

UNION PACIFIC RAILROAD  
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Senior General Attorney, Law Department

December 17, 2012

233523

ENTERED

Office of Proceedings

December 17, 2012

Part of

Public Record

**VIA E-FILING**

The Honorable Cynthia Brown  
Chief of the Section of Administration  
Surface Transportation Board  
395 E. Street, S.W.  
Washington, DC 20423-0001

**Re: Verified Comments on Behalf of Union Pacific Railroad Company – Verified  
Notice of Exemption – James Riffin and Eric Strohmeyer – Acquisition and  
Operation Exemption – in Rio Grande and Mineral Counties, CO –  
FINANCE DOCKET NO. 35705**

Dear Ms. Brown:

Attached for filing in the above-referenced docket is Union Pacific Railroad Company's  
("Union Pacific") verified comments concerning the Notice of Exemption referenced above.

Sincerely,



Mack H. Shumate, Jr.

Attachment

cc: Wisconsin Department of Transportation

2012\_12\_17 STB Verified Notice of Exemption.doc



BEFORE THE  
SURFACE TRANSPORTATION BOARD

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Finance Docket No. 35705

VERIFIED COMMENTS ON BEHALF OF UNION PACIFIC RAILROAD COMPANY TO  
VERIFIED NOTICE OF EXEMPTION JAMES RIFFIN AND ERIC STROHMEYER –  
ACQUISITION AND OPERATION EXEMPTION – IN RIO GRANDE AND MINERAL  
COUNTIES, CO.

Union Pacific Railroad Company (“Union Pacific”) sold the line of railroad which is the subject of the above referenced Notice of Exemption to Denver and Rio Grande Railway Historical Foundation (“D&RGHF”) in May of 2000 under the then applicable financial assistance procedures at 49 C.F.R. 1152.27. In June of 2003, Union Pacific sold a connecting line from Derrick, Colorado to a point near Walsenburg, Colorado to San Luis and Rio Grande Railroad (“SLRG”). Union Pacific also granted SLRG overhead trackage rights over Union Pacific’s tracks at and near Walsenburg to interchange rail traffic with Union Pacific’s mainline.

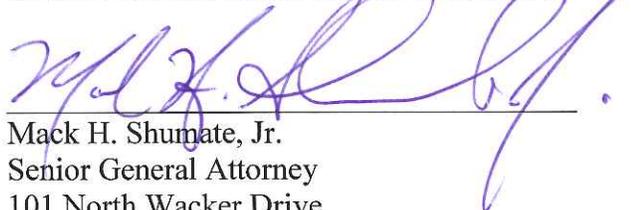
Union Pacific does not have an ownership interest in D&RGHF nor SLRG nor does Union Pacific have an interchange connection with D&RGHF.

Therefore, any and all traffic originating or terminating on D&RGHF will have to be interchanged directly with SLRG not Union Pacific. Union Pacific does not have a direct common carrier interchange connection with D&RGHF.

Therefore, Union Pacific does not have a direct connection nor real property interest in D&RGHF.

Respectfully Submitted,

UNION PACIFIC RAILROAD COMPANY



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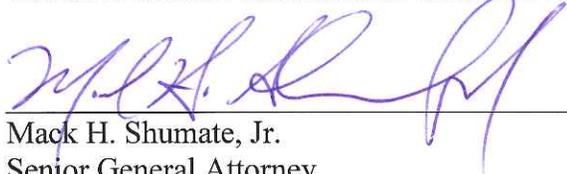
CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of December, 2012, a copy of the foregoing Comments on Behalf of Union Pacific Railroad Company was served via first class mail on the following:

James Riffin  
1941 Greenspring Drive  
Timonium, MD 21093  
(443) 414-6210

Eric Strohmeier  
81 Century Lane  
Watchung, NJ 07069  
(908) 361-2435

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