

National Park Service
June 25, 2008
Page 1

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July 11, 2008

Honorable Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

RE: Docket No. AB-33 (Sub-No. 270X), *Union Pacific Railroad Company—
Abandonment Exemption—in Osborne and Smith Counties, KS (Downs to
West of Portis)*
Docket No. AB-486 (Sub-No. 5X), *Kyle Railroad Company—
Discontinuance Exemption—in Osborne and Smith Counties, KS (Downs to
West of Portis)*

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Dear Acting Secretary Quinlan:

Enclosed are corrected pages 5, 15, and 16 to the Notice of Exemption that
was filed in the above-entitled proceedings on July 8, 2008.

Thank you for your assistance. If you have any questions please call or email me.

Sincerely yours



Louis E. Gitomer
Attorney for Kyle Railroad Company

Enclosures

(312) 777-2065, and email mackshumate@up.com For Kyle, Louis E. Gitomer, Law Offices of Louis E. Gitomer, 6000 Baltimore Avenue, Suite 301, Towson, MD 21204, (202) 466-6532

(8) List of all United States Postal Service ZIP Codes that the line proposed for discontinuance traverses. The Line traverses ZIP Codes 67437, 67474, and 67638.

(c) Rural and community impact

(4) Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads and highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restriction on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

UP and Kyle do not believe that the properties proposed for abandonment and discontinuance of service are suitable for other public purposes.

4. The level of labor protection. The interests of railroad employees who may be adversely affected by the proposed abandonment and discontinuance of service will be adequately protected by the labor protective conditions in *Oregon Short Line R. Co. -- Abandonment -- Goshen*, 360 I.C.C. 91 (1979).

5. Certification. A certificate of compliance with the notice requirements of 49 C.F.R. §§ 1152.50(d)(1) is attached as Exhibit C and a certificate of compliance with the notice requirements of 49 C.F.R. §§ 1105.11 is attached in Exhibit D.

**COMBINED ENVIRONMENTAL AND HISTORIC REPORT
CERTIFICATE OF SERVICE**

Pursuant to the requirements of 49 C.F.R. § 1105.11, the undersigned hereby certifies that a copy of the Combined Environmental and Historic Report in Docket No AB-33 (Sub-No 270X) and No AB-486 (Sub-No 5X), was mailed via first class mail on June 9, 2008, to the following parties.

U.S. National Geodetic Survey
NGS InfoCenter@noaa.gov

Kansas Department of Transportation
Room 860 South
Docking State Office Building
Topeka, KS 66612

Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604

Kansas State Historical Society
6425 SW 6th Avenue
Topeka, KS 66615

Kansas Department of Health and Environment
1000 SW Jackson Street
Suite 540
Topeka, KS 66612-1368

United States Environmental Protection Agency
Region 7
901 N. 5th Street
Kansas City, KS 66101

U.S. Army Corps of Engineers
Kansas City District
601 E 12th Street
Kansas City, MO 64106

First District Commissioner Gary Doane
Osborne County
423 W. Main
Osborne, KS 67473-0160

Second District Commissioner Bryan Byrd
Osborne County
423 W Main
Osborne, KS 67473-0160

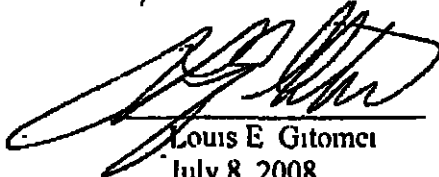
Third District Commissioner Betty Piuter
Osborne County
423 W Main
Osborne, KS 67473-0160

Robert Schamel, Chairman
Rooks County Commission
210 S Oak
Stockton, KS 67669

Natural Resources Conservation Service
United States Department of Agriculture
760 South Broadway
Salina, KS 67401

U S. Fish and Wildlife Service
Region 6
P O. Box 25486
Denver Federal Center
Denver, CO 80225

National Park Service
Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226



Louis E. Gitomei
July 8, 2008