

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF PERMIT	)	
NO. 63-31877 IN THE NAME OF	)	REINSTATEMENT ORDER
GRAHAM & JORDAN INVESTORS LLC	)	
_____	)	

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 10, 2004, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before May 1, 2009. The permit bore the priority date of Mar 15, 2004.
2. On February 28, 2009, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
3. On March 19, 2009, the permit holder filed an extension request with the department. This extension was approved and granted based on due diligence or good cause. A proof of beneficial use deadline of May 1, 2010 was set.
4. On February 26, 2010, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
5. On April 30, 2010, the permit holder filed an extension request with the department. This extension was denied per order dated May 14, 2010.
6. On May 14, 2010, the Department notified the permit holder that their extension request had been denied and their permit had lapsed since the Department had not received an acceptable proof of beneficial use statement.
7. On May 25, 2010, the permit holder filed a Statement of Completion for submitting proof of beneficial use.

CONCLUSIONS OF LAW

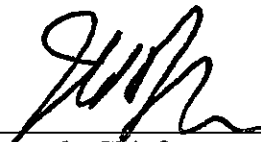
Section 42-218a, *Idaho Code*, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of notice of lapsing.

The permit holder has provided a reasonable showing why this permit should be reinstated, by submitting an acceptable proof of beneficial use. The permit shall be reinstated based upon the May 25, 2010 filing date.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-31877 is **REINSTATED** and the permit's priority date is advanced to April 6, 2004.

DATED this 27th day of May, 2010.



Jeff Peppersack, Chief
Water Allocation Bureau