



655 Fifteenth Street, NW, Suite 225
Washington, DC 20005

balljanik.com

t 202.638.3307
f 202.783.6947

October 15, 2012

Karl Morell
Of Counsel
kmorell@balljanik.com

233191

E-Filed

Cynthia Brown
Chief, Section of Administration
Surface Transportation Board
Office of Proceedings
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings
October 15, 2012
Part of
Public Record

Re: Docket No. AB 6 (Sub-No. 485), BNSF Railway Company --
Abandonment Exemption -- in Cass County, North Dakota

Dear Ms. Brown:

This is in response to the requests dated September 18, 2012, by Adventure Gallup and September 19, 2012 by the County of McKinley, for issuance of a Notice of Interim Trail Use ("NITU"), under the National Trails System Act, 16 U.S.C. § 1247(d), for the 5.11-mile rail line being abandoned in this proceeding.

BNSF Railway Company ("BNSF") hereby notifies the Surface Transportation Board that BNSF is not agreeable to rail-banking this line and objects to the issuance of a NITU in this proceeding.

If you have any questions, please call me.

Sincerely,

A handwritten signature in black ink that reads 'Karl Morell'.

Karl Morell
Of Counsel

cc: David R. Dallago
Olin Clawson