
LANAI RESORT PARTNERS )  
To Amend the Rural Land Use )  
District Boundary into the Urban )  
Land Use District for Approximately )  
110.243 acres and the Agricultural )  
Land Use District Boundary into )  
the Urban Land Use District for )  
Approximately 28.334 acres at )  
Manele, Lanai, Hawaii, Tax Map )  
Key No. 4-9-02: portion 49 )  
(formerly Tax Map Key No.: 4-9-02: )  
portion 1) )

Docket No. A89-649  
ORDER TO SHOW CAUSE

This is to certify that this is a true and correct  
copy of the document on file in the office of the  
State Land Use Commission, Honolulu, Hawaii.

OCT 13 1993 by *[Signature]*  
Date Executive Officer

OCT 13 7 44 AM '93  
LAND USE COMMISSION  
STATE OF HAWAII

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ORDER TO SHOW CAUSE

TO: LANAI RESORT PARTNERS, MK DEVELOPMENT, INC., and LANAI COMPANY, INC.

YOU ARE HEREBY COMMANDED, under the authority of section 205-4, Haw. Rev. Stat., and section 15-15-93, Hawaii Administrative Rules, to appear before the Land Use Commission, State of Hawaii, at ILWU Union Hall, Lanai, Hawaii, on December 14, 1993, at 10:30 a.m., to show cause why that certain land at Manele, Lanai, Hawaii, Tax Map Key No. 4-9-02: portion of 49 (formerly Tax Map Key No. 4-9-02: portion of 1), covering approximately 110.243 acres of land, and land at Manele, Lanai, Hawaii, Tax Map Key No. 4-9-02: portion of 49 (formerly Tax Map Key No. 4-9-02: portion of 1), covering approximately 28.334 acres of land, collectively referred to as the Subject Area, and as approximately identified in Exhibit "A" attached hereto and

incorporated by reference herein, should not revert to its former land use classifications or be changed to a more appropriate classification.

The Land Use Commission has reason to believe that you have failed to perform according to Condition No. 10 of the Commission's Decision and Order dated April 16, 1991 in that you have failed to develop and utilize alternative sources of non-potable water for golf course irrigation requirements. Condition No. 10 was imposed by the Commission after the Petitioner made representations that water from the high-level groundwater aquifer would not be used for golf course irrigation.

Section 205-4, Haw. Rev. Stat., authorizes the Commission to impose conditions necessary to "assure substantial compliance with representations made by the petitioner in seeking a boundary change" and that "absent substantial commencement of use of the land in accordance with such representations, the Commission shall issue and serve upon the party bound by the condition an order to show cause why the property should not revert to its former land use classification."

Accordingly, the Commission will conduct a hearing on this matter in accordance with the requirements of chapter 91, Haw. Rev. Stat., and subchapters 7 and 9 of chapter 15-15, Hawaii Administrative Rules. All parties in this docket shall present testimony and exhibits to the Commission as to whether Petitioner has failed to perform according to Condition No. 10 and the

representations made by the Petitioner in seeking the land use reclassification.

Any party may retain counsel if the party so desires.

DATED: Honolulu, Hawaii October 13, 1993.

STATE OF HAWAII  
LAND USE COMMISSION

By Joann N. Mattson  
JOANN N. MATTSON  
Chairperson and Commissioner