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Freeborn & Peters LLP

May 6, 2004

VIA FEDERAL EXPRESS

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423-0001



Re: *Surface Transportation Board Docket No. AB-6 (Sub-No. 415X); The Burlington Northern and Santa Fe Railway Company Abandonment of Langdon, North Dakota to Hannah, North Dakota*

Attorneys at Law

311 South Wacker Drive
Suite 3000
Chicago, Illinois
60606-6677
Tel 312.360.6000

Brian Nettles
Paralegal
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bnettl@
freebornpeters.com

Dear Secretary Williams:

Enclosed is ten copies plus the original affidavit of publication from the Cavalier County Republican.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Nettles'.

Brian Nettles

Chicago

Springfield

/bn
Enclosures

ENTERED
Office of Proceedings

MAY 10 2004

Part of
Public Record

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 newspaper known as Cavalier County Republican that said

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 file with the Surface Transportation Board, Washington, DC 20423, an abandonment notice of exemption under 49 CFR 1152 Subpart F - Exempt Abandonments permitting the abandonment of or discontinuance of service of 20.93 miles of railroad line between railroad M.P. 74.07 in Langdon, 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. 415X). Section of Environmental Analyses (SEA) 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 applicants' 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 202-565-1592. 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) 360-6724.

Brian Nettles, Freeborn & Peters
311 S. Wacker Dr. Suite 3000
Chicago, Ill. 60606-6677
M3

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

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



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.

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