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SERVICE DATE – JANUARY 28, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 1344X

COLORADO PACIFIC RIO GRANDE RAILROAD LLC—ABANDONMENT
EXEMPTION—IN RIO GRANDE COUNTY, COLO.

Decided: January 28, 2026

Colorado Pacific Rio Grande Railroad LLC (CXRG) has filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exempt Abandonments to abandon an approximately 26.55-mile segment of its Alamosa Subdivision between milepost 272.75, near Monte Vista, Colo., and milepost 299.3, near Derrick, Colo., both in Rio Grande County, Colo. (the Line). Notice of the exemption was served and published in the Federal Register on August 19, 2025 (90 Fed. Reg. 40,460), and the notice indicated that the exemption would become effective on September 18, 2025, unless stayed by the Board or unless a formal expression of intent to file an offer of financial assistance (OFA) was filed by August 29, 2025. Hayduk International, LLC (Hayduk), filed a notice of intent to file an OFA to purchase the Line on August 29, 2025. A motion for protective order was granted on September 18, 2025.

As relevant here, on November 13, 2025, CXRG filed a request to withdraw its verified notice to abandon the Line.¹ On November 17, 2025, Hayduk filed a motion to substitute its “corporate affiliate,” Matthew J. Hayduk, in his individual capacity, as the offeror in this proceeding. That same day, Matthew J. Hayduk filed an OFA to purchase the Line.

On November 26, 2025, the Concerned Citizens of San Luis Valley (Concerned Citizens) filed a motion to intervene in this proceeding, along with comments in opposition to the OFA and in support of the CXRG request to withdraw. Concerned Citizens supplemented its comments on December 10, 2025. On December 31, 2025, Hayduk and Matthew J. Hayduk (collectively, Hayduks) filed a joint reply to Concerned Citizens’ December 10 supplemental comments and moved for sanctions, alleging that the supplemental comments divulged confidential information in violation of the protective order in this proceeding. Concerned Citizens replied to the motion for sanctions on January 20, 2026, denying that it violated the protective order. Concerned Citizens’ reply includes an allegation that the signature on a verified statement submitted with the OFA was forged. (Concerned Citizens Reply 3-4, Jan. 20, 2026.) According to Concerned Citizens, its counsel was in communication with the individual who allegedly signed the verified statement, and that individual indicated that he never signed or

¹ The Board has received a number of filings in this proceeding that will not be discussed here. CXRG’s request to withdraw its verified notice, as well as other pending matters, will be addressed in a subsequent decision.

authorized a verified statement. (Id. at 4.) Furthermore, Concerned Citizens state that its counsel provided a copy of the verified statement to the individual, and he responded that the signature was not his and was a forgery. (Id.)

Hayduks will be directed to respond to the forgery allegation in Concerned Citizens' reply by January 30, 2026.

It is ordered:

1. Hayduks are directed to respond to the forgery allegation in Concerned Citizens' reply by January 30, 2026, as discussed above.
2. This decision is effective on its service date.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.