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Secretary

Under California Public Utility Code section 7551.1 (Section 7551.1), the Secretary of the California State Transportation Agency (CalSTA) may grant every railroad corporation whose primary business is the transportation of passengers, the rights-of-way for the location, construction and maintenance of its necessary works and for every necessary adjunct thereto over any portion of highway owned by the State of California which is not otherwise disposed of or in use. Under California Government Code section 13982, the Secretary of CalSTA may delegate any power conferred on the Secretary by the Legislature to any officer within CalSTA, including the Director of the California Department of Transportation (Caltrans). The Secretary intends to delegate the authority and power under Section 7551.1 to the Director of Caltrans for the purpose set forth in the attached Notice of Intent.

DesertXpress Enterprises Inc., LLC, dba, XpressWest, a Nevada limited liability company (XpressWest), is proposing to construct a privately funded high speed rail line between Apple Valley, California, and Las Vegas, Nevada, along the existing Interstate 15 alignment and has negotiated a long-term Use Agreement with Caltrans over affected rights-of-way, which is not otherwise disposed of or in use for passenger rail service.

The attached Notice of Intent provides you with an opportunity to comment on Caltrans' proposed long-term lease of rights-of-way to XpressWest prior to full execution of the lease.