

THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY
NO. AB-6 (Sub No. 415X)

210805

CERTIFICATION

I hereby certify that (1) no formal complaint filed by a user of rail service on this line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is pending with the Board or any U.S. District Court or has been decided in favor of a complainant within the last two (2) years; (2) service of notice upon the U.S. Department of the Interior, National Park Service, Recreation Park Service, Land Resource Division; the Department of Defense, Military Traffic Management Command; the North Dakota Public Service Commission; the North Dakota Department of Transportation; and the Chief Forest Service, U.S. Department of Agriculture was accomplished by mailing a copy thereof on April 2, 2004; (3) the environmental and historic reports were serviced upon the agencies identified in 49 C.F.R. § 1105.7(b) and the State Historic Preservation Offices on April 2, 2004; (4) service of notice upon the State Clearinghouses was accomplished by mailing a copy thereof on April 2, 2004; and (5) the publication requirements of 49 C.F.R. § 1105.12 have been complied with, to wit: publication of notice was accomplished on May 3, 2004 in the Cavalier County Republican, affidavit of publication is attached.



ENTERED
Office of Proceedings

MAY - 6 2004

Part of
Public Record

A handwritten signature in black ink, appearing to read 'Michael Smith'.

Michael Smith
Freeborn & Peters
311 S. Wacker Dr. Suite 3000
Chicago, Illinois 60606-6677
Phone: (312) 360-6724
Fax: (312) 360-6598

Date: May 6, 2004

Affidavit of Publication

STATE OF NORTH DAKOTA, }
County of Cavalier } ss.

DOROTHY DOMRES, being first duly sworn, says that she is a typesetter of that certain newspaper known as Cavalier County Republican, that said newspaper is a paper of general circulation, is printed and published weekly at Langdon, North Dakota, in said county of Cavalier, and is qualified to do legal printing, that the printed copy of

NOTICE OF INTENT TO ABANDON
The Burlington Northern and Santa Fe Railway Company gives notice that on or after May 3, 2004, it intends to take with the Surface Transportation Board, Washington, DC 20423, an abandonment notice of exemption under 49 CFR 1152 Subpart F - Except Abandonments permitting the abandonment of or discontinuance of service of 21.99 miles of railroad line between Cavalier County, North Dakota to M.P. 95.00 in Hannah, Cavalier County, North Dakota, which line segment traverses through United States Postal Zip Codes 58249, 58281 and 58239. The proceeding will be docketed as No. AB-6 (Sub No. 4150). Section of Environmental Analyses (SEAs) will generally prepare an Environmental Assessment (EA), which will normally be available

25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001 or by calling that office at 202-565-1538. Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of

financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W., Washington, DC 20423-0001. (See 49 CFR 1104.1(a) and 1104.3(a)), and one copy must be served on applicant's representative (See 49 CFR 1104.12(a)). Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Public Services at 202-645-1592. Copies of any comments or requests for conditions should be served on the applicant's representative Michael Smith, Freeborn & Peters, 311 S. Wacker Drive, Suite 3000, Chicago, Illinois 60606-6677 - telephone (312) 360-0724.
Brian Nettles, Freeborn & Peters
311 S Wacker Dr. Suite 3000
Chicago, IL 60606-6677
MJ

Dorothy Domres

Subscribed and sworn to before me this 3RD day of MAY, 2004

LORI PETERSON
Notary Public, State of North Dakota
My Commission Expires April 15, 2008

Lori Peterson
Notary Public for Cavalier County, N.D.

My commission expires APRIL 15 2008

Publication Fee \$ 31.57



Freeborn & Peters

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, IL 60606-6677
312.360.6000
Fax 312.360.6520

FAX COVER SHEET

PLEASE DELIVER TO

Vernon Williams
The Surface Transportation Board
(202) 565-9004

DATE

May 6, 2004

TIME

TOTAL PAGES WITH COVER

3

SENT FROM

Brian Nettles
direct dial: 312.360.6336
return fax: 312.360.6596

CLIENT/MATTER NO.

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MESSAGE

Enclosed is the affidavit of publication from the Cavalier County Republican and an updated page 6 of the Notice of Exemption for the Langdon, ND to Hannah, ND abandonment, AB-6 (Sub-No. 415X).

OTHER OFFICES

217 East Monroe Street
Suite 101
Springfield, IL 62701-1147
217.535.1060
Fax 217.535.1069

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