

211353



June 10, 2004

VIA UPS NEXT DAY AIR

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

**RE: CORRECTION TO DRAFT FEDERAL REGISTER NOTICE TO PETITION FOR
EXEMPTION, Docket No. AB-33(Sub-No.216X), Union Pacific Railroad
Company - Abandonment Exemption - In Weld County, Colorado
(Monfort Industrial Lead from M.P. 141.12 to M.P. 140.00)**

Dear Mr. Williams:

Pursuant to 49 U.S.C. §10502, Union Pacific Railroad Company submitted the original and ten copies of its Petition for Exemption, with Verification, to abandon the above-referenced rail line. The Certificate of Service and Publication pursuant to 49 C.F.R. §1152.60(d) and 49 C.F.R. §1105.12 was attached to the petition.

It has been brought to the attention of the Union Pacific Railroad Company that the Draft Federal Register Notice filed with the subject Petition for Exemption was inaccurate in that it failed to indicate that part of the Line contained federally granted rights-of-way. Attached hereto is a Revised Draft Federal Register Notice and ten (10) copies which accurately reflects that "the Line contains federally granted rights-of-way and fee title." This Revised Draft Federal Notice is filed with the Board pursuant to 49 C.F.R. §1152.60(c). Three Computer disks containing the revised notice is enclosed.

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Sincerely yours,

Enclosures

O:\ABANDONMENTS\33-216X\STB-003.wpd

Mack H. Shumate, Jr.
Senior General Attorney, Law Department

UNION PACIFIC RAILROAD
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718
ph. (312) 777-2055 fx. (312) 777-2065

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cc (w/ enclosures):

MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Blvd., Suite 130
Newport News, VA 23606-2574

U. S. Department of the Interior
National Park Service
Recreation Resources Assistance Div.
P.O. Box 37127
Washington, D.C. 20013-7127

U.S. Department of Agriculture
Chief of the Forest Service
4th Floor NW, Auditors Building
14th Street & Independence Ave., S.W.
Washington, D.C. 20250

Colorado Public Utilities Commission
1580 Logan Street
Office Level 2
Denver, CO 80203

ConAgra Foods
Eleven ConAgra Drive
Omaha, NE 68102

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REVISED DRAFT FEDERAL REGISTER NOTICE
[49 C.F.R. § 1152.60(c)]

STB No. AB-33 (Sub-No. 216X)
Notice of Petition for Exemption to Abandon or
to Discontinue Service



On May 28, 2004, Union Pacific Railroad Company filed with the Surface Transportation Board, Washington, D.C. 20423, a petition for exemption for the abandonment and discontinuance of service on the Monfort Industrial Lead from M.P. 141.12 to M.P. 140.00, a distance of 1.12 miles in near Kersey, Weld County, Colorado (the "Line"). The Line traverses U. S. Postal Service Zip Code 80644. The proceeding has been docketed as No. AB-33 (Sub-No.216X). There are no agency stations on the Line.

The Line contains federally granted rights-of-way and fee title. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected as required by 49 U.S.C. 10903(b)(2).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the Line, the Line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 CFR Part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis, telephone (202) 565-1545.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary), prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.