

RECEIVED  
JAN 30 2017

FORM 202 (Rev. 09/16) Water Resources  
Eastern Region

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**  
To appropriate the public waters of the State of Idaho

Ident. No. 29-14207  
App. ID: 81441

1. Name of applicant(s) Intermountain Vipassana Association, Inc. Phone 208-721-8143  
Name connector (check one): ☐ and ☐ or ☐ and/or  
Mailing address PO Box 5952 City Ketchum  
State ID ZIP 83340 Email \_\_\_\_\_
2. Name of representative, if any Zach Latham, Brockway Engineering Phone 208-736-8543  
Mailing address 2016 Washington St N, Ste 4 City Twin Falls  
State ID ZIP 83301 Email zach.latham@brockwayeng.com
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR  
☒ Send original correspondence to the applicant and copies to the representative.
- b. ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant OR  
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Groundwater which is a tributary of N/A
4. Location of point(s) of diversion:

| Twp | Rge | Sec | Govt Lot | 1/4 | 1/4 | 1/4 | County  | Source       | Local name or tag # |
|-----|-----|-----|----------|-----|-----|-----|---------|--------------|---------------------|
| 9S  | 38E | 15  |          |     | SW  | NW  | BANNOCK | GROUND WATER | NEW WELL #1         |
| 9S  | 38E | 15  |          |     | NW  | SW  | BANNOCK | GROUND WATER | NEW WELL #2         |
|     |     |     |          |     |     |     |         |              |                     |
|     |     |     |          |     |     |     |         |              |                     |

5. Water will be used for the following purposes:
- Amount 0.44 CFS for Commercial purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)
- Amount 0.44 CFS for Diversion to Storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)
- Amount 0.1 AFA for Fire Protection Storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)
- Amount 0.1 AFA for Fire Protection from Storage purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.44 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Up to two wells, 10" diameter to facility
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
- c. Proposed well diameter is 10 inches; proposed depth of well is 100 +/- feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? N/A; drilling firm \_\_\_\_\_;  
well was drilled for (well owner) \_\_\_\_\_; Drilling Permit No. \_\_\_\_\_

Received by SC Date 1/30/17 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee \$ 250- Received by SC Receipt No. 2042722 Date 1/30/17

29-14207

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. \_\_\_\_\_
- Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- Domestic; show number of households \_\_\_\_\_
- Other; describe fully. Commercial use for meditation facility.

AMENDED

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |     |     | SW  |     |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|-----|-----|-----|-----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE  | NE  | NW  | SW | SE | NE | NW | SW | SE |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | C   | C   | C   | C   |    |    |    |    |    |    |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | FP  | FP  | FP  | FP  |    |    |    |    |    |    |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | FPS | FPS | FPS | FPS |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |     |     |     |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |     |     |     |    |    |    |    |    |    |        |

Total number of acres to be irrigated: \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None

- Who owns the property at the point of diversion? Applicant (forthcoming)
- Who owns the land to be irrigated or place of use? Applicant (forthcoming)
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Vipasanna Community Foundation will transfer the ownership of land to Applicant presently.

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Applicant proposes to utilize groundwater for in-house potable use associated with a meditation facility. See attached water requirements analysis. Up to two wells are proposed to be used to furnish water to the facility. Fire protection storage in buried cistern. PODs are listed in two 40-acre tracts; wells may be drilled in one or the other, or both wells may be drilled in one 40, depending on final configuration of facility.

13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant \_\_\_\_\_

Signature of Applicant \_\_\_\_\_

Print Name (and title, if applicable) \_\_\_\_\_

Print Name (and title, if applicable) \_\_\_\_\_

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. \_\_\_\_\_
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households \_\_\_\_\_
- Other; describe fully. Commercial use for meditation facility.

9. Description of place of use:

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| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | C  | C  | C  | C  |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated: \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? None

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- Who owns the land to be irrigated or place of use? Applicant (forthcoming)
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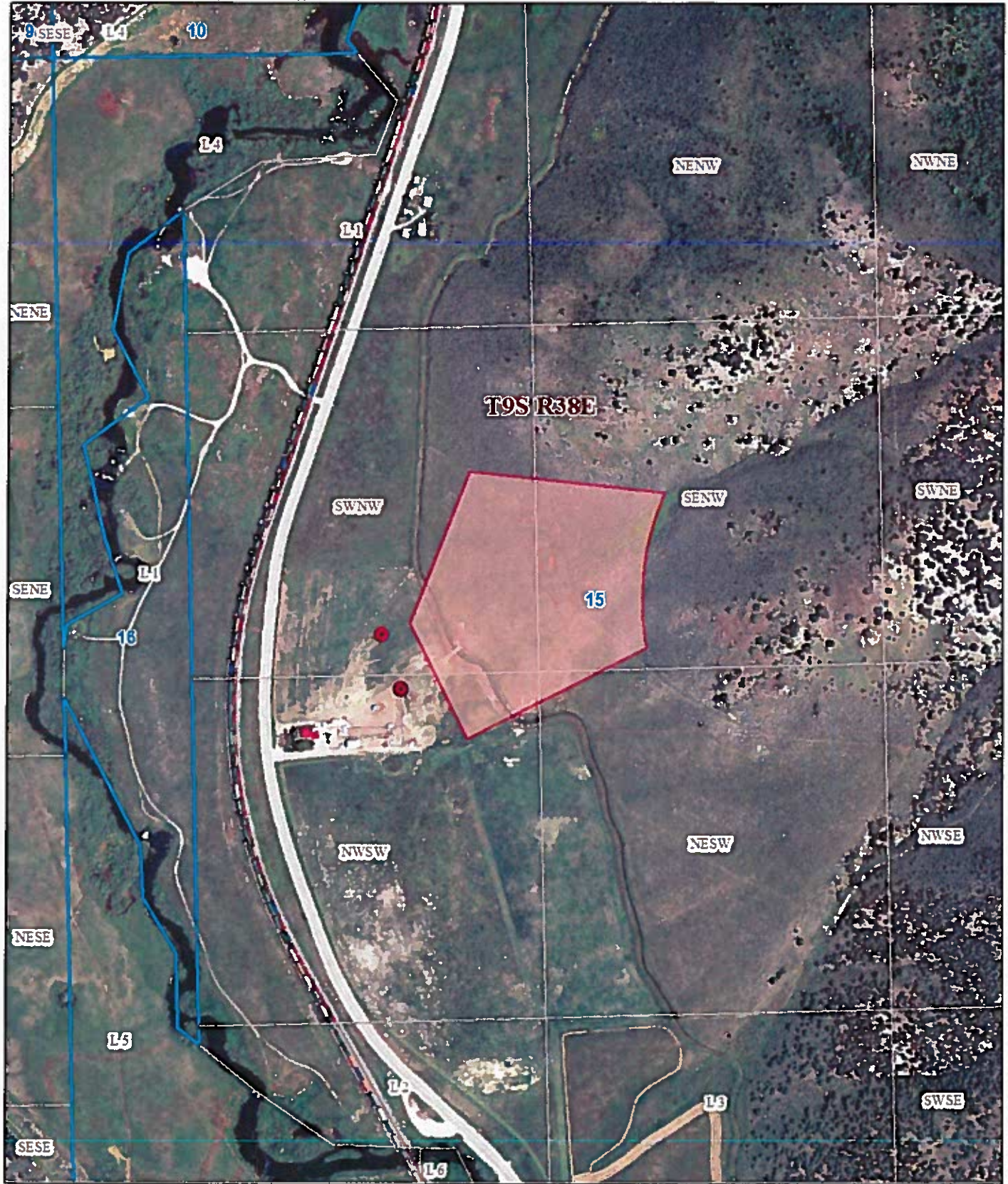
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The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Lisa Kuhn  
 Signature of Applicant  
Lisa Kuhn, President of Board of Directors IVA  
 Print Name (and title, if applicable)

\_\_\_\_\_  
 Signature of Applicant  
 \_\_\_\_\_  
 Print Name (and title, if applicable)



## VIPASSANA CENTER

COMMERCIAL PERMIT APPLICATION  
NAIP 2015 AERIAL

- Water supply wells
- Development site

BROCKWAY ENGINEERING, PLLC.  
ICB - Date: 12/16/2016

**Narrative for Permit Applications  
Intermountain Vipassana Association, Inc.**

Brockway Engineering, PLLC  
January 26, 2017

Applications for Permit are being submitted by the Intermountain Vipassana Association (IPA) pursuant to the development of a meditation center near Lava Hot Springs. Two applications are being submitted for 1) commercial and fire protection from groundwater pertaining to the facility itself, and 2) fire protection and aesthetic use from a small spring on the property. Each application is described below.

1. Commercial and fire protection from groundwater

A general description of the meditation center and its activities has been prepared by the applicant and is included with the submittal package. Up to 150 participants will attend scheduled retreats at the facility after full project build-out. Water supply is needed for potable usage within the facility including incidental minor watering of low-use vegetation directly adjacent to the facility. It is proposed to develop up to two wells for this purpose. The likely well location and the area of facility development is illustrated on the attached map.

The facility will consist of individual apartments, each with a toilet, shower, and sink – similar to hotel rooms. In addition, a major part of the facility will consist of common areas with common bathrooms, eating and gathering areas, and a commercial kitchen and laundry to service the participants. Peak water demand for these uses was estimated using the standard fixture-unit approach as outlined in the Uniform Plumbing Code (UPC), as shown on the attached worksheet. Fixture units were applied to each type and number of fixtures, and the total fixture units were converted to a peak rate using Hunters curve as outlined in the UPC. The resulting value is 196 gpm or 0.44 cfs. This will be the design flow for the well(s).

Maximum daily and annual demand was estimated assuming maximum occupancy for the maximum anticipated retreat schedule after full build-out of eight 10-day retreats, four 8-day retreats, and two 20-day retreats per year, for a total of 152 days of occupancy per year. During these times, the daily demand was conservatively assumed to be 120 gpcd. During the other 213 days, it is assumed that 10 employees will remain on site at 120 gpcd. The total annual volume estimated in this fashion is 7.7 acre-feet.

Consumptive use is expected to be minimal, as on-site disposal systems will be utilized. Minor watering of vegetation around the building is expected to occur in conjunction with the commercial use.

Fire protection will be provided by buried cisterns, with a dry hydrant connection and/or a pressurized system (to be determined by the local fire authority). The storage volume will be up to 32,000 gallons or 0.1 acre-feet. The cisterns will also be fed by the spring

source via a pipeline (see permit 2 described below). If needed, first fill of the cisterns can be provided by the existing right 29-7601 from the spring.

2. Fire protection and aesthetic use from spring

A small spring on the property is currently being collected and used for a residence and associated uses under right 29-7601. The residence and its associated land has recently been acquired by the applicant as a separate parcel. The collector system will be improved and a pipeline laid as shown on the attached map. The pipeline will discharge into a small man-made aesthetic water feature for the facility. Water will then sink into the ground in the same manner as it has historically. In addition, the fire cistern will be fed from the pipeline as needed as a backup source.

Right 29-7601 was licensed for 0.01 cfs based on the field examiner's measurement in 1986. It is believed that proper development of the spring can yield appreciably more water. Therefore, the requested amount on the permit is 0.04 cfs or 18 gpm.

**Vipassana Center and Community****Peak Demand using Fixture Unit Method per Uniform Plumbing Code**

CGB 1/5/2017

| Fixture Type                       | Number | Fixture Unit | Total F.U. |
|------------------------------------|--------|--------------|------------|
| <b>Apartments:</b>                 |        |              |            |
| Water closet, 1.6 gpf gravity tank | 150    | 2.5          | 375        |
| Shower                             | 150    | 2.0          | 300        |
| Sink                               | 150    | 1.0          | 150        |
| <b>Common area:</b>                |        |              |            |
| Urinal, 1 gpf flush valve          | 6      | 4.0          | 24         |
| Water closet, 1.6 gpf flush valve  | 6      | 5.0          | 30         |
| Sink                               | 6      | 1.0          | 6          |
| Drinking fountain                  | 2      | 0.8          | 1.5        |
| <b>Commercial kitchen:</b>         |        |              |            |
| Kitchen sink                       | 2      | 2.0          | 4          |
| Dishwasher                         | 2      | 1.5          | 3          |
| Laundry - washer                   | 4      | 4.0          | 16         |
| Service sink / mop basin           | 1      | 3.0          | 3          |
| <b>Other:</b>                      |        |              |            |
| Hose bib                           | 4      | 2.5          | 10         |

Total Fixture Units: 922.5  
Conversion of F.U. to GPM: 196  
(Hunter's curve, predominantly tank systems)

**Annual demand estimate**

|                                   | 10-day          | 8-day | 20-day |
|-----------------------------------|-----------------|-------|--------|
| Number of retreats                | 8               | 4     | 2      |
| Total number of days of retreats  | 152 days        |       |        |
| Total number of off days          | 213 days        |       |        |
| Maximum occupancy during retreats | 150 persons     |       |        |
| Maximum occupancy during off days | 10 persons      |       |        |
| Per-capita daily average demand   | 100 gpcd        |       |        |
| Daily demand during retreats      | 15000 gpd       |       |        |
| Daily demand during off days      | 1000 gpd        |       |        |
| Total annual usage                | 2493000 gallons |       |        |
|                                   | 7.65 acre-feet  |       |        |

**WARRANTY DEED**

Alliance Title & Escrow Corp. Order No.:321461

**FOR VALUE RECEIVED**

**Harold Bennett Nichols aka Harold Nichols and Joyce Maxine Nichols aka Joyce Nichols, husband and wife**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

The Vipassana Community Foundation

whose current address is 4701 37th Ave, Ne, Seattle, WA 98105

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

**See Attached Exhibit "A"**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 15, 2016

Harold Nichols  
Harold Nichols

Joyce Nichols  
Joyce Nichols

State of Idaho ) ss  
County of Bannock)

On this 15th day of August, 2016, before me, B. S. Cook, a Notary Public in and for said state, personally appeared Harold Nichols and Joyce Nichols, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

B. S. Cook  
B. S. Cook  
Notary Public for the State of Idaho  
Residing at: Pocatello, ID  
Commission Expires: 04-21-21



Exhibit 'A'

Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho.

Section 15: That portion of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ ; East  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$ ; Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ ; Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ ; North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  and Lots 1 and 2, Lying East of the U.S. Highway 30 North.

Excepting therefrom:

That portion of Lot 1 described as:

Beginning at a point on the North boundary line of Section 15, where the same is intersected by the East boundary line of Idaho State Highway;  
Thence East along the North boundary line of said Section 15, 270 feet, more or less, to the West  $1/16$  Section corner on said line;  
Thence South on the West  $1/16$  Section line 50 feet;  
Thence West 270 feet, more or less, to the East boundary line of said Highway;  
Thence Northerly along said Highway line 50 feet to Point of beginning.

Also Excepting therefrom:

A parcel of land located in Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

BEGINNING at a point 50 feet South of the Northwest corner of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 15, running South along the  $\frac{1}{4}$  Section line a distance of 769 feet to the Dempsey Topaz Irrigation Company Canal;  
Thence West 450 feet to U.S. Highway 30;  
Thence Northerly along the Easterly line of said U.S. Highway 30 to a point 50 feet South of the North line of said Section 15;  
Thence East 242 feet to the PLACE OF BEGINNING.

Also Excepting therefrom:

A parcel of land located in the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

All that portion of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of said Section 15, lying West of the Dempsey Topaz Irrigation Company Canal.

Also Excepting therefrom:

A parcel of land located in Lot 1, Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING at a point on the East side of U.S. Highway 30 at a point 819 feet South of the North Section line running East and West of Section 15, Township 9 South, Range 38 East, Boise Meridian, being the TRUE POINT OF BEGINNING, of this description.  
Thence running South along the East side of said U.S. Highway 30 a distance of 238 feet;  
Thence at right angles to the last described line East 341 feet to the Westerly Bank of the Dempsey Topaz Canal;  
Thence following along the Westerly Bank of said canal in a Northeasterly direction 325 feet;  
Thence West 447 feet to the PLACE OF BEGINNING.

Also Excepting therefrom:

A parcel of land located in Lot 1, Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

BEGINNING at the intersection of the North line of said Section 15 with the Easterly right of way line of Highway U.S. 30 N., which intersection is 1552.3 feet Westerly from the North  $\frac{1}{4}$  corner of said Section 15;  
Thence Southerly along said right of way line on a course to the right having a radius of 1670.10 feet for a distance of 396.62 feet;  
Thence continuing along said right of way line South  $19^{\circ}49'$  West 660.38 feet to the TRUE POINT OF BEGINNING.  
Thence South  $70^{\circ}11'$  East 230.76 feet, more or less to the Westerly Bank of Dempsey Topaz Canal;  
Thence North  $43^{\circ}15'$  East along the Westerly Bank of said canal 38.66 feet;  
Thence North  $79^{\circ}17'$  West 239.82 feet, more or less, to the TRUE POINT OF BEGINNING.

Also Excepting Therefrom:

A parcel of land lying in Lot 1, Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, described as follows:

COMMENCING at the North  $\frac{1}{4}$  corner of Section 15;  
Thence West, along the North line of Section 15, a distance of 1558.30 feet to a Bannock County monument on the Easterly right of way line of Old U.S. Highway 30;  
Thence South  $17^{\circ}28'17''$  West a distance of 1056.15 feet to a point on the Easterly line of Old U.S. Highway 30 being TRUE POINT OF BEGINNING and the North line of The Harold Nichols Property and the South line of The Sue Brooks Property;  
Thence South  $79^{\circ}26'15''$  East, along the said property line, a distance of 314.49 feet to the Dempsey Topaz Irrigation Company Canal;  
Thence South  $81^{\circ}59'32''$  West a distance of 92.75 feet;  
Thence South  $31^{\circ}03'45''$  West a distance of 177.68 feet;  
Thence North  $79^{\circ}26'15''$  West a distance of 195.88 feet to a point on the Easterly line of Old U.S. Highway 30;  
Thence North  $19^{\circ}42'16''$  East, along the Easterly line of Old U.S. Highway 30, a distance of 198.48 feet to the TRUE POINT OF BEGINNING.

Also Excepting Therefrom:

A parcel of land located in Lot 1 and the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, described as follows:

COMMENCING at the North  $\frac{1}{4}$  corner of Section 15;  
Thence West along the North line of Section 15, a distance of 1558.30 feet to a Bannock County monument on the Easterly right of way line of Old U.S. Highway 30;  
Thence South  $17^{\circ}28'17''$  West a distance of 1056.15 feet to a point on the Easterly line of Old U.S. Highway 30 and a  $\frac{1}{2}''$  rebar;  
Thence South  $19^{\circ}42'16''$  West a distance of 198.48 feet to a point on the Easterly line of Old U.S. Highway 30 being the North line of The Harold Nichols Property and the South line of The Sue Brooks Property, being the POINT OF BEGINNING;  
Thence South  $79^{\circ}26'15''$  East a distance of 195.78 feet to a point near the Dempsey Topaz Irrigation Company Canal and  $\frac{1}{2}''$  rebar;  
Thence South  $04^{\circ}30'08''$  West following near the said canal, a distance of 741.24 feet to a  $\frac{1}{2}''$  rebar;  
Thence North  $81^{\circ}26'56''$  West a distance of 395.43 feet to a point on the Easterly line of Old U.S. Highway 30;  
Thence following the said Easterly line North  $19^{\circ}43'37''$  East a distance of 760.62 feet to the POINT OF BEGINNING.

Also Excepting therefrom:

A parcel of land Deeded to the State of Idaho, Idaho Transportation Department, by Instrument No. 20615848, recorded July 20, 2006 and is located in Government Lot 2 and Government Lot 3, Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

COMMENCING at a Bannock County Brass Cap Monument, representing the Southwest corner of Section 15, Township 9 South, Range 38 East, Boise Meridian;  
Thence along the South line of Section 15, North 89°52'38" East, 560.696 meters (1839.55 feet);  
Thence leaving said South line of Section 15, North 0°07'22" West, 80.427 meters (263.87 feet) to a point on the Westerly right of way boundary of Blaser Road, said point being 119.678 meters (392.64 feet) right of Project Centerline Station 339+90.411, and the TRUE POINT OF BEGINNING.

Thence leaving the Westerly right of way boundary of Blaser Road, North 50°44'42" West, 53.462 meters (175.40 feet);  
Thence North 12°39'24" West, 26.133 meters (85.74 feet);  
Thence North 15°10'16" West, 59.361 meters (194.75 feet);  
Thence North 24°22'01" West, 66.814 meters (219.21 feet);  
Thence North 7°37'17" West, 40.158 meters (131.75 feet);  
Thence North 28°57'33" West, 25.598 meters (83.98 feet);  
Thence North 54°32'45" West, 28.679 meters (94.09 feet);  
Thence South 82°08'51" West, 40.975 meters (134.43 feet) to a point on the Easterly right of way boundary of the Union Pacific Railroad;  
Thence along the Easterly right of way boundary of the Union Pacific Railroad, North 28°22'22" West, 166.359 meter (545.80 feet) to a point on the Westerly right of way boundary of Blaser Road;  
Thence leaving the Easterly right of way boundary of the Union Pacific Railroad, along the Westerly right of way boundary of Blaser Road, South 36°44'05" East, 48.666 meters (159.67 feet);  
Thence along a 697.245 meter (2287.55 feet) radius curve to the left, having a central angle of 6°22'15", an arc distance of 77.529 meters (254.36 feet), subtended by chord bearing South 44°03'21" East, 77.489 meters (254.23 feet);  
Thence South 46°09'24" East, 35.253 meters (115.66 feet);  
Thence along a 2706.620 meter (8879.97 feet) radius curve to the left, having a central angle of 0°49'07" an arc distance of 38.668 meters (126.86 feet), subtended by a chord bearing South 45°36'47" East, 38.668 meters (126.86 feet);  
Thence along a 291.797 meter (957.34 feet) radius curve to the right, having a central angle of 7°06'39", an arc distance of 36.214 meters (118.18 feet), subtended by a chord bearing South 42°28'01" East, 36.191 meters (118.74 feet);  
Thence along a 439.269 meter (1441.17 feet) radius curve to the right, having a central angle of 6°33'18", an arc distance of 50.256 meters (164.88 feet), subtended by a chord bearing South 35°38'02" East, 50.229 meters (164.79 feet);  
Thence along a 293.141 meter (961.75 feet) radius curve to the right, having a central angle of 15°11'42", an arc distance of 77.741 meters (255.06 feet), subtended by a chord bearing South 24°45'32" East, 77.514 meters (254.31 feet);  
Thence along a 672.330 meter (2205.80 feet) radius curve to the right, having a central angle of 6°22'49", an arc distance of 74.869 meters (245.63 feet), subtended by a chord bearing South 13°58'17" East, 74.831 meters (245.51 feet)  
Thence South 14°47'40" East, 41.794 meters (137.12 feet) to the TRUE POINT OF BEGINNING.

Also Excepting therefrom:

A parcel of land Deeded to the State of Idaho, Idaho Transportation Department, by Instrument No. 20615848, recorded July 20, 2006 and is located in Government Lot 2, Section 15, Township 9 South, Range 38 East, Boise Meridian, Bannock County, Idaho, and more particularly described as follows:

COMMENCING at a stone monument with an inscribed "X", representing the South ¼ corner of Section 15, Township 9 South, Range 38 East, Boise Meridian;  
Thence along the longitudinal centerline of Section 15, North 0°15'16" West, 182.235 meters (597.88 feet);  
Thence leaving said longitudinal centerline of Section 15, South 89°44'44" West, 404.810 meters (1328.11 feet) to a point, said point being 60.000 meters (196.85 feet) left of Project Centerline Station 339+36.359, and the TRUE POINT OF BEGINNING;  
Thence South 0°11'26" East, 50.771 meters (166.57 feet);  
Thence North 11°54'24" West, 42.650 meters (139.93 feet);

Thence along a 204.094 meter (669.60 feet) radius curve to the left, having a central angle of  $3^{\circ}13'11''$ , an arc distance of 11.469 meters (37.63 feet), subtended by a chord bearing North  $13^{\circ}31'00''$  West, 11.468 meters (37.62 feet);  
Thence along a 695.000 meter (2280.18 feet) radius curve to the right, having a central angle of  $0^{\circ}56'55''$ , an arc distance of 11.506 meters (37.75 feet), subtended by a chord bearing South  $79^{\circ}25'41''$  East, 11.506 meter (37.75 feet) to the TRUE POINT OF BEGINNING.

FILED EFFECTIVE

ARTICLES OF INCORPORATION  
OF

INTERMOUNTAIN VIPASSANA ASSOCIATION, INC.

2016 DEC 19 AM 10:23

SECRETARY OF STATE  
STATE OF IDAHO

The undersigned in order to form a Non-Profit Corporation under the provisions of Title 30, chapters 21 and 30, Idaho Code, submits the following articles of incorporation to the Secretary of State:

Article 1: The name of the corporation is Intermountain Vipassana Association, Inc.

Article 2: The purposes for which this corporation are organized are to promote religious activities as defined in Section 501(c)(3) of the Internal Revenue Code, including, but not limited to, the advancement of the Theravada Buddhist religion by promoting, in accordance with the principles established by the late Sayaji U Ba Khin as taught by the late S.N. Goenka, the study and practice of the techniques of developing concentration, insight and higher standards of morality as originally taught by the Buddha known as Vipassana Meditation. Such principles shall be advanced through the public dissemination of the teachings of the Buddha and by other means. In furtherance of this objective, the corporation may establish temporary and permanent centers, schools, libraries, institutions, courses and other facilities (including residential facilities) for the advancement of the Theravada Buddhist religion, and publish a newsletter, other publications and other media for the dissemination of information pertaining to Vipassana Meditation and the activities of the practitioners of this meditation.

This corporation is organized exclusively for charitable, religious, educational, or scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Article 3: The name and address of the corporation's initial agent for service of process is Doug Drake, 8414 Blaser Highway, Lava Hot Springs, Idaho 83246.

IDAHO SECRETARY OF STATE

12/19/2016 05:00

CK:354 CT:332401 BH:1559977

1@ 30.00 = 30.00 INC NONP #2

C212124

**Article 4:** The names and addresses of the initial members of the Board of Directors are:

|                   |                                                   |
|-------------------|---------------------------------------------------|
| Chad Courtright   | 205 S. Bruce Ln.<br>Boise, ID 83712               |
| Doug Drake        | 8414 Blaser Highway<br>Lava Hot Springs, ID 83246 |
| Laurie Holland    | 417 L Street<br>Salt Lake City, UT 84103          |
| Jan Koubek        | PO Box 5952<br>Ketchum, ID                        |
| Lisa Kuhn         | 427 B Street<br>Salt Lake City, UT 84103          |
| Kim Petersen      | PO Box 1176<br>Sun Valley, ID 83353               |
| Amos Prudhon      | PO Box 682592<br>Park City, UT 84068              |
| Kristine Zelenkov | 2378 E Sunnyside Ave<br>Salt Lake City, UT 84108  |

**Article 5:** The name and address of the incorporator is Lisa Kuhn, 427 B Street, Salt Lake City, UT 84103.

**Article 6:** The mailing address of the corporation is 8414 Blasser Highway, Lava Hot Springs, Idaho 83246.

**Article 7:** The corporation does not have voting members.

**Article 8:** No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article 2 hereof. No substantial part of the

activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

Article 9: Upon dissolution of the corporation, the assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction in the county in which the principal office of the corporation is then located, exclusively for exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or to a governmental entity for a public purpose.

Signatures of all incorporators:

A handwritten signature in dark ink, appearing to read 'Lisa Kuhn', is written over a horizontal line.

Printed Name: Lisa Kuhn

Customer Account #

Secretary of State use only

**Description of Use**

**Intermountain Vipassana Association  
Meditation Retreat Center Project**

**Bannock County, Idaho**

## **I. Introduction**

The Intermountain Vipassana Association (IVA) is a subsidiary association of the Northwest Vipassana Association (NVA), a Washington non-profit religious corporation. NVA has status as a tax-exempt charitable organization under Section 501(c)(3) of the Internal Revenue Code.

Since 1994, IVA has held meditation retreats in Idaho for the purpose of fostering the teaching and practice of Vipassana meditation, a non-sectarian meditation practice taught approximately 2500 years ago by the person historically referred to as the Buddha. The retreats, called "courses", are offered on a purely charitable basis; there are no charges for the retreats. Funding for the retreats comes from donations by participants who, having taken at least one 10-day course, wish to benefit others by financially supporting the meditation center.

IVA is managed by a team of volunteers. In addition, the meditation retreats are staffed with volunteers who provide instructions in meditation, cook the meals, and otherwise manage the retreats. IVA is one of over 150 volunteer organizations around the world that hold retreats for teaching and practicing Vipassana as taught by the main teacher, S.N. Goenka. Each organization is independently organized, operated and funded by local practitioners of Vipassana meditation.

Since 1994, IVA has been offering 10-day Vipassana meditation retreats at a rented site near Ketchum, Idaho. Recently IVA has been holding two 10-day retreats per year. Demand for retreats from the residents of southern Idaho, Utah and the surrounding areas is much greater than IVA can accommodate at the two retreats per year. As a result many applicants are turned down for each course.

To meet the demand for retreats IVA would now like to establish a Vipassana meditation retreat center on a 256-acre property that is for sale near Lava Hot Springs in Bannock County.

## **II. Description of Use of Property**

The sole purpose of the proposed project is to allow IVA to hold Vipassana meditation retreats in the format of 10-day courses, 8-day courses, 3-day courses and 1-day courses, as well as 1 hour group meditations. The typical 10 day retreat is open to anyone 18 years and older who completes a course application and who is accepted into the course.

It is expected in the first few years of operation that four 10-day retreats will be offered annually. One- to eight-day retreats for persons who have already completed a 10-day retreat will be offered on a less frequent basis. Also, in the future it is expected that advanced retreats will be offered of the duration of 20-days or longer. We also offer 1-day

children's and teens' retreats. These retreats include games and other activities while introducing young people to meditation.

According to the rules maintained at all Vipassana centers in this tradition, the property may not be rented to outside groups nor may it be used for any other purpose other than for the teaching and practice of Vipassana meditation and activities directly related to this purpose.

#### **A. Nature and Structure of the Retreats**

A Vipassana meditation retreat involves long periods of reflection and contemplation. A fixed daily schedule is observed. Each day's schedule begins at 4:00 am and ends around 9:00 pm. Participants in the retreats receive meditation instructions and meditate approximately 10 hours each day of the course. The remainder of the day consists of breaks for walking exercise, relaxation, meals & bathing, and an evening talk by the teacher. Each 10-day course typically begins on a Wednesday evening and ends on Sunday morning.

The purpose of each retreat is to teach a technique of mental purification that involves three aspects: morality, mental concentration, and insight. To provide an atmosphere that is conducive to meditation, the retreats are held in silence for the first 9 days of the 10-day retreat. Participants may, however, speak to the meditation teachers or to center staff as needed, but are asked to refrain from speaking to other participants except during the final day of the course.

#### **B. Center Policies**

Courses are open only to persons who satisfactorily complete a detailed course application in advance. Persons with serious mental health and addiction problems are not admitted to courses.

Segregation of genders is strictly observed. Females and males have separate dining halls, dormitories and walking areas. In the Meditation Hall females and males have separate entrances and are seated on separate sides of the hall.

All retreats at a center are conducted by trained volunteer teachers and supported by volunteer staff. All participants agree to stay within the retreat boundaries for the entire duration of the course and to abstain from all contact with persons not taking or providing volunteer service on the retreat. During a retreat the site is closed to visitors. In addition, all persons at the center, including volunteer staff, agree to follow a strict Code of Moral Discipline while on the course which includes the following:

- No killing
- No stealing
- No lying

- No sexual activity or physical contact with others
- No alcohol or drugs

In addition, these rules are followed:

- No smoking and no open flame of any kind (candles, incense, etc.)
- No musical instruments, radios, music players, or use of cell phones, etc. (cell phones may be used by volunteer staff during times when courses are not being conducted)

### **C. Non-Sectarian Practice**

The practice of Vipassana, as taught by the Buddha, was historically maintained within the Theravada Buddhist tradition. However Vipassana is a non-sectarian, universal practice of self-observation, available to all. The retreats have been attended by followers of every major world religion as well as those with no religious orientation.

## **III. Anticipated Impacts**

### **A. Noise**

Because Vipassana meditation courses are silent retreats, noise impacts from center operations are nonexistent. (In fact, one major purpose for selecting a rural location is to secure a site that is quiet and secluded.)

### **B. Traffic**

Because retreat participants must remain on site for the entire duration of their retreat, traffic impacts are minimal. The bulk of traffic entering the site will be limited to Wednesday afternoon when participants arrive for a 10-day retreat, and Sunday morning, a week and a half later, when participants leave the site after the retreat is over. We expect a number of students to carpool, and we provide a website and a ride coordinator to support carpooling.

During operations the only other traffic to the site will be delivery vehicles, utility meter readers and some volunteer staff. Most volunteer staff will arrive and depart on the same days as course participants.

## **IV. Phased Development**

Because of the fact that this project is funded solely by donations, we plan to develop the proposed site in multiple phases, as funds become available. Most Vipassana centers have a phased building plan that requires 30 to 40 years.

Initially we hope to develop a center with the capacity to provide four 10-day meditation retreats per year for 60 people. After a few years, as the volunteer base grows, we would

start slowly increasing the number of retreats per year. Full-fledged Vipassana Centers typically run two 10-day retreats per month. It would be some time before IVA was established to do this.

The first phase of development would involve (1) building out necessary infrastructure such as a water system and septic system and (2) building dining halls, kitchen, a temporary meditation hall, a teachers' residence, student residences to sleep 60, and appropriate bath and toilet blocks. Additionally, men's and women's walking trails would be constructed on the site for exercise. It is hoped that this first phase could be completed in three years or less. Building would start immediately and would continue as appropriate funding is in place.

IVA does have funding in place for a substantial portion of this first phase of development. IVA would plan on starting to hold courses prior to the complete development of this first phase. To accomplish this we would use temporary structures to accommodate retreat participants.

The second and third phases would be to build a main meditation hall, continue to increase the student and volunteer accommodations and ultimately construct a building with private meditation cells (small individual rooms for meditation).



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

February 23, 2017

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

INTERMOUNTAIN VIPASSANA ASSN INC  
PO BOX 5952  
KETCHUM, ID 83340

Applications For Permit No. 29-14207 and 29-14208

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO STATE JOURNAL on March 2 and 9, 2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**on March 20, 2017 at 5:00 pm**).

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Cox', written over a large, stylized blue circular mark.

Sharla Cox  
Administrative Assistant

CC: BROCKWAY ENGINEERING PLLC  
C/O ZACH LATHAM  
2016 N WASHINGTON ST STE 4  
TWIN FALLS, ID 83301



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**C.L. "BUTCH" OTTER**  
Governor

**GARY SPACKMAN**  
Director

February 23, 2017

Idaho Department of Environmental Quality  
444 Hospital Way #300  
Pocatello ID 83201

Application to Permit No. 29-14207

DEQ:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Sharla Cox". The signature is written in a cursive, flowing style.

Sharla Cox  
Administrative Assistance

Enclosure(s)

## Cox, Sharla

---

**From:** Cox, Sharla  
**Sent:** Thursday, February 23, 2017 1:07 PM  
**To:** 'legals@journalnet.com'  
**Subject:** Legal Notice for your paper  
**Attachments:** Id State Journal Cover Ltr.RTF

*Sharla*

*Sharla Cox  
Administrative Assistant  
Idaho Dept of Water Resources  
900 N Skyline Dr. Ste A.  
Idaho Falls ID 83402  
sharla.cox@idwr.idaho.gov  
208-525-7161 phone  
208-525-7177 fax*

**PLEASE NOTE: CAN CONTAINS 2 OR MORE PAGES**

February 23, 2017  
**Legal Notice Department**  
IDAHO STATE JOURNAL  
PO BOX 431  
POCATELLO ID 83204

RE: Legal Ad for your Paper

**Dear LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before March 20, 2017. Your cooperation is appreciated.

Sincerely

Sharla Cox  
Administrative Assistant  
Idaho Department of Water Resources  
900 N Skyline Dr Ste A  
Idaho Falls ID 83402  
208-525-7161  
208-525-7177 – Fax

**PLEASE PUT IN NORMAL COLUMN AND NO BORDERS. THANK YOU.**

\*\*\*\*\*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-14207

INTERMOUNTAIN VIPASSANA ASSN INC  
PO BOX 5952  
KETCHUM, ID 83340

Point of Diversion

NWSW S15 T09S R38E

SWNW S15 T09S R38E

BANNOCK County

Source GROUND WATER Tributary

Use: COMMERCIAL

01/01 to 12/31 0.44 CFS

Use: DIVERSION TO STORAGE

01/01 to 12/31 0.44 CFS

Use: FIRE PROTECTION FROM STORAGE

01/01 to 12/31 0.1 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 0.1 AF

Total Diversion: 0.44 CFS

Date Filed: 1/30/2017

Place Of Use: FIRE PROTECTION STORAGE, COMMERCIAL and FIRE PROTECTION FROM STORAGE

T09S R38E S15 SWNW SENW NESW NWSW

29-14208

INTERMOUNTAIN VIPASSANA ASSN INC  
PO BOX 5952  
KETCHUM, ID 83340

Point of Diversion

NENWSE S15 T09S R38E

BANNOCK County

Source SPRING Tributary SINKS

Use: AESTHETIC

01/01 to 12/31 0.04 CFS  
Use: DIVERSION TO STORAGE  
01/01 to 12/31 0.04 CFS  
Use: FIRE PROTECTION FROM STORAGE  
01/01 to 12/31 0.1 AF  
Use: FIRE PROTECTION STORAGE  
01/01 to 12/31 0.1 AF  
Total Diversion: 0.04 CFS

Date Filed: 1/30/2017

Place Of Use: FIRE PROTECTION STORAGE, FIRE PROTECTION FROM STORAGE and AESTHETIC

T09S R38E S15 SWNW SENW NESW NWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 20, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 2 and 9, 2017

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

29-14207

INTERMOUNTAIN VIPASSANA ASSN INC  
PO BOX 5952  
KETCHUM, ID 83340

Point of Diversion

NWSW S15 T09S R38E

SWNW S15 T09S R38E

BANNOCK County

Source GROUND WATER Tributary

Use: COMMERCIAL

01/01 to 12/31 0.44 CFS

Use: DIVERSION TO STORAGE

01/01 to 12/31 0.44 CFS

Use: FIRE PROTECTION FROM STORAGE

01/01 to 12/31 0.1 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 0.1 AF

Total Diversion: 0.44 CFS

Date Filed: 1/30/2017

Place Of Use: FIRE PROTECTION STORAGE, COMMERCIAL and FIRE PROTECTION FROM STORAGE

T09S R38E S15 SWNW SENW NESW NWSW

29-14208

INTERMOUNTAIN VIPASSANA ASSN INC  
PO BOX 5952  
KETCHUM, ID 83340

Point of Diversion

NENWSE S15 T09S R38E

BANNOCK County

Source SPRING Tributary SINKS

Use: AESTHETIC

01/01 to 12/31 0.04 CFS

Use: DIVERSION TO STORAGE

01/01 to 12/31 0.04 CFS

Use: FIRE PROTECTION FROM STORAGE

01/01 to 12/31 0.1 AF

Use: FIRE PROTECTION STORAGE

01/01 to 12/31 0.1 AF

Total Diversion: 0.04 CFS

Date Filed: 1/30/2017

Place Of Use: FIRE PROTECTION STORAGE, FIRE PROTECTION FROM STORAGE and AESTHETIC

T09S R38E S15 SWNW SENW NESW NWSW

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before March 20, 2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on March 2 and 9, 2017

## Stosich, Scott

**From:** Zach Latham <zach.latham@brockwayeng.com>  
**Sent:** Thursday, February 09, 2017 11:40 AM  
**To:** Stosich, Scott  
**Subject:** RE: Application for Permit-Intermountain Vipassana Association  
**Attachments:** Vipassana Commercial Permit App Amended 2-9-17.pdf; Vipassana Fire Protection and Aesthetic Permit App Amended 2-9-17.pdf

Scott-

Thanks for emailing me regarding the deficiencies listed below, my apologies. Per your suggestions, I have attached the amended permit applications, which are intended to supersede the applications mailed to your office on 1/26/17.

Please let me know if anything else is required to complete data entry/processing of these applications. Thanks again for your time and attention to this matter.

Zach Latham

Hydrologist  
Brockway Engineering, P.L.L.C.  
2016 Washington Street North, Suite 4  
Twin Falls, ID 83301  
t. 208-736-8543  
c.208-721-2114  
f. 208-736-8506

[zach.latham@brockwayeng.com](mailto:zach.latham@brockwayeng.com)

*All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.*

---

**From:** Stosich, Scott [mailto:Scott.Stosich@idwr.idaho.gov]  
**Sent:** Thursday, February 09, 2017 10:52 AM  
**To:** zach.latham@brockwayeng.com  
**Subject:** Application for Permit-Intermountain Vipassana Association

Mr. Zach Latham,

My name is Scott Stosich and am the agent currently reviewing your applications for permit for Intermountain Vipassana Association, Inc. There are a few items that need to be corrected/added in order to complete the applications.

The first application for commercial (C), fire protection (F), and fire protection storage(FPS) water uses for .44 cfs only shows a commercial use for the place of use:

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | C   | C  | C  | C  |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    | FP  |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    | FPS |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |

If you were planning on applying the same POU to the fire protection and fire protection storage, those uses need to be added to the land list.

The second application for fire protection (F), fire protection storage (FPS) and aesthetic (J) has the same issue with the POU land list, but the only use missing is FPS.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RGE | SEC | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | TOTALS |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 9S  | 38E | 15  |    |    |    |    |    |    | F   | F  | F  | F  |    |    |    |    |    |    |        |
| 9S  | 38E | 15  |    |    |    |    |    | J  | J   | J  | J  |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    | FPS |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |        |

The other issue with the second application is the total quantity is listed as ".01 cfs", and it seems like you wanted the total to be ".04 cfs" according to the letter and the water use amounts.

5. Water will be used for the following purposes:

Amount 0.04 CFS for Diversion to Storage purposes from 01/01 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount 0.1 AFA for Fire Protection Storage purposes from 01/01 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount 0.1 AFA for Fire Protection from Storage purposes from 01/01 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

Amount 0.04 CFS for Aesthetic purposes from 01/01 to 12/31 (both dates inclusive)  
(cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.01 cubic feet per second (cfs) and/or (b) \_\_\_\_\_ acre-feet per year (af).

These inconsistencies need to be addressed before we continue to process before advertising. New pages of the applications can be scanned and submitted, and I will replace them in the file.

I have included a scanned copy of the applications for you to have a look. If you have any questions, or concerns, my contact information is below.

Thanks,

**Scott Stosich**

Water Resource Agent

Department of Water Resources-Eastern Region

(208)525-7161

[Scott.Stosich@idwr.idaho.gov](mailto:Scott.Stosich@idwr.idaho.gov)



**BROCKWAY**  
ENGINEERING  
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JAN 30 2017

Department of Water Resources  
Eastern Region

January 26<sup>th</sup>, 2017

Mr. James Cefalo  
IDWR Eastern Region Office  
900 North Skyline Drive, Suite A  
Idaho Falls, ID 83402-1718

RE: Two New Water Right Permits (2); Intermountain Vipassana Association, Inc.

Dear Mr. Cefalo,

Enclosed are two new non-consumptive water right permits being filed by Brockway Engineering on behalf of the Intermountain Vipassana Association, Inc. which seek to permit commercial, diversion to storage, fire protection and fire protection storage uses for a proposed meditation facility from two proposed wells, and aesthetic, diversion to storage, fire protection and fire protection storage from a nearby spring associated with 29-7601. The attached narrative explains each filing in detail.

Currently, the Vipassana Community Foundation owns the land appurtenant to 29-7601 and where the uses on the attached permits are proposed. The Foundation will be changing ownership over to the Intermountain Vipassana Association once the Foundation attains 501(c)(3) status with the Internal Revenue Service, anticipated on February 1<sup>st</sup> 2017. A change of ownership for 29-7601 will be forthcoming when the Foundation deeds the water right to the Intermountain Vipassana Association.

Also attached is a check from Brockway Engineering for a total of \$350.00, \$250.00 for the permit with the commercial and other uses from ground water, and \$100.00 for the permit with aesthetic and other uses from the spring. Please copy our office on all correspondence regarding the enclosed permit applications. Thanks for your time and assistance on this matter.

Regards,

*Shirle Daniel on behalf of*  
Zach Latham, M.S., Hydrologist.

Enclosures:

- (2) Water Right Permits and Associated Maps,
- (1) Narrative for Permit Applications,
- (1) Water Use Calculations Sheet,

CHARLES E.  
BROCKWAY,  
PH.D., P.E.

CHARLES G.  
BROCKWAY,  
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IDAHO 83301

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- (1) Ownership Deed,
- (1) Water Use Description.
- (1) Brockway Engineering Check # 13809

Cc: Intermountain Vipassana Association Inc. c/o: Mr. Brett Morris