



June 12, 2014

Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E. Street, SW  
Washington, DC 20423

Richard Scott, Chairman  
District 1, Sheridan Lake  
William Koehler, Commissioner  
District 2, Eads  
Donald Oswald, Commissioner  
District 3, Haswell  
Peggy Dunlap, Administrator

1305 Goff Street, P.O. Box 100  
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236184  
236185  
ENTERED  
Office of Proceedings  
June 13, 2014  
Part of  
Public Record

Re: V&S Railway, LLC: Abandonment

Dear Ms. Brown:

V&S Railway has applied to abandon a section of railroad in Eastern Colorado, aka the Towner line. This line runs from Milepost 869.4 at North Avondale, Colorado in Pueblo County thru the entire length of Crowley County, Colorado, thru a small portion of Otero County, Colorado and thru the entire length of Kiowa County, Colorado to Milepost 747.5 near Towner, Colorado.

\* V&S Railway must furnish all Counties, involved with copies of all documents, processes and procedures required by the Surface Transportation Board in an abandonment process.

1. Systems diagram map.
2. Notice of intent
3. Abandonment application(s).
4. Protests or Comments to the proposed abandonment
5. Modified Procedure and oral hearings
6. Appeals
7. The Issues of the abandonment
8. Railroad financial data for evaluation.

\* V&S must survey the entire Towner Line and provide plats to all counties involved. Section markers, bench marks and geological markers must be preserved and or relocated for future reference.

\* All V&S Rail Right of Way leases within incorporated city limits must be documented and all such property should be permanently deeded to the incorporated city. All Right of Way leases in unincorporated towns would go to Kiowa County.

\* The V&S Rail Right of Way has accrued features affecting wildlife and the environment. Vegetation and exclusion from human intervention within the right of way has become habitat for several species of wildlife including Ring-necked Pheasant in Kiowa County. The pheasant population is decreasing in Kiowa County primarily due to loss of adequate habitat brought on primarily by farming practices. The pheasant is not only an important game bird for the area but is highly valued by the bird-watching tourist.

Neglect by V&S Railway in plant management within rail right of way has resulted in numerous instances of noxious weed infestation and invasion. Primary weeds involved

are Field Bindweed, Russian and Spotted Knapweed and Canada Thistle.

V&S must complete a thorough and accurate environmental impact study that addresses both wildlife and noxious weed issues.

\* V&S must remove rails, ties, spikes and other appurtenances, slag or rail bed, signal structures, telephone/telegraph poles and wire resulting in a landscape much like what was originally there when the rail was first built.

\* Structures across waterways of a non-historic nature must be removed and the waterway must be open.

\* All crossings at county, state or federal roads must be re-constructed to match and conform to existing road surfaces.

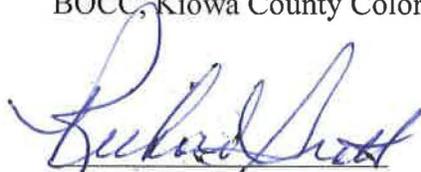
\* All structures of an Historic nature must be preserved.

\* We suggest that V&S Railroad be required to post a surety bond adequate to cover all costs for any errors and omissions from their performance in this abandonment.

The loss of this railroad has impacted Kiowa County with serious economic loss. It is our conviction that continued operation of this railway as a commodity and freight carrier is very feasible under proper management. It is also our conviction that V&S Railroad never intended or attempted to make this a viable line and that their sole purpose in ownership was salvage. Lack of rail service precludes the development of certain agriculture markets in Kiowa County as well as other economic development in the entire SE Colo. region.

We will appreciate any assistance and consideration you can furnish in this abandonment process.

Respectfully,  
BOCC, Kiowa County Colorado

  
Richard Scott

  
William Koehler

  
Donald Oswald

Date 6-12-14

CERTIFICATE OF SERVICE

I certify that I this day have served a copy of the forgoing Formal Filing  
Letter by First Class Mail to the offices of  
the following:

Fritz R. Kahn  
1919 M Street NW  
7<sup>th</sup> floor  
Washington DC 20036

Roger D. Nelson  
PO Box 460022  
Glendale CO 80246

  
Name

Date 6-12-14

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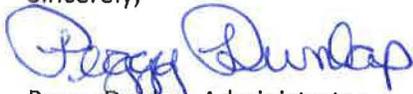
Re: Docket No. AB603-2x AB603-3X, V and S Railway, LLC-Abandonment exemption in Kiowa County, Colorado

Dear Ms. Brown:

I hereby certify that a copy of the decision served by the Board of County Commissioners of Kiowa County, on June 12, 2014, in the above-referenced matter, was served this day by first class mail on Fritz R. Kahn, attorney for V&S Railway, LLC and Roger D. Nelson in Glendale Colorado.

If you have any questions, please call me.

Sincerely,



Peggy Dunlap, Administrator  
Kiowa County Commissioners