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UNITED STATES OF AMERICA

BEFORE THE SURFACE TRANSPORTATION BOARD

STB FINANCE DOCKET NO. 35106

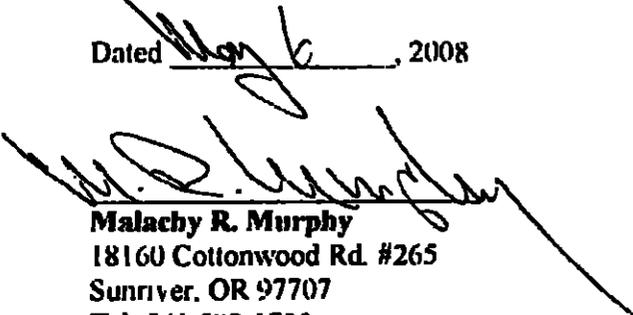
**UNITED STATES DEPARTMENT OF ENERGY – RAIL
CONSTRUCTION AND OPERATION – CALIENTE RAIL LINE
IN LINCOLN, NYE, AND ESMERALDA COUNTIES, NEVADA**

**NYE COUNTY, NEVADA
NOTICE OF INTENT TO PARTICIPATE**

Pursuant to the Decision of the Board served April 11, 2008, Nye County, Nevada ("Nye County") hereby provides its notice of intent to participate in this proceeding as a party of record

Nye County requests that the appearance of the following persons be entered as counsel of record for Nye County, that they be included in the Board's official service list for this proceeding, and that they receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding as appropriate

Dated May 6, 2008


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Attorney for Nye County, Nevada

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served on Parties or Counsel of Record and others identified below by (1) first-class U S mail, postage prepaid, (2) e-mail as shown, or (3) other expeditious method, this 6th day of May, 2008

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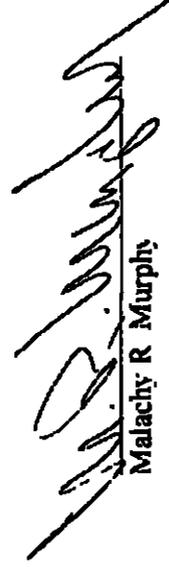
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