

Miles City 1115

EI - 19079

Bice Ranch LLC

145 Road 611

Miles City, MT 59301

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November 15, 2012

To Whom It May Concern:

The people of the state of Montana recognize that the land possesses significant communities of native plants, wildlife habitats, natural land and scenic open space, by doing so the conservation value of the land can be protected by granting a conservation easement on the Bice Ranch, LLC of Miles City.

The land owner (Bice Ranch) and the Department (Montana Department of Fish, Wildlife & Parks) intend that this easement will limit the use of the land to activities consistent with the purpose of the easement, such as livestock grazing and agricultural land use.

By granting the Tongue River Railroad alignment the following uses would be jeopardized:

1. Eleven Hundred acres of dry land farming will be split from ranch headquarters and fields divided.
2. The current alignment crosses two large center pivots.
3. All ranch buildings and home sites will be less than 1/4 mile from the rail line.
4. Fully permitted feedlot of 5000 head capacity will also be very close to the line.
5. Given our rest-rotation grazing obligations to FWP all pastures will have to be made whole. Also, cattle movement has to be addressed.
6. We believe that the only public access to the rail line from a public road will be on this ranch. All other access is private beginning at Miles City.
7. We would like to invite the Surface Transportation Board for private site inspections to view these concerns.
8. We are extremely disappointed in railroad personnel in the past efforts to negotiate railroad alignment and right of way. We are looking forward to a new approach.

Sincerely,

The Bice Ranch

James Bice
Dornette Bice
Donald Bice