

205806

Department of Transportation

Division of Fiscal & Public Assistance

Office of Air, Rail & Transit

700 E Broadway Avenue
Pierre, South Dakota 57501-2586
FAX: 605/773-3921

11,2
DID # 0101987001

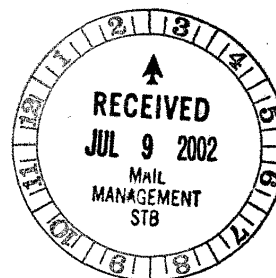
Aeronautics 605/773-3574
Railroad/Transit 605/773-5037

July 8, 2002

ENTERED
Office of Proceedings

JUL 09 2002

Part of
Public Record



Secretary
Surface Transportation Board
1925 K Street NW
Washington DC 20423

ATTN: Mrs. Hardy

RE: Docket Number FD 34216 Notice of Exemption

Dear Secretary:

Enclosed is a check #99438606 in the amount of \$1,300 for the filing fees for the Notice of Exemption and Caption Summary for Docket Number FD 34216. This is a Notice for the purchase of the rail line from Rutland Inc to the State of South Dakota from the South Dakota/North Dakota border Milespost 65.57 to Geneseo Jct, North Dakota Milepost 43.17.

The Notice of Exemption and Caption summary were sent to your office on June 6, 2002.

Should you have any questions, please contact Mr. William Nevin, Legal Counsel, South Dakota Department of Transportation, 700 E Broadway Avenue, Pierre, SD 57501-2586 phone (605) 773-3262.

Sincerely,

Nanette Dailey

Nanette Dailey
Transportation Specialist
Office of Railroads

FILED

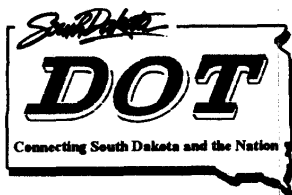
JUL 09 2002

SURFACE
TRANSPORTATION BOARD

FEE RECEIVED

JUL 09 2002

SURFACE
TRANSPORTATION BOARD



Department of Transportation

Division of Fiscal & Public Assistance

Office of Air, Rail & Transit

700 E Broadway Avenue

Pierre, South Dakota 57501-2586

FAX: 605/773-3921

Aeronautics

605/773-3574

Railroad/Transit

605/773-5037

June 6, 2002

Secretary
Surface Transportation Board
1925 K Street NW
Washington DC 20423



RE: Docket No. FD 34216, Notice of Exemption

Dear Secretary:

Enclosed is an original and 10 copies of a Notice of Exemption and Caption summary for Docket Number FD 34216. This is a Notice for the purchase of the rail line from the Rutland Line, Inc. to the State of South Dakota from the South Dakota/North Dakota border Milepost 65.57 to Geneseo Junction, North Dakota Milepost 43.17.

The South Dakota Railroad Authority is a governmental agency therefore there is no filing fee.

Should you have any questions, please contact Mr. William Nevin, Legal Counsel, South Dakota Department of Transportation, 700 E Broadway Avenue, Pierre SD 57501-2586, phone (605) 773-3262.

Sincerely,

Nanette Dailey

Nanette Dailey
Transportation Specialist
Office of Railroads

Cc Roger Damgaard

FILED

JUL 09 2002

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings

JUL 09 2002

Part of
Record

FEE RECEIVED

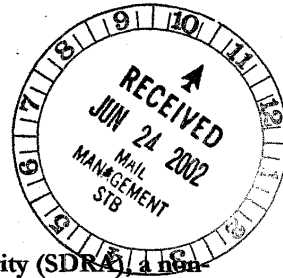
JUL 09 2002

SURFACE
TRANSPORTATION BOARD

SURFACE TRANSPORTATION BOARD

Notice Of Exemption

Finance Docket No. FD 34216



- (a) Applicant's full name is the South Dakota Railroad Authority (SDRA), a non-carrier, whose address is 700 East Broadway Avenue, Pierre, South Dakota 57501;
- (b) Applicant's representative who should receive correspondence concerning this filing or transaction is Bruce E. Lindholm, Program Manager, Office of Air, Rail and Transit, 700 East Broadway Avenue, Pierre, SD, 57501; telephone number: 605/773-7045;
- (c) An agreement has been reached between the SDRA and Rutland Line, Inc., (Rutland) a Minnesota corporation for the acquisition by the SDRA of 22.40 miles of track in Sargent county, North Dakota;
- (d) An operator on the track being acquired has not yet been determined;
- (e) A summary of the transaction is as follows:
 - (1) Rutland Line, Inc., 116 South 4th Street, Suite 203, Wahpeton, ND 58074, is the railroad transferring the track and the right to conduct freight rail operations on the line to the SDRA;
 - (2) The agreement for this transaction was reached between the SDRA and Rutland on June 4, 2002, and the transaction was consummated on that date;
 - (3) the subject track is from milepost 65.57 at the South Dakota/North Dakota border, to milepost 43.17, at Geneseo Junction, North Dakota;
 - (4) The total route miles being acquired is 22.40.
- (f) A map of the area to be served is attached as Appendix A;

(g) The projected revenues of any operator of SDRA on this line will not exceed those that would qualify it as a Class III carrier.

Dated this 6th day of June, 2002.

Bruce E. Lindholm

Bruce E. Lindholm, Program Manager
Office of Air, Rail and Transit, SDDOT

STATE OF SOUTH DAKOTA)
 SS:
COUNTY OF HUGHES)

Bruce E. Lindholm, being first duly sworn on oath deposes and states the he is the person who executed the foregoing document; that he has read and knows the contents thereof; and that the matters stated therein are to his knowledge true, except those matters stated on information and belief, and as to those matters he believes them to be true.

Bruce E. Lindholm

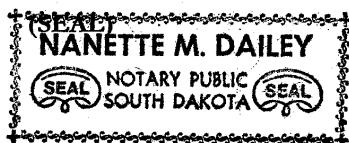
Bruce E. Lindholm

Subscribed and sworn to before me, a notary public, this 6th day of June, 2002.

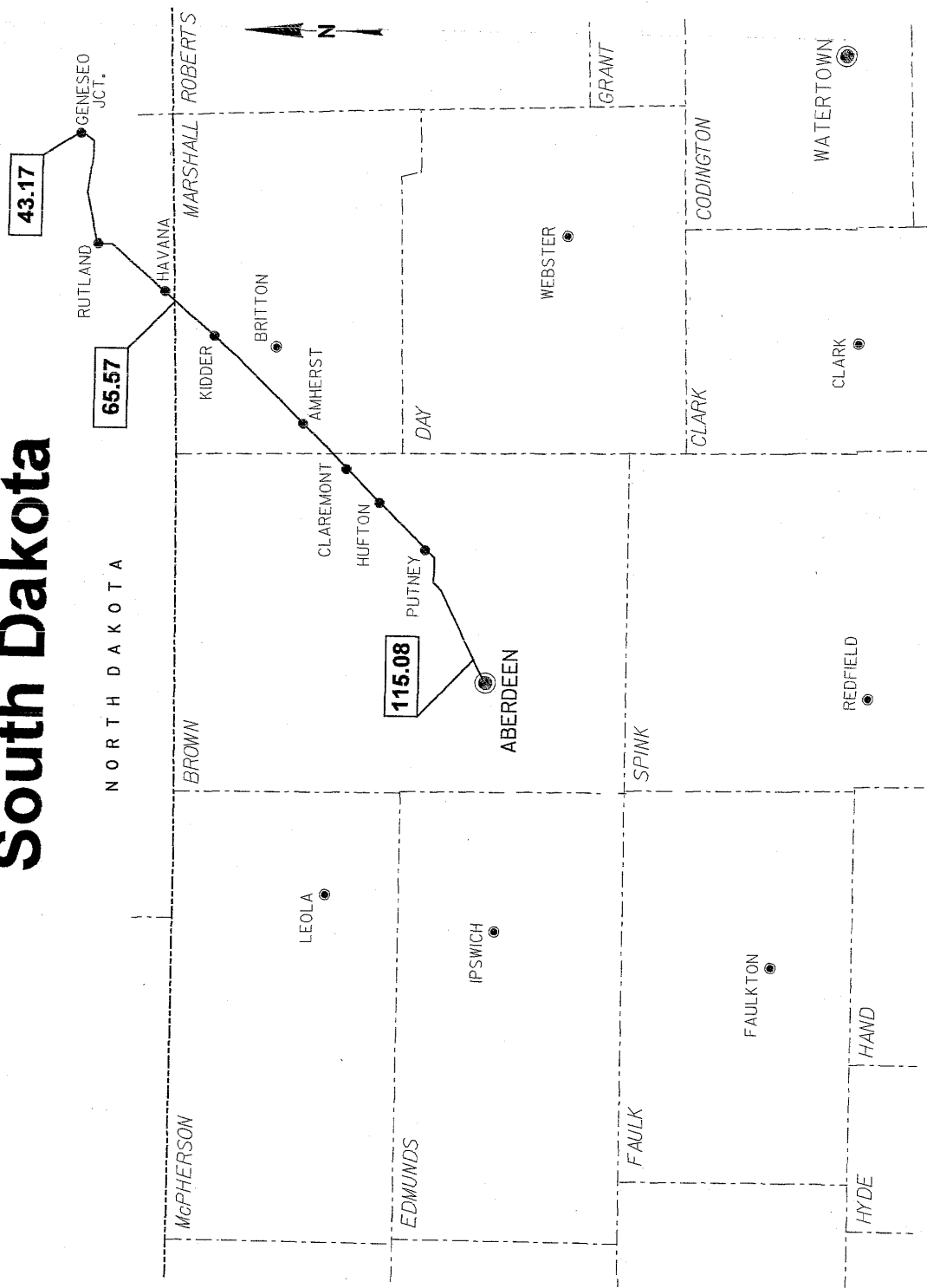
Nanette M. Dailey

Notary Public, South Dakota

My Commission Expires: 11-21-2005



South Dakota



Appendix A