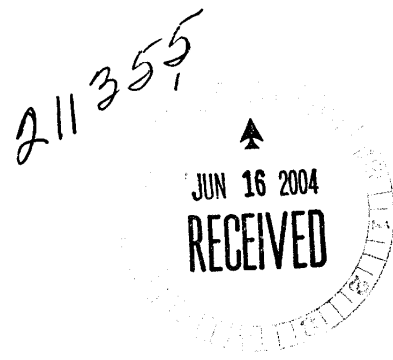




June 15, 2004

VIA UPS NEXT DAY AIR

**ENTERED
Office of Proceedings**

JUN 16 2004

**Part of
Public Record**

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

RE: CORRECTION 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 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 page 6, Section VIII, of the Petition for Exemption and ten (10) copies which accurately reflects that "the Line contains federally granted rights-of-way and fee title." This Revised Petition for Exemption is filed with the Board pursuant to 49 C.F.R. §1152.60(c). Three Computer disks containing the revised petition is enclosed.

Sincerely yours,

Enclosures

O:\ABANDONMENTS\33-216X\STB-004.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

Surface Transportation Board
June 15, 2004
Page 2

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

JUN 16 2004
RECEIVED

The proposed abandonment is clearly a transaction of "limited scope." Line is only 1.12 miles long and will be converted into an industrial spur. In addition, regulation of this abandonment is not needed to protect shippers from an abuse of market power, since the sole shipper on the Line, ConAgra, will use the Line as an industrial spur to accommodate its more efficient unit shuttle trains of grain.

VIII.

LAND AREA, FEDERAL GRANT INFORMATION, AND PUBLIC USE

The right-of-way is approximately 1.12 miles in length. The Line is near Kersey, Weld County, Colorado adjacent to the ConAgra facility which is the sole shipper on the Line. The right-of-way varies in width from 100 feet to 200 feet and is generally flat. The property is mostly agricultural in nature.

The property is not suitable for other public purposes including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation in that it will become an industrial spur for ConAgra. Based on information in UP's possession, the Line contains federally granted rights-of-way and fee title. Any documentation in UP's possession will be made available to those requesting it.

IX.

LABOR

UP is agreeable to the labor protection conditions imposed in abandonment proceedings as prescribed in Oregon Short Line R. Co. - Abandonment - Goshen, 360 ICC 91 (1979).