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2006-August-4

Mr. Tracy Taylor, P.E.
State Engineer of the State of Nevada
Department of Conservation and Natural Resources
Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701

State	'S EXHIBIT 55
DATE:	9-11-06

RE: APPLICATIONS NO. 54003 – 54018 and 54021 (the "Pending Applications") FILED
BY LAS VEGAS VALLEY WATER DISTRICT

Dear Mr. Taylor:

The Las Vegas Valley Water District (the "Applicant") has filed applications to appropriate the public waters of the State of Nevada in Spring Valley, White Pine County, near the Cleveland-Rogers Ranch. The Cleveland-Rogers Ranch is a property of our client, Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB"). CPB owns of record several surface and groundwater rights in the Spring Valley Area. (We have annexed a list of CPB's water rights marked "Water Rights Attachment." Most of these water rights are surface water).

CPB does not object to the proposed development of water to the extent that the hydrological information available to the Office of State Engineer shows a reasonable likelihood that there is unappropriated water available for such development. CPB desires to express concern about the impact that the Pending Applications will have on prior appropriators, if the sources proposed for development will draw upon sources that are already appropriated. The studies underway by the United States Geological Service relevant to this application described in the technical appendix to this letter have not been completed.

Several points of diversion proposed by the Applicant are near the water sources of the Cleveland-Rogers Ranch and would raise concerns about interference with the prior rights of the ranch (see Water Rights Attachment for map showing points of diversion).

We understand that many of the waters of the State of Nevada have been fully appropriated. See, for example,

NRS 540.011 (1) "It is acknowledged that many of the state's surface water resources are committed to existing uses, under existing water rights, and that in many areas of the state the available ground water supplies have been appropriated for current uses. It is the policy of the State of Nevada to recognize and provide for the protection of these existing rights."

In consideration of all that is at stake, our client requests the State Engineer to withhold approval of the pending applications until the USGS completes its studies and submits a technical report showing that the water is available. We desire to raise the question whether the State Engineer will have an adequate technical basis to render a decision until USGS completes its studies and makes its findings public. This decision will have a long-term effect on the future of all residents, landowners, and water right holders in Eastern and Southern Nevada; affecting the water resources, land, wildlife, and overall quality of life of its citizens. Your consideration of this matter will be greatly appreciated.

Sincerely,

Kirton & McConkie

by Bruce Findlay
Bruce Findlay

Attorney for Corporation of the Presiding Bishop
of The Church of Jesus Christ of Latter-Day Saints,
a Utah corporation sole

cc. Executive Director of the Nevada Department of Natural Resources
Utah Office of State Engineer

WATER RIGHTS ATTACHMENT
REF: APPLICATIONS NO. 54003 – 54018 and 54021
FILED BY LAS VEGAS VALLEY WATER DISTRICT

The State Engineer has twenty-four (24) applications pending on behalf of Applicant to divert a total of 112,944 acre-feet of groundwater per annum, having a combined pumping rate of 156 cfs. The majority of the proposed water diversions are located in White Pine County within the Spring Valley Area.

The Cleveland-Rogers Ranch is a property of Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB"). CPB is an owner of record of the following surface or groundwater rights in the Spring Valley:

- 1) Application Nos. 8721, 1724, 5028, 3927, 3186, 10487, and 8393.
- 2) Vested Nos. V00790, VO1217, V01218, VO2817, VO2819 – VO2828.

The water rights associated with the ranch are used for the irrigation of approximately 4,000 acres and the stockwatering of 1,500 cows/calves. A map is included to show the location of CPB's land in relation to the Applicant's proposed points of diversion. The ranch is part of the Welfare Services Department of CPB which provides assistance to the poor through growing crops and raising cattle that are used to provide food for the needy. This property and its associated water rights are vital to serving the beneficiaries of the welfare program.

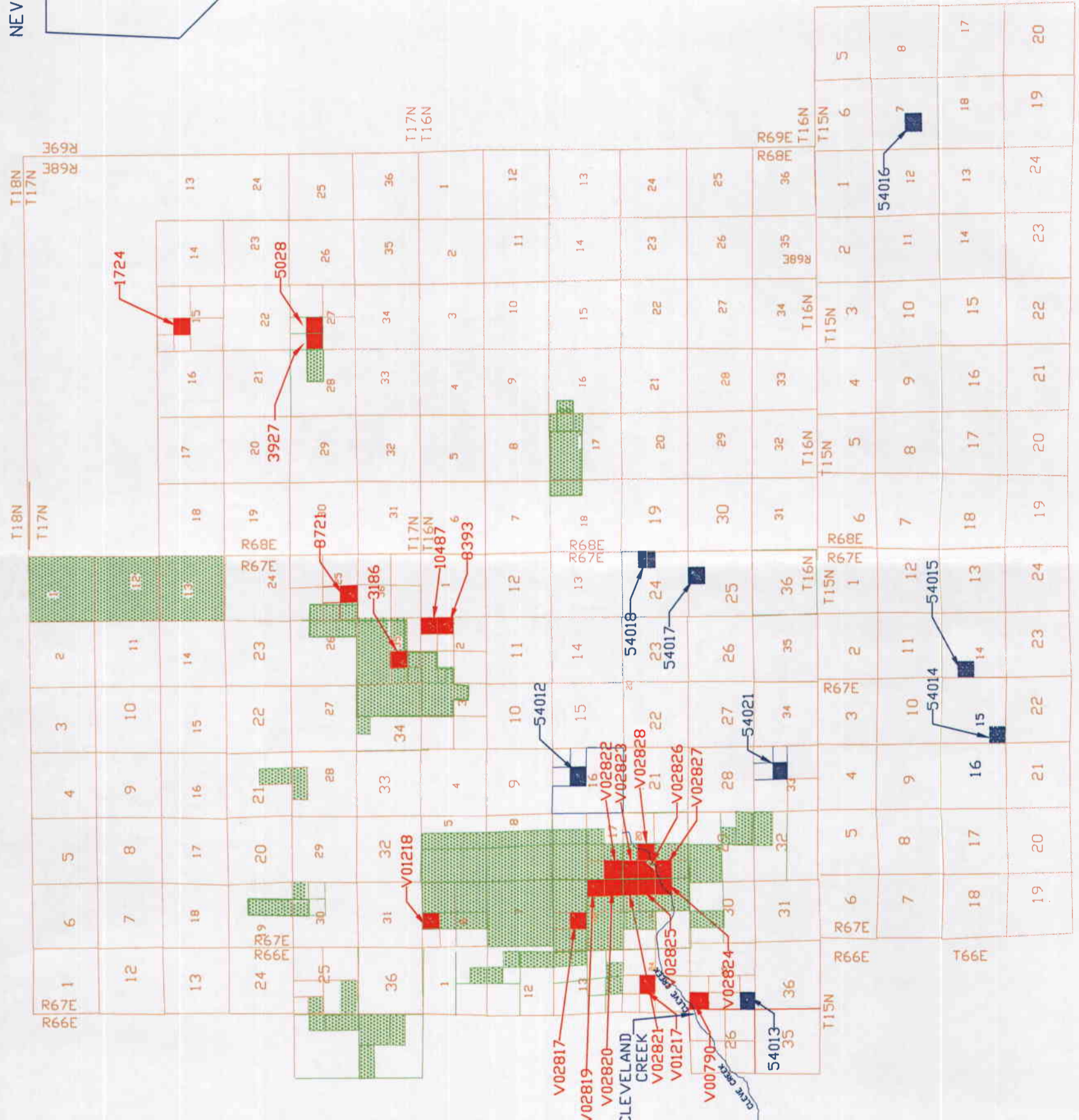
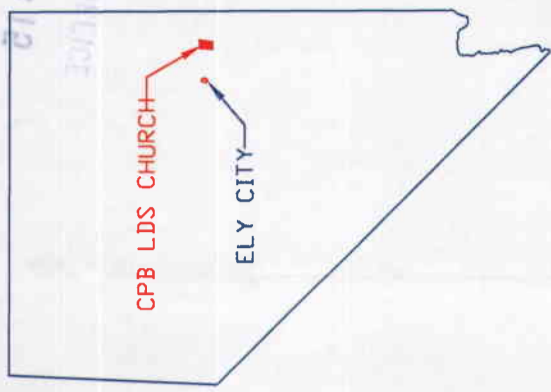
TECHNICAL ATTACHMENT
REF: APPLICATIONS NO. 54003 – 54018 and 54021
FILED BY LAS VEGAS VALLEY WATER DISTRICT

The approval of these applications depends on a determination of whether there is unappropriated water available that could be developed and diverted by the Applicant. The importance of this determination follows from the scarcity of water in Nevada; it being considered the driest state in the lower 48 contiguous states.

In order to provide information on whether there is unappropriated water in the vicinity of the pending applications, the U.S. Geological Survey (USGS) is currently completing a water resource study for White Pine County, as part of the Basin and Range Carbonate Aquifer System Study (BARCASS). The BARCASS study will not be completed until December 1, 2007. The stated purpose of the study is “[To] provide needed information on the aquifer system in White Pine County to help water-resource agencies and interested stakeholders make informed decisions about future water-supply issues” (ref: USGS Fact Sheet 2005-3035). Furthermore, the NEPA - Environmental Impact Study process has not yet begun, and it will take several years to complete that work.

There are hydrologic studies that have been done by the USGS that point to a regional interbasin groundwater system (ref: “A Regional Interbasin Ground-Water System in the White River Area, Southeastern Nevada” by Thomas E. Eakin, 1966). CPB also owns substantial water rights in the Moapa Warm Springs Area equal to approximately 4,365 acre-feet. These studies suggest that the carbonate aquifer underlying White Pine County may be a part of a larger recharge system that feeds into the White River groundwater system and flows in turn into the Muddy River Drainage. Therefore the proposed appropriation of new water sources in White Pine County could interfere with wells and springs to the south.

NEVADA VICINITY MAP



LVVWD
DIVERSION POINT



CPB LDS CHURCH
DIVERSION POINT

Irrigated Area By Quarter/Quarter
Sections
Location: CLEVELAND-ROGERS RANCH:
Engineer: Grant S. Cooper

WATER RIGHTS APPLICATIONS
FOR LVVWD IN EASTERN NEVADA

Application No.	
Water Right No.	
Corporation of Presiding Bishop-LDS Church	
Drawing Date: August 3, 2006	Sheet 1 of 1