

229001

NEVADA CENTRAL RAILROAD

BASE OF OPERATIONS: 2741 - Pinewood Avenue, Henderson, Nevada 89074
(702) 914-7796

ENTERED
Proceedings
MAR 17 2011

Part of
Public Record

ROBERT ALAN KEMP, D/B/A:

NEVADA CENTRAL RAILROAD

VIA - IMMEDIATE FAX FILING

(Thursday), March 17, 2011

Cynthia T. Brown
Chief, Section of Administration
Surface Transportation Board
395 - E. Street, S. W., Room: 100
Washington, D.C. 20423-0001

BY EMERGENCY FAX FILING: 202-245- 0458 / 0461 / 0464

RE: Docket No.

FD - 34382

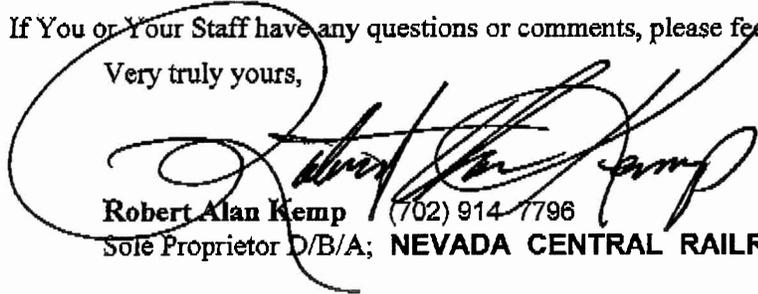
49 USC 10901 - NOTICE OF CONSTRUCTION

Ms. Brown:

I have enclosed the instant Original and three copies of: ROBERT ALAN KEMP, D/B/A; NEVADA CENTRAL RAILROAD's (Notice of Construction) as a means to NOTICE the Surface Transportation Board, ("the Board"), as well as ("STB Office of Environmental Analysis") that Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD hereafter ("NCR") hereby Notices the Extension of the (NCR-ByPass-™), Exclusive Heavy High Speed Mainline Railroad Construction Project currently running from Wendel, CA in a Southwest direction to Primm, NV, then in a direction South Southwest from Primm to the City of Anaheim, CA., to now include the construction of connected Track to Los Angeles, CA., and then South Southeast down to Irvine, CA., and also further South down to San Diego, CA., and in a Northern direction to Sacramento, CA., and also another line extension to San Francisco, CA. Please see NCR's Extension Route System Map for California as well as copies of previous NOTICES attached and identified hereto as: (NCR: EXHIBIT - 13-1-01, thru EXHIBIT - 13-1-03).

If You or Your Staff have any questions or comments, please feel free to contact me personally.

Very truly yours,



Robert Alan Kemp (702) 914-7796
Sole Proprietor D/B/A; NEVADA CENTRAL RAILROAD, Henderson, NV 89074

Enclosures: Notice of Construction, Certification of Service

cc: Mr. John T. Digilio, Jr., Vice Chairman - Director/President, IITLS
Mr. Joseph Anthony McNulty, III - Director/Vice President, IITLS

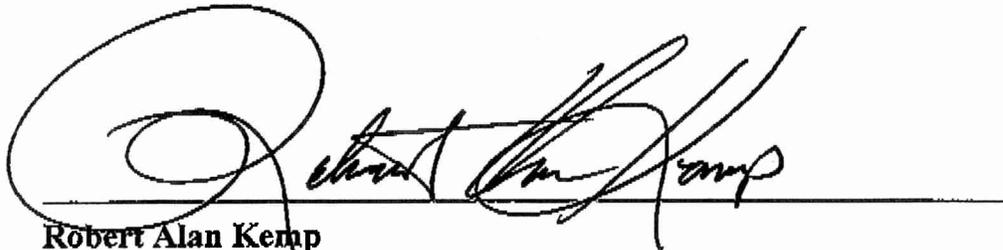
**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB DOCKET NO: FD - 34382

**NEVADA CENTRAL RAILROAD
-- NOTICE OF CONSTRUCTION --
within the States of CALIFORNIA and NEVADA**

1. Robert Alan Kemp, D/B/A; Nevada Central Railroad now described and identified doing business hereinafter as ("NCR"), based in Henderson, Nevada, 89074, pursuant to 49 U.S.C. 10901, hereby formally expresses his NOTICE TO CONSTRUCT His Extensions to the NCR-ByPass -TM., EXCLUSIVE FULLY INTEGRATED HEAVY HIGH SPEED PASSENGER AND FREIGHT RAILROAD SYSTEM within the States of California and Nevada, using the most Advanced and Operationally Efficient 5th. Generation, hereafter ("GEN5-TM.") Fully Integrated Heavy High Speed Railroad Transportation Logistics System in the World. Portions of the NCR Track System identified herein will be constructed over rail lines currently owned and or operated by numerous railroad entities, including but Not Limited to UNION PACIFIC RAILROAD COMPANY and BURLINGTON NORTHERN RAILROAD COMPANY, and are presently designed utilizing NCR Specialty Rail Car Equipment to be Operated Exclusively by UP and BNSF, as well as the AMTRAK Corporation, and the California Pacific Transit Authority ("CPTA").

Respectfully submitted this: 17th. Day of March, 2011, by: ROBERT ALAN KEMP, D/B/A; NEVADA CENTRAL RAILROAD

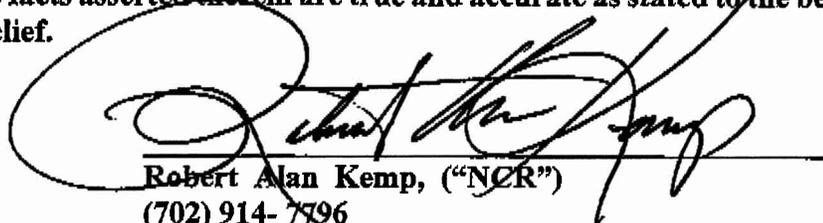


Robert Alan Kemp
Individual Sole Proprietor: NEVADA CENTRAL RAILROAD
2741 - Pinewood Avenue,
Henderson, Nevada, 89074 (702) 914- 7796

VERIFICATION

State of Nevada:)
) ss.
County of Clark:)

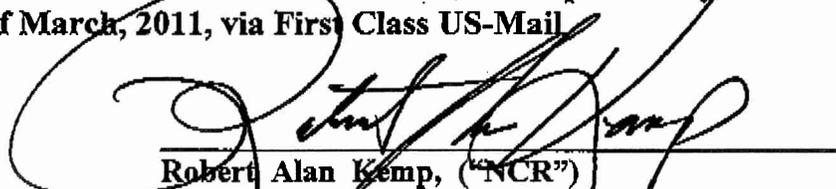
Robert Alan Kemp, being duly sworn, deposes and states that he is the individual Sole Proprietor and Owner doing business in the name of: NEVADA CENTRAL RAILROAD™, and is legally authorized to make this verification, has read the foregoing NOTICE OF CONSTRUCTION, and has personal knowledge that the facts asserted therein are true and accurate as stated to the best of his knowledge, information, and belief.



Robert Alan Kemp, ("NCR")
(702) 914- 7796

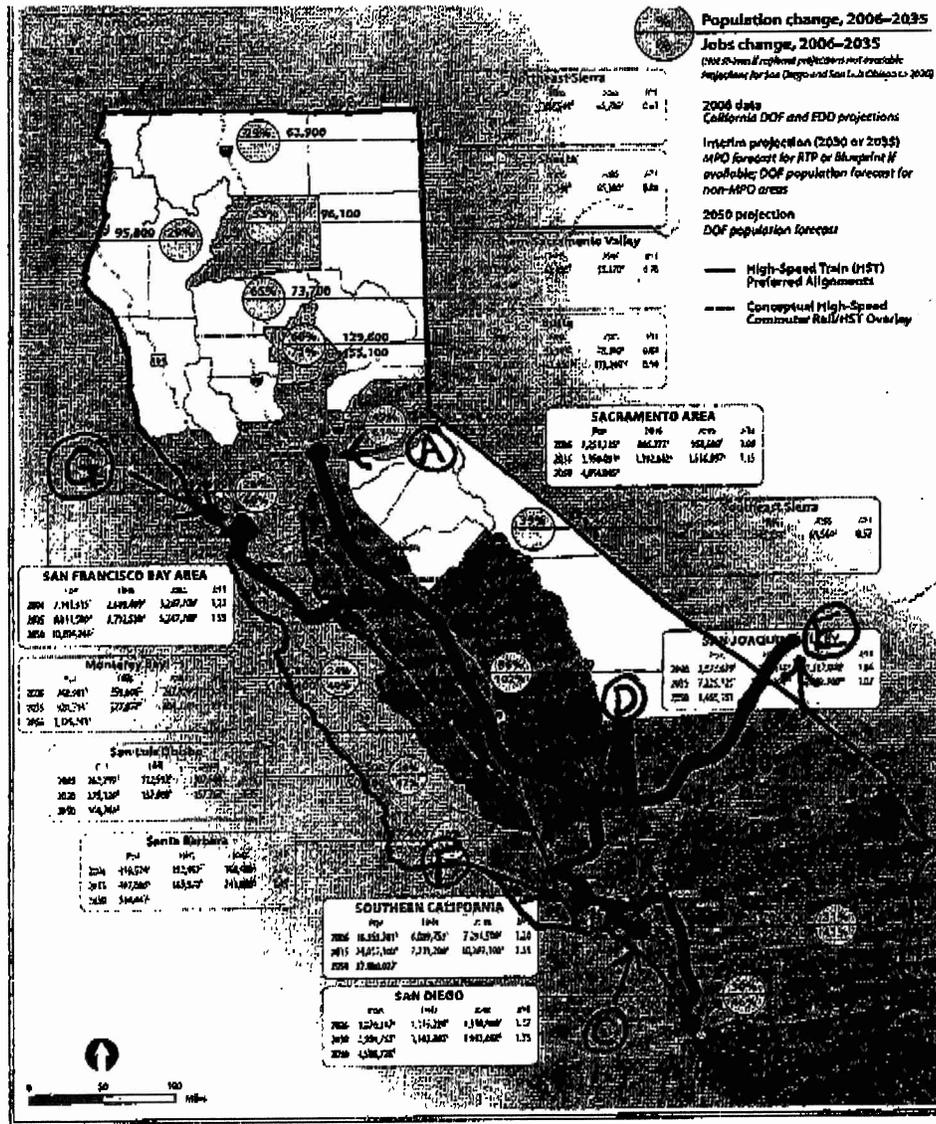
CERTIFICATE OF SERVICE

I, Robert Alan Kemp, hereby certify that (3-EA.) copies of the instant (2 -Page): NOTICE, along with the enclosed separate Verification and Proof of Service Sheet filed by Robert Alan Kemp to the SURFACE TRANSPORTATION BOARD, was personally mailed by the undersigned this 17th, day of March, 2011, via First Class US-Mail



Robert Alan Kemp, ("NCR")
(702) 914- 7796

(NCR: EXHIBIT - 13-1-01)



224925

AVIATION TECHNOLOGIES LTD.

Administrative Field Office: 9084 - E. Arbab Court, Tucson, Arizona 85747
Physical Operations: Tonopah Airport, Tonopah, Nevada

Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA

Robert Alan Kemp, D/B/A:

NEVADA CENTRAL RAILROAD



April 21, 2009

Honorable: Francis P. Mulvey
Chairman: Surface Transportation Board
395 - E Street, SW
Washington, D.C. 20423-001

Honorable Anne K. Quinlan
Acting Secretary: Surface Transportation Board

Re: STB Finance Docket No. 35106 [United States Department of Energy - Rail Construction and Operation - Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada]

NEVADA CENTRAL RAILROAD'S: [Interim Public Notice and Comment]

Dear Acting Chairman Mulvey, Acting Secretary Quinlan:

1. Please be advised that NEVADA CENTRAL RAILROAD, hereafter ("Nevada Central Railroad" and or "NCR"), is Today, April 21st, 2009, lawfully noticing its intent to the Board, STB Section of Environmental Analysis, hereafter ("SEA"), to extend the NCR-ByPass-TM., Exclusive 10901 Heavy High Speed Mainline Construction Project Segment from: (Tonopah, NV, to Primm, NV), North to the City of Las Vegas, NV, and then South to the City of Anaheim, CA. Please be advised that a number of individual entities as well as various State and Federal agencies operating within Nevada and California, are attempting to interfere with the Exclusive Federally Preempted U.S.C. 10901 NCR Railroad Construction Project otherwise publically known as the NCR-ByPass, along with its Proven Superior Proprietary Railroad Technology Configuration, previously Noticed to the Board within FD-34382, on July 14th, 2003.

2. Nevada Central Railroad ("NCR"), is sending this Interim Public Notice and Comment via Emergency Fax, as well as USPS first class mail. NCR, has and continues to require notification and service by All Parties of Legal Record via Documented Letter via USPS, C/O: NEVADA CENTRAL RAILROAD, 9084 - East Arbab Court, Tucson, AZ 85747. Thank you for your assistance. If you have any questions, please call me.

Very truly yours,

Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD, (520) 574-2262

cc: Mr. John T. Digilio, Jr., Vice Chairman - Director/President, Nevada Central Railroad
Mr. Joseph Anthony McNulty, III - Director, Nevada Central Railroad

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George A. Aspatore
General Solicitor-Regulation
Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510

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Carter Ledyard & Milburn LLP
2 Wall Street
New York, NY 10005

Gregory Barlow
Lincoln County District Attorney
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Pioche, NV 89043

Bret Whipple
1100 South 16th Street
Las Vegas, NV 89104

Philip Kievarick
Clark County Nuclear Waste Division
500 South Grand Central Parkway
P.O. Box 55175
Las Vegas, NV 89155

William Kirby
Board of County Commissioners
Esmeralda County, NV
P.O. Box 490
Goldfield, NV 76131

Nancy Boland
Board of County Commissioners
Esmeralda County, NV
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Allen Benson
United States Department of Energy
Office of Civilian Radioactive Waste
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Attorney General, State of Nevada
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Carson City, NV 89703

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Ross Dixon & Bell
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Washington, DC 20006

Mary B. Neumayr
Director, Office of Logistics Management
United States Department of Energy
1000 Independence Avenue, S.W.
Washington, DC 20485

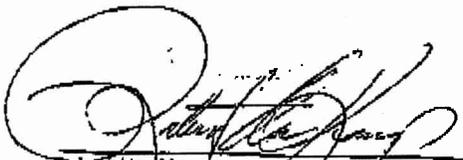
Joni Eastley
Nye County
101 Radar Road
Tonopah, NV 89049

Jeffrey D. Vansiel
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Las Vegas, NV 89123

Edwio Mueller
Esmeralda Repository Oversight Director
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Suite 140
Las Vegas, NV 89134-6237

Susan L. Durbin
State of California Department of Justice
P.O. Box 944255
Sacramento, CA 94244-2550

Mike Raughman
P.O. Box 2008
Carson City, NV 89702


Robert Alan Kemp
NEVADA CENTRAL RAILROAD

CERTIFICATE OF SERVICE

I, Robert Alan Kemp, HEREBY CERTIFY, that on this 21st day of April, 2009, a true and correct copy of the foregoing NEVADA CENTRAL RAILROAD [INTERIM PUBLIC NOTICE AND COMMENT], was served to the STB, by EMERGENCY FAX and First-Class U.S. mail, postage prepaid.

Paul H. Lambole 50 W. Liberty Street Bank of America Plaza, #665 Reno NV 89501	P.O. Box 151088 Ely, NV 89315	Hiko, NV 89017
Honorable Shelley Berkley U.S. House of Representatives 405 Cannon House Office Building Washington, DC 20515	Deborah Teske Lander County 3155. Humboldt Street Battle Mountain, NV 89820	Malachy R. Murphy Nye County, Nevada 18160 Cottonwood Road #265 Sunriver, OR 97707
Louis E. Gitomer The Adams Building 600 Baltimore Avenue, #301 Towson, MD 21204 Represents: CSX Transportation, Inc.	Linda Mathias Mineral County Nuclear Projects Office P.O. Box 1600 Hawthorne, NV 89415	Margene Bulkreech Native Community Action Council P.O. Box 140 Baker, NV 89311
Jan Cole Caliente Hot Springs Resort LLC 6772 Running Colors Avenue Las Vegas, NV 89131	Connie Simkins -4 State Grazing Board P.O. Box 461 Panaca, NV 89042	Pamela M. Fischhaber Colorado Public Utilities Commission 1560 Broadway, Suite 250 Denver, CO 80202
David Wright Nuclear Waste Strategy Coalition P.O. Box 5233 Pinehurst, NC 28374	Michael S. Cyphers City of Henderson 240 S. Water Street, MSC #133 Henderson, NV 89015	Edmund G. Brown, Jr. State of California Department of Justice 13001 Street, Suite 125 P.O. Box 942255 Sacramento, CA 94244
Bradley L. Levine Office of General Counsel (GC-52) United States Department of Energy 1000 Independence Avenue, SW Washington DC 20585	Rex Massey Churchill County Comptroller P.O. Box 19549 Reno, NV 89511	Joe Kennedy Timbisha Shoshone 785 N. Mam Street, Suite Q Dishop, CA 93514
Fred Miller 915 S. Buchanan Street, #29 Arlington, VA 22204 Represents: Friends of the Earth	Robert T. Opal Union Pacific Railroad Company 1400 Douglas Street, Stop 1580 Omaha, NE 68179	Joe Fallin Twin Springs Ranch HC-76, Box 1100 Tonopah, NV 89049
John E. Hadder Healing Ourselves & Mother Earth P.O. Box 6595 Reno, NV 89513	R.J. Gillum Emeralda County, NV Board of County Commissioners P.O. Box 490 Goldfield, NV 89013	Bradford R. Jerble City of Las Vegas 400 Stewart Avenue, Ninth Floor Las Vegas, NV 89 161
Barry S. Neuman Carter Ledyard & Milburn LLP 701 8th Street, NW #410 Washington, DC 20001 Represents: Lincoln County, Nevada	Mike Simon White Pine County Nuclear Waste Project Office 959 Campton Street Ely, NV 89301	John Brown Brown and Fiebner, LLP P.O. Box 656 Alamo, NV 89001
G. Paul Moses Sidley Austin, LLP 1501 K Street, NW Washington, DC 20005	Rochelle Becker Alliance for Nuclear Responsibility P.O. Box 1329 San Luis Obispo, CA 93406	Merrin R. Plake N-4 State Grazing Board Bassett Creek Ranch HC 33 Box 33940 Ely, NV 89301
Mayor Kevin Phillips City of Caliente P.O. B 158 Caliente, NV 89008	Michael A. Bauser Nuclear Energy Institute 1776 I Street, NW Suite 400 Washington, DC 20006	John McLain Resource Concepts Inc. 340 North Minnesota Street Carson City, NV 89703
Kevin W. Bell California Energy Commission 1516 9th Street Sacramento, CA 95814	Laura Ralcovich Dis Art Foundation 535 West 22nd Street New York, NY 10011	Paul R. Hitchcock, Esq. Associate General Counsel CSX Transportation, Inc. 500 Water Street Jacksonville, FL 32202
Gracien Uhalde	Michael and Mary Heizer Triple Aught Foundation PO Box 33	

FEB 19 2004 15:29 FR THOMPSON HINE LLP 202 331 0000 TO #841524845836800 P.02/02

LAW OFFICES
FRITZ R. KAHN, P.C.
EIGHTH FLOOR
1800 F STREET, N.W.
WASHINGTON, D.C. 20004-2004
(202) 462-4115
FAX (202) 462-9000
www.fritzrka.com

February 19, 2004

VIA HAND DELIVERY

Ms. Victoria J. Rutan
Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Dear Ms. Rutan:

This refers to STB Finance Docket No. 34382, Nevada Central Railroad - Construction and Operation in Clark, Elko, Esmeralda, Lander, Nye and White Pine Counties, and to your letter, dated July 28, 2003, requesting additional information to enable you to prepare the draft scope of study for the Environmental Impact Statement pertaining to the construction proposal.

Delivered to you herewith is the Environmental Impact Statement prepared by the Department of Energy and adopted by the applicant, Nevada Central Railroad, covering what was described in the applicant's letter to you, dated July 17, 2003, as the Bypass Line.

If you have any question concerning the foregoing which you believe I may be able to answer or if I otherwise can be of assistance, please let me know.

Sincerely yours,


Fritz R. Kahn

cc: Mr Robert A Kemp

TOTAL PAGE.02

July 14, 2003

Victoria J. Rutson, Esq.
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Dear Ms. Rutson:

Pursuant to 49 C.F.R. 1105.10(a), I wish to notify you that in six months' time the Applicant, Nevada Central Railroad, anticipates filing its Application in Finance Docket No. 34382, Nevada Central Railroad—Construction and Operation—In Elko, Eureka, Lander, Nye and White Pine Counties, Nevada.

The initial phase of construction by Nevada Central Railroad will be in three parts.

The Bypass Line will start at a proposed connection with the Union Pacific Railroad Company ("UP") at Jean, thence proceed in a westerly direction to Sandy Valley, thence in a northwesterly direction to a point northeast of Paharump, thence in a northwesterly direction to a point northeast of Johnnie, thence in a northerly direction to a point northeast of Crystal, thence in a west, northwesterly direction to a point southeast of Amargosa Valley, thence in a north, northwesterly direction to the southwestern corner of the Nevada Test Site, thence in a north, northwesterly direction to a point west of the southwest corner of the Nellis Air Force Bombing and Gunnery Range and east of Beatty, thence in a north, northwesterly direction to a point northeast of Scotty's Junction, thence in a northerly direction to Mud Lake, thence in a northerly direction to Carlin and thence in a easterly direction to a proposed connection with the UP at Cobre

The North Fork Line will start at a point east of Ralston Valley, south of Monitor Peak, thence proceed in a north, northeasterly direction through Monitor Valley to a point east of Belmont, thence in a northerly direction through Monitor Valley to a point southwest of Hickison Summit, thence in a westerly direction to Rye Patch Canyon, thence in a north, northeasterly direction to a point northwest of Fagin Mountain, thence in a northerly direction to a point northwest of Bald Mountain, thence in a westerly direction to Cortez and thence in a north,

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Victoria J. Rutson, Esq.

Page Two

July 14, 2003

northeasterly direction to a proposed connection with UP at Beowawe.

The Northeast Fork Line will start at the junction with the North Fork Line at the point east of Ralston Valley and south of Monitor Peak, thence proceed in northeasterly direction to a point northwest of Kawich Peak, thence in a north easterly direction through Stone Cabin Valley to Warm Springs, thence in an east, northeasterly direction to a point northwest of Nyala, thence in a north, northeasterly direction through Railroad Valley to a point east of Current, thence in a northerly direction to Ruth, thence in a north, northeasterly direction to the proposed connection with the former Nevada Northern Railroad at a point two miles north of McGill, thence in a northerly direction to Currie, and thence in a northerly direction to proposed connections with UP southeast and northeast of Oasis.

I hope the foregoing information is sufficient to enable you to publish the Federal Register notice of your intent to prepare an Environmental Impact Statement and of the scope of the document. If, however, you require additional information or if I otherwise can be of assistance, please let me know.

Sincerely yours,

Fritz R. Kahn

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