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SERVICE DATE - JULY 31, 1998

DO

FR-4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33636]

Bad Water Line--Trackage Rights Exemption--The Burlington Northern and Santa Fe
Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant overhead trackage rights to Bad Water Line (BWL) between milepost 303.06 and milepost 306.0 a distance of 2.4 miles in the State of Wyoming.

The transaction was scheduled to be consummated on July 16, 1998, the effective date of the exemption.

The purpose of this transaction is to permit BWL to move trains, locomotives, cabooses and cars with its own officers, agents, employees and contractors and equipment in its account, over the joint trackage between points on its existing line and interchange with BNSF near Shoshoni, WY.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in Norfolk and Western Ry. Co.--Trackage Rights--BN, 354 I.C.C. 605 (1978), as modified in Mendocino Coast Ry., Inc.--Lease and Operate, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33636, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Clifford Root, 642 South Federal Blvd., Riverton, WY 82501.

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Decided: July 23, 1998.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary