

Susan Joseph-Taylor
Chief Hearing Officer
Office of the State Engineer
901 South Stewart Street
Suite 2002
Carson City, NV 89701

October 15, 2011

Dear Ms. Joseph-Taylor

I am the Vice-Chairman of the Ely Land Use planning and zoning committee. For the past two years, we have been working on our Land Use and Zoning Ordinance. It is now officially in place. Our tribe received 3,500+ acres. We have designed development for these four parcels of land, including near 300 lots for homes. We have several locations for commercial ventures and light industrial sites. We cannot go forward with our economic development without the necessary infrastructure.

The Winter's Doctrine of 1908*, guarantees water for reservations to expand. The State of Nevada doesn't recognize this doctrine. Our legal counsel stated that this has never been challenged in the courts, for Nevada, but federal law should prevail. He said that we would have to take it to court for a final decision. The Ely Shoshone is a small tribe and cannot afford such a major challenge. If the water isn't given to SNWA, there will be enough for our endeavour.

I thank you for considering this as a "no" to giving the water to the southern Nevada efforts.



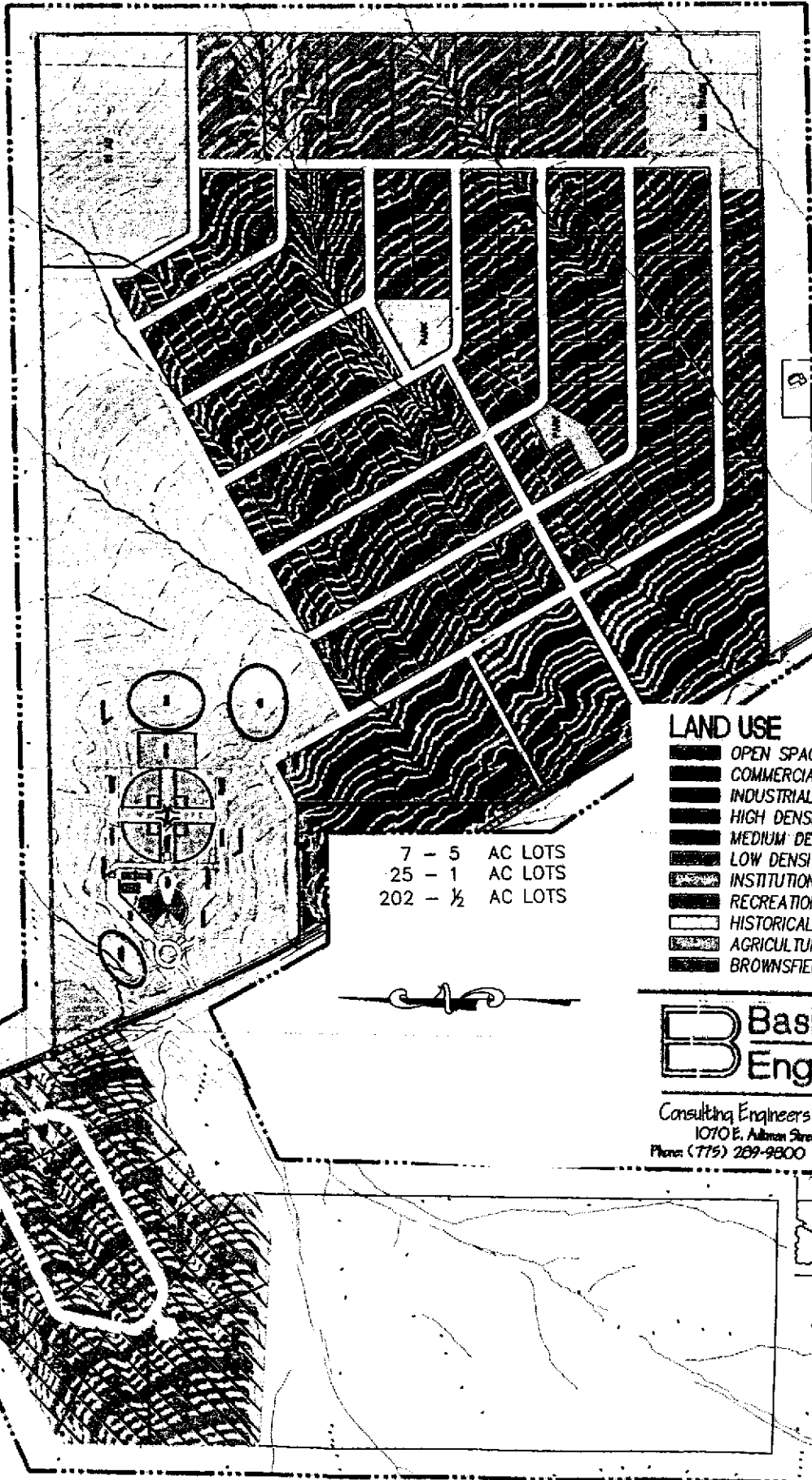
Laura Stark Rainey
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* Reference: Clark, Lincoln and White Pine Counties Groundwater Development Project Draft Environmental Impact Statement, Volume 1-A, Chapter 3, Page 3.3-65.
"FEDERALLY RESERVED WATER RIGHTS"

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PARCEL-1 EAST LAND USE MAP

Here is an example of our plans for the future.



7 - 5 AC LOTS
25 - 1 AC LOTS
202 - 1/2 AC LOTS

LAND USE

- OPEN SPACE
- COMMERCIAL
- INDUSTRIAL
- HIGH DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- INSTITUTION / PUBLIC FACILITY
- RECREATION
- HISTORICAL
- AGRICULTURAL
- BROWNSFIELD

B Basin
Engineering

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