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KARL MORELL

September 23, 2005

BY HAND DELIVERY

ENTERED
Office of Proceedings

The Honorable Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, N.W., Suite 700
Washington, DC 20423-0001

SEP 23 2005

Part of
Public Record

Re: STB Docket No. AB-6 (Sub-No. 428X), BNSF Railway Company --
Abandonment Exemption -- In Colfax County, NM

Dear Secretary Williams:

On September 9, 2005, BNSF Railway Company ("BNSF") filed with the Board a Status Report and Request To Continue To Hold Proceeding In Abeyance.

In the Report, BNSF informed the Board that it had contacted Hust Brothers, Inc. ("Hust"), Colfax Land and Cattle Company, LLC ("Colfax"), and Vermejo Park, LLC ("Vermejo") regarding the request to hold this proceeding in abeyance for an additional 30 days but that as of the date of filing the Report BNSF had not received a response. This is to inform the Board that all three of the parties have since responded to BNSF's inquiry. Hust has agreed to the requested 30-day extension. Colfax and Vermejo have authorized BNSF to inform the Board that they do not oppose an additional extension of time.

Please date stamp the extra copy of this letter and return it with our messenger.

BALL JANIK LLP

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If you have any questions, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Karl Morell". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Karl Morell