

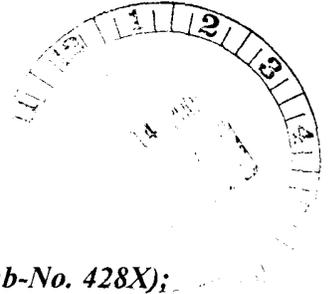
214194

June 9, 2005

Freeborn & Peters LLP

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. 428X);
The BNSF Railway Company Abandonment between French, New
Mexico and York Canyon, New Mexico**

Attorneys at Law

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Paralegal
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Dear Secretary Williams:

Enclosed are ten copies plus the original affidavit of publication from *Raton Range* regarding the above abandonment.

Sincerely,

Brian Nettles

Chicago

Springfield

/bn
Enclosures

ENTERED
Office of Proceedings
JUN 16 2005
Part of
Public Record

Affidavit of Publication

STATE OF NEW MEXICO)
) ss.
COUNTY OF COLFAX)

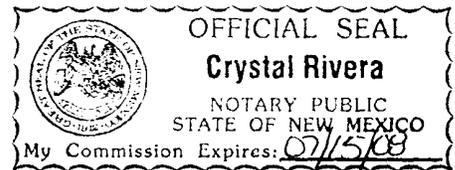
The undersigned, being first duly sworn according to law, on his/her oath deposes and says that he/she is the business manager of the newspaper named "The Raton Range" and that he/she has personal knowledge of the facts stated herein; that the said "The Raton Range" is a twice-weekly newspaper of general paid circulation printed and published in the County of Colfax and State of New Mexico and entered under the Second class postal privilege in said County, and having been uninterruptedly and continuously printed and published in said County during the period of more than six months to the date of publishing of the first issue of the publication next prior or notice concerning which this affidavit is made and a copy of which is hereto attached; that said newspaper is duly qualified for that purpose under the laws of the state of New Mexico; that the publication, a printed copy of which is hereunto attached and made a part of this affidavit, was published in said newspaper once each week for 1 successive weeks, said paid publication having been made on the following dates, to-wit:

- First publication: The 27 day of May, 2005
- Second publication: The ___ day of _____, 2005
- Third publication: The ___ day of _____, 2005
- Fourth publication: The ___ day of _____, 2005
- Fifth publication: The ___ day of _____, 2005
- Sixth publication: The ___ day of _____, 2005

Leonid Sebastian
Business Manager

Subscribed and sworn to before me this 27
day of May, 2005.

Crystal Rivera
Notary Public



PUBLISHER'S BILL

_____ inserts _____ Times, _____
127 lines 1 Times, 68.17 Legal # 5260
_____ col. Inches _____ Times, _____

**NOTICE OF INTENT
TO ABANDON**

The BNSF Railway Company gives notice that on or after May 30, 2005, it intends to file with the Surface Transportation Board, Washington, DC 20423, an abandonment notice of exemption under 49 CFR 1152 Subpart F - - E x e m p t Abandonments permitting the abandonment of or discontinuance of service on 36.90 miles of railroad line between milepost 0.00 near French and milepost 36.90 near York Canyon,

which line segment traverses through United States Postal Zip Codes 87747, 87728 and 87740 in Colfax County, New Mexico. The proceeding will be docketed as No. AB-6 (Sub-No. 428X).

The Board's 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 and Peters, 311 S. Wacker Drive, Suite 3000, Chicago, Illinois 60606-6677, telephone (312) 360-6724.

**Legal No. 526005.
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Raton Range: May
27, 2005.**