

**Dia:**

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May 6, 2008

Hon. Ann K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423-0001

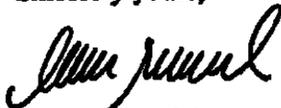
Re: STB Finance Docket No. 35106  
*United States Department of Energy – Rail Construction and Operation*  
*- Callente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada*  
Notice of Intent to Participate

Dear Secretary Quinlan:

We are writing in response to the Surface Transportation Board, Notice of Construction and Operation Application and Adoption of Procedural Schedule, published in the Federal Register, on April 16, 2008.

Pursuant to the Board's Notice, we hereby provide notice of intent to participate in this proceeding as a party of record. We respectfully request that we receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding. When applicable we prefer to receive this information via email at [ksonnenborn@diaart.org](mailto:ksonnenborn@diaart.org). Thank you.

Sincerely yours,



Laura Raicovich  
Deputy Director  
Dia Art Foundation



Mary and Michael Heizer  
Triple Aught Foundation  
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## CERTIFICATE OF SERVICE

I certify that on May 7, 2008 a copy of the foregoing Dia Art Foundation and Triple Aught Foundation's Notice of Intent to Participate was provided to parties or counsel of record, and others identified below, by first-class US mail or email.

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STB Finance Docket No 35106



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