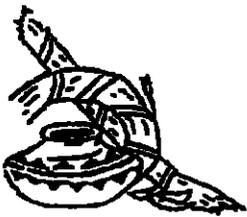


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May 2, 2008

Joe Kennedy
Chairman

Margaret Armitage Hon. Ann K. Quinlan
Vice-Chairman Acting Secretary

Madeline Esteves Surface Transportation Board
Secretary/Treasurer 395 E Street, SW

Pauline Esteves Washington, DC 20423-0001
Council Member

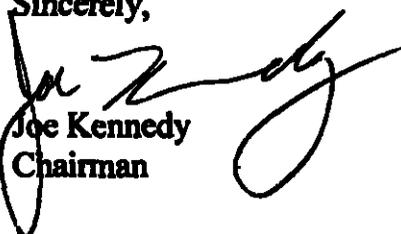
Margaret Cortez Re: STB Finance Docket No. 35106
Council Member United States Department of Energy – Rail Construction and Operation
- Caliente Rail Line in Lincoln, Nye, and Esmeralda Counties, Nevada
Notice of Intent to Participate

Dear Secretary Quinlan:

The Timbisha Shoshone are responding 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, the Timbisha Shoshone hereby provides Notice of Intent to Participate in this proceeding as a party of record. We presently request that we receive copies of all filings, submissions, discovery requests and responses, notices, and decisions made in this proceeding. Additionally, the Timbisha Shoshone would prefer to provide and receive service of copies by email using the following addresses; chairperson@timbisha.org and elent@timbisha.org.

Your attention to this very important matter is much appreciated by the Timbisha Shoshone.

Sincerely,

Joe Kennedy
Chairman

Timbisha Shoshone Tribe