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7/5/2006

**VIA FEDERAL EXPRESS AND
EMAIL (rutsonv@stb.dot.gov)**

Ms. Victoria Rutson
Attorney-Advisor
Chief, Section of Environmental Analysis
Surface Transportation Board
Room 504
1925 K Street, NW
Washington, DC 20423

Re: AB-6 Sub-No. 428 X
BNSF Railway Company – Abandonment Exemption – in Colfax County, NM

Dear Ms. Rutson:

I represent Colfax Land and Cattle Company, LLC (“Colfax”). Colfax owns a portion of the real property through which the above line traverses. As you are aware, in July of last year I submitted a letter to your office expressing my client’s concerns regarding the line abandonment. Inadequate information regarding the condition of the line and the absence of control over any future salvage operations motivated our action. During the last year Colfax, together with Vermejo Park, LLC, has had extensive negotiations with BNSF regarding the future of the line. We are confident that the result of these negotiations will provide us adequate information regarding the condition of the line and will place us in control of any future salvage operations. Therefore, we withdraw our objections as set forth in our letter dated July 15, 2005.

Additionally, we request that any new conditions precipitated by our letter be removed from your recommendations.

Thank you for your attention to our concerns.

Sincerely,

/s/ Greg Betterton

Greg Betterton