

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Docket No. FD 35705

233630

ENTERED
Office of Proceedings
January 7, 2013
Part of
Public Record

PROTEST

The Town of South Fork, Colorado, a municipal corporation, by and through its attorney, Eugene L. Farish, hereby files a *Protest to the Acquisition and Operation Exemption* filed by James Riffin and Eric Strohmeyer in the above matter and alleges as grounds therefore:

1. The Town of South Fork has been made aware, through third parties, of the acquisition and operation exemption filed by James Riffin and Eric Strohmeyer to acquire trackage rights and haul certain commodities into and through the Town of South Fork, Colorado.
2. While the Town does not have sufficient information to evaluate the impact of the filing upon the Town, it is sufficiently clear that the applicant intends to haul certain commodities through the middle of the Town which may have an adverse impact upon the public peace, health and safety of the Town.
3. The Town incorporates by reference the objections to said filing which have been filed by the San Luis and Rio Grande Railroad Company on January 2, 2013, and hereby requests denial of said filing or that the same be stayed in order to obtain additional information concerning the impact to the Town of the exemption.

Respectfully submitted,



Eugene L. Farish, #2557

Attorney for

Town of South Fork, Colorado

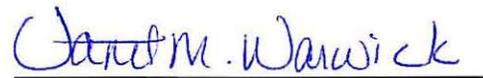
CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of January, 2013, I mailed, via USPS, the foregoing *Protest* to:

Eric Strohmeyer
81 Century Lane
Watchung, NJ 07069

James Riffin
1941 Greenspring Drive
Timonium, MD 21093

John Heffner
Strasburger & Price, LLP
1700 K Street N.W., Suite 640
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Janet M. Warwick