

RECORDATION NO. 14495-E FILED

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APR 19 '05 11-18 AM

April 18, 2005

SURFACE TRANSPORTATION BOARD



The Honorable Vernon Williams  
Secretary  
Surface Transportation Board  
1925 K Street N.W., Suite 715  
Washington, D.C. 20423-0001

Dear Secretary Williams:

Enclosed for recordation pursuant to 49 U.S.C. § 11301 are one original and one certified true copy of a Notice of Partial Termination of Equipment Lease, dated as of April 4, 2005.

The Notice of Partial Termination of Equipment Lease is a secondary document, as defined in the Rules for Recordation of Documents. The primary document to which the Notice of Partial Termination of Equipment Lease is connected was recorded under Recordation Number 14495-B.

The name and address of the parties to the document are:

Lessor: Connell Finance Company  
One Connell Drive  
Berkeley Heights, NJ 07922  
(as successor to Heleasco Twenty-Three, Inc.)

Lessee: Western Fuels Association, Inc.  
P.O. Box 33424  
Denver, CO 80233-3424

A description of the equipment covered by the Termination of Lease is:

115 Dual Service Hopper Cars with identifying numbers  
WFA 84701 to and including WFA 84815.

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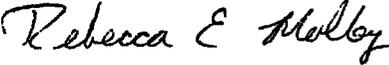
A short summary of this document to appear in the index is:

**Partial Termination of Equipment Lease**

Also enclosed is a check in the amount of \$32.00, to cover the recordation fee.

Please return stamped copies of the enclosed to the undersigned.

Sincerely,

  
Rebecca E. Molloy

**CERTIFICATION**

I, Rebecca Molloy, hereby certify that attached hereto is a copy of a NOTICE OF PARTIAL TERMINATION OF EQUIPMENT LEASE dated as of April 4, 2005. I further certify that I have compared the attached copy with the original document and found the copy to be complete and identical in all respects to the original.

I declare under penalty of perjury that the foregoing is true and correct.

IN WITNESS WHEREOF I have hereunto subscribed my name this 18th day of April, 2005.

  
Rebecca E. Molloy

APR 19 '05

11-18 AM

**NOTICE OF RELEASE**

SURFACE TRANSPORTATION BOARD

This Notice of Release dated as of April 12, 2005 (this "Release Notice") is given by CoBank, ACB, a federally chartered instrumentality of the United States, as successor by merger to the Wichita Bank for Cooperatives ("Secured Party").

WHEREAS, Secured Party (as successor by merger to Wichita Bank for Cooperatives) and Connell Finance Company, Inc., a New Jersey corporation (as assignee of Heleasco Twenty-Three, Inc., "Debtor") are parties to that Security Agreement dated as of December 5, 1984 (the "Original Security Agreement," as supplemented by a Supplement to Security Agreement dated as of December 5, 1984 ("First Supplement") and a Second Supplement to Security Agreement, dated as of December 19, 1984 ("Second Supplement") (as all of the above may have been amended from time to time heretofore, the "Security Agreement"). All capitalized terms used herein and not otherwise defined herein shall have the meanings assigned to them in the Security Agreement;

WHEREAS, the Original Security Agreement and First Supplement were filed with the Interstate Commerce Commission (now superseded by the Surface Transportation Board) on December 6, 1984 at 10:35 AM, Recordation Nos. 14494 and 14494-A, respectively, and the Second Supplement was filed with the Interstate Commerce Commission on December 19, 1984 at 11:10 AM, Recordation No. 14494-B;

WHEREAS, the Debtor, as lessor, and Western Fuels Association, Inc., a Wyoming corporation, as lessee ("Lessee"), are parties to that Equipment Lease dated as of December 5, 1984 (as supplemented by Rental Schedule No. 1 dated as of December 5, 1984, and Rental Schedule No. 2, bearing an "as of" date of December 5, 1984 and a date of December 19, 1984, all as amended by the First Amendment to Equipment Lease dated as of March 13, 1990 and the Second Amendment to and Extension of Equipment Lease dated as of December 22, 2004, the "Lease");

WHEREAS, by the Security Agreement, the Debtor granted to the Secured Party a security interest in the equipment leased to the Lessee under the Equipment Lease, together with all proceeds, rents, issues, income, profits and revenues therefrom; certain Related Collateral; and certain Coal Purchase Agreements (collectively, the "Collateral");

WHEREAS, the Indebtedness secured by the Security Agreement was paid in full as of December 1, 2004 and the Secured Party has not given the Debtor notice of any Event of Default or Unmatured Event of Default; and

WHEREAS, the Secured Party's security interest in the Collateral has terminated according to the terms of the Security Agreement;

NOW THEREFORE, the Secured Party, by this Release Notice, hereby releases all of its right, title and interest in the Collateral.

