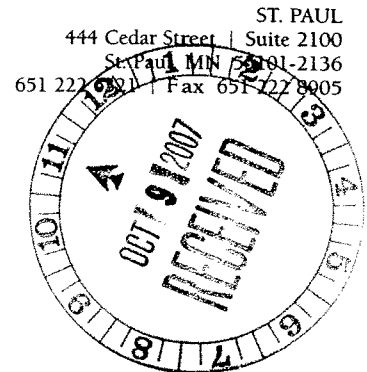


Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office



220416

October 5, 2007

Vernon A. Williams, Secretary
Surface Transportation Board
395 "E" Street SW
Washington, DC 20423-0001

Via Federal Express (ZIP CODE 20024)

**RE: Docket No. AB1003X, Mohall Central Railroad, Inc.
Abandonment Exemption in Nelson, Ramsey and
Cavalier Counties, North Dakota
Our File No. 22327.002**

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Mohall Central Railroad, Inc. dated October 5, 2007, pursuant to 49 C.F.R. § 1152.50. A check for the filing fee of \$3200.00 is also enclosed.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Report for this proceeding has already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

ENTERED
Office of Proceedings

OCT 9 2007

Part of
Public Record

Respectfully submitted,

Karen R. Kees
Paralegal

FTE RECEIVED

OCT 09 2007

SURFACE
TRANSPORTATION BOARD

kg

enclosures

cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

FILED

OCT 11 2007

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

October 5, 2007

Vernon A. Williams, Secretary
Surface Transportation Board
395 "E" Street SW
Washington, DC 20423-0001

Via Federal Express (ZIP CODE 20024)

**RE: Docket No. AB1003X, Mohall Central Railroad, Inc.
Abandonment Exemption in Nelson, Ramsey and
Cavalier Counties, North Dakota
Our File No. 22327.002**

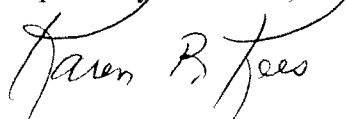
Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the Verified Notice of Exemption of Mohall Central Railroad, Inc. dated October 5, 2007, pursuant to 49 C.F.R. § 1152.50. A check for the filing fee of \$3200.00 is also enclosed.

One extra copy of this transmittal letter is enclosed as well. Please date stamp this copy to show receipt and return it to me in the enclosed envelope.

The Environmental and Historic Report for this proceeding has already been filed with the Board. Feel free to contact me if you have any questions. Thank you for your assistance in this matter.

Respectfully submitted,



Karen R. Kees
Paralegal

kig
enclosures

cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB1003X

MOHALL CENTRAL RAILROAD, INC.

**ABANDONMENT EXEMPTION –
IN NELSON, RAMSEY AND CAVALIER COUNTIES, NORTH DAKOTA**

**VERIFIED NOTICE OF EXEMPTION OF
MOHALL CENTRAL RAILROAD, INC.
49 C.F.R. § 1152.50**

FEE RECEIVED

OCT 09 2007

**SURFACE
TRANSPORTATION BOARD**

FILED

OCT 9 2007

**ENTERED
Office of Proceedings**

OCT 9 2007

**Part of
Public Record**

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832
312/252-1511

ATTORNEY FOR
MOHALL CENTRAL RAILROAD, INC

Dated: October 5, 2007

**BEFORE THE
SURFACE TRANSPORTATION BOARD**

DOCKET NO. AB1003X

MOHALL CENTRAL RAILROAD, INC.

**ABANDONMENT EXEMPTION –
IN NELSON, RAMSEY AND CAVALIER COUNTIES, NORTH DAKOTA**

**VERIFIED NOTICE OF EXEMPTION OF
MOHALL CENTRAL RAILROAD, INC.
49 C.F.R. § 1152.50**

Mohall Central Railroad, Inc. ("MHC") hereby submits this Notice of Exemption pursuant to 49 C.F.R. Part 1152, Subpart F, to abandon a segment of railroad known as the Sarles line, 44.44 miles long, extending from milepost 3.75, approximately 3.75 miles north of Lakota, North Dakota, to milepost 48.19, approximately 4.0 miles south of Munich, North Dakota, in Nelson, Ramsey and Cavalier Counties, North Dakota.

In accordance with the requirements of 49 C.F.R. § 1152.50(d)(2), MHC submits the following information:

General Corporation Information: 49 C.F.R. § 1152.22(a)(1)-(2)

MHC is a class III common carrier by rail which owns and operates approximately 69.25 miles of rail line in North Dakota.

The complete name and address of MHC is:

Mohall Central Railroad, Inc.
P.O. Box 38
100 Railroad Avenue
Fordville, ND 58231

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment of out-of-service rail lines, codified at 49 C.F.R. Part 1152, Subpart F, MHC intends to abandon a portion of its line of railroad, which is a 44.44 mile long segment of the Sarles line from milepost 3.75 to milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota.

Map: 49 C.F.R. § 1152.22(a)(4)

A detailed map of the Sarles line to be abandoned is attached hereto as Exhibit A.

MHC's Representative: 49 C.F.R. § 1152.22(a)(7)

MHC's representative to whom correspondence regarding this abandonment should be sent is:

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832
312/252-1511

ZIP Codes Traversed: 49 C.F.R. § 1152.22(a)(8)

The segment of the Sarles line to be abandoned traverses United States Postal Service ZIP Codes 58321, 58330, 58338, 58344, 58345, and 58352.

Qualification for Class Exemption: 49 C.F.R. §1152.50(b)

Per the certificate and verification attached hereto as Exhibit B, MHC certifies that no local traffic has moved over the segment of the Sarles line to be abandoned for at least the last two years, there is no overhead traffic on the segment of the Sarles line to be abandoned that

would have to be rerouted over other lines, and no formal complaint filed by a user of rail service on the segment of the Sarles line to be abandoned (or a state or local governmental entity acting on behalf of such user) regarding cessation of service on the proposed abandonment is pending with the Board or any U.S. District Court or has been decided in favor of the complainant during the last two years.

Consummation Date: 49 C.F.R. §1152.50(d)(2)

MHC will not consummate the proposed abandonment any earlier than November 28, 2007.

Suitability for Other Public Purposes: 49 C.F.R. §1152.22(e)(4)

The most likely use for the abandoned right of way would be to place the land into agricultural production consistent with the existing adjacent land use. The right of way might also be suitable as a trail, but the sparse population and lack of amenities in the area make such use unlikely. MHC does not believe that the right of way would be of interest to the State or any other entity as a highway or mass transportation line or other similar public use because of the sparsely populated and under-developed nature of the area. MHC owns fee title to the lands underlying the subject line. Based on information in our possession, the subject line does not appear to contain any federally granted right of way.

Labor Protection: 49 C.F.R. §1152.50(d)(2)

The level of labor protection applicable in rail line abandonments is that established in *Oregon Short Line Co. – Abandonment – Goshen*, 360 I.C.C. 91 (1979).

Certificate of Compliance with Notice Requirements: 49 C.F.R. §1152.50(d)(2)

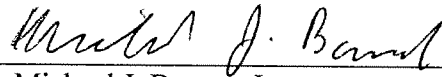
A certificate that the notice requirements of 49 C.F.R. § 1152(d)(1) and 49 C.F.R. § 1105.11 have been complied with is attached hereto as Exhibit C.

Environmental and Historic Report: 49 C.F.R. §§ 1105.7 and 1105.8

An Environmental and Historic Report, prepared pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was already filed with the Surface Transportation Board in this proceeding.

Since submitting the Environmental and Historic Report, MHC has received no additional correspondence. If MHC receives additional correspondence, it will forward copies to the STB.

Respectfully submitted,

By: 

Michael J. Barron, Jr.
Fletcher & Sippel LLC
29 North Wacker Drive, Suite 920
Chicago, IL 60606-2832
312/252-1511

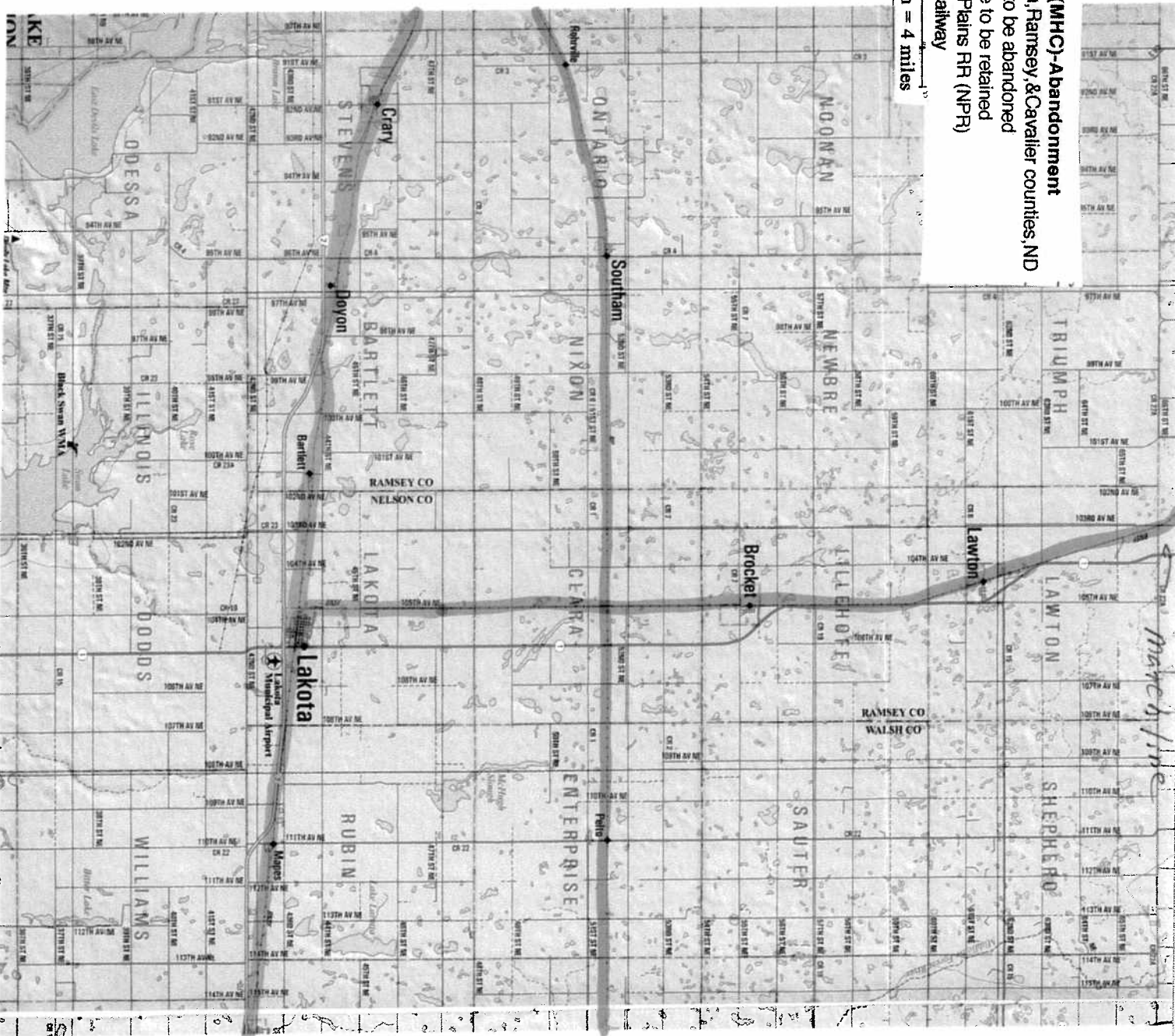
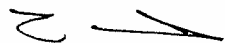
ATTORNEY FOR
MOHALL CENTRAL RAILROAD, INC

Dated: October 5, 2007

Topographic Map: Nelson, Ramsey, & Cavalier counties, ND

green= BNSF Railway

Scale: 1 inch = 4 miles

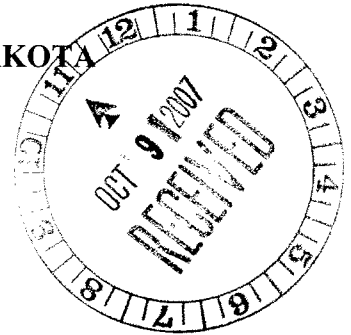


DOCKET NO. AB1003X

**MOHALL CENTRAL RAILROAD, INC. –
ABANDONMENT EXEMPTION –
IN NELSON, RAMSEY AND CAVALIER COUNTIES, NORTH DAKOTA**

CERTIFICATE AND VERIFICATION

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)



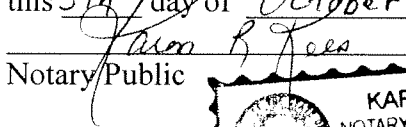
Byron D. Olsen, being duly sworn, deposes and says that:

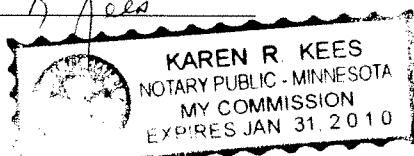
1. That no local traffic has moved over that segment of the Sarles line of Mohall Central Railroad, Inc. ("MHC") extending from milepost 3.75 to 48.19, a distance of 44.44 miles, crossing through Nelson, Ramsey and Cavalier Counties, North Dakota, for at least two years, and that all overhead traffic previously carried over this line has been rerouted over other lines; and
2. That no formal complaint filed by a user of rail service on the subject line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line is either pending with the Surface Transportation Board or any U.S. District Court or has been decided in favor of the complainant within the last two years; and
3. That he has read the foregoing Notice of Exemption, knows the facts therein asserted, and that the same are true as stated.

Dated: October 5, 2007


 Name: Byron D. Olsen
 Title: Vice President Operations
 Mohall Central Railroad, Inc.

Subscribed and sworn to before me
 this 5th day of October, 2007.


 Notary Public



CERTIFICATE

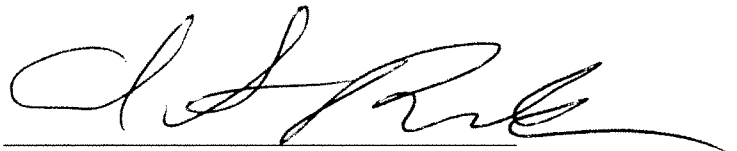
I, Mark S. Radke, an attorney for Mohall Central Railroad, Inc, hereby certify that, for the proceeding before the surface Transportation Board known as Docket No. AB1003X, Mohall Central Railroad, Inc. – Abandonment Exemption – in Nelson, Ramsey and Cavalier Counties, North Dakota:

(1) The notice requirements of 49 C.F.R. § 1152.50(d)(1) have been complied with, to wit: On September 28, 2007, written notice was mailed to the (a) United States Department of Defense, MTMCEA, Attn: Railroads for National Defense; (b) U.S. Department of Agriculture; (c) National Center for Recreation and Conservation, National Park Service; (d) North Dakota Department of Transportation; and (e) North Dakota Public Service Commission (copies of which are attached hereto as Attachments 1-5).

(2) The notice requirements of 49 C.F.R. § 1105.11 have been complied with, to wit: On September 19, 2007, the Environmental and Historic Report for this proceeding, which report has also been filed with the Surface Transportation Board, and the accompanying transmittal letters in the form set forth in 49 C.F.R. § 1105.11 (a sample of which is attached hereto as Attachment 6) were served by first class mail, postage prepaid, on the parties listed on Attachment 7, which list includes the state historic preservation officer, as required by 49 C.F.R. § 1105.7(b) and § 1105.11. In addition, a correction notice was served on the same service list by first class mail, postage prepaid, on September 27, 2007. A sample copy of the correction notice is part of Attachment 6.

(3) A newspaper notice was published (i) on February 7, 2007, and February 14, 2007, in the Lakota American, a newspaper of general circulation in Nelson County, North

Dakota; (ii) on January 31, 2007, February 7, 2007, and February 14, 2007, in the Devils Lake Journal, a newspaper of general circulation in Ramsey County, North Dakota; and (iii) on February 5, 2007, February 12, 2007 and February 19, 2007, in the Cavalier County Republican, a newspaper of general circulation in Cavalier County, North Dakota. Due to passage of time and other matters, and for purposes of correcting the reference to the southern endpoint, another notice was published on October 3, 2007 in The Lakota American, a newspaper of general circulation in Ramsey, Nelson and Cavalier Counties, North Dakota. The notices alerted the public to the proposed abandonment, to possible reuse alternatives, and to procedures for participating in the STB proceeding. A copy of the notices and Affidavits of Publication are attached to this Certificate as Attachment 8.

A handwritten signature in black ink, appearing to read 'M. S. Radke', written over a horizontal line.

Mark S. Radke

Dated: October 5, 2007

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 1

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 28, 2007

North Dakota Department of Transportation - Planning
608 East Boulevard Avenue
Bismarck, ND 58505-0700

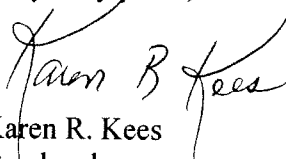
RE: Docket No. AB1003X
Notice of Exemption of Mohall Central Railroad, Inc.
in Nelson, Ramsey and Cavalier Counties, North Dakota

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Mohall Central Railroad, Inc. shall on or after October 9, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 44.44 mile line of railroad between milepost 3.75 and milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota. Such line runs through U.S. Postal Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights of way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,


Karen R. Kees
Paralegal

klg
cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 2

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 28, 2007

North Dakota Public Service Commission
Department 408
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0480

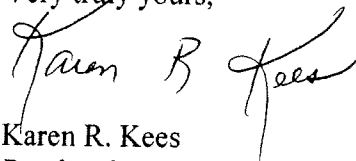
RE: Docket No. AB1003X
Notice of Exemption of Mohall Central Railroad, Inc.
in Nelson, Ramsey and Cavalier Counties, North Dakota

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Mohall Central Railroad, Inc. shall on or after October 9, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 44.44 mile line of railroad between milepost 3.75 and milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota. Such line runs through U.S. Postal Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights of way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Karen R. Kees
Paralegal

klg
cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 3

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 28, 2007

United States Department of Defense
MTMCTEA
Attn: Railroads for National Defense
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

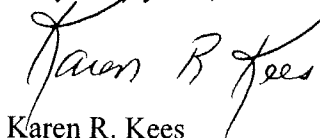
**Re: Docket No. AB1003X
Notice of Exemption of Mohall Central Railroad, Inc.
in Nelson, Ramsey and Cavalier Counties, North Dakota**

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Mohall Central Railroad, Inc. shall on or after October 9, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 44.44 mile line of railroad between milepost 3.75 and milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota. Such line runs through U.S. Postal Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights of way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Karen R. Kees
Paralegal

klg
cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 4

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 28, 2007

Department of the Interior
National Center for Recreation and Conservation
National Park Service
1849 "C" Street NW
Washington, DC 20420

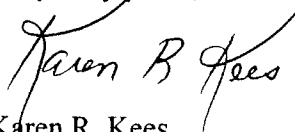
**Re: Docket No. AB1003X
Notice of Exemption of Mohall Central Railroad, Inc.
in Nelson, Ramsey and Cavalier Counties, North Dakota**

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Mohall Central Railroad, Inc. shall on or after October 9, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 44.44 mile line of railroad between milepost 3.75 and milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota. Such line runs through U.S. Postal Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights of way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Karen R. Kees
Paralegal

klg

cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 5

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 28, 2007

U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

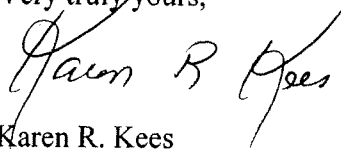
**RE: Docket No. AB1003X
Notice of Exemption of Mohall Central Railroad, Inc.
in Nelson, Ramsey and Cavalier Counties, North Dakota**

Dear Sir/Madam:

This is to inform you that pursuant to 49 C.F.R. § 1152.50 (Exempt Abandonments and Discontinuance of Service and Trackage Rights), Mohall Central Railroad, Inc. shall on or after October 9, 2007, file a Notice of Exemption with the Surface Transportation Board for approval to abandon a 44.44 mile line of railroad between milepost 3.75 and milepost 48.19 in Nelson, Ramsey and Cavalier Counties, North Dakota. Such line runs through U.S. Postal Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352.

The exemption procedures set forth in § 1152.50 are being used in this case because no local traffic has moved over this line for at least two years and there is no overhead traffic that would have to be rerouted over other lines. Based on information in our possession, the line does not contain any federally granted rights of way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

Very truly yours,



Karen R. Kees
Paralegal

klg
cc: Michael J. Barron
Byron D. Olsen
Greg Haugg
Jesse Chalich

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 6

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul Office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 19, 2007

Merlan E Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and Director, State Historical Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

RE: Mohall Central Railroad, Inc.
Notice of Exemption for Abandonment - Nelson, Ramsey and Cavalier Counties, ND
Docket No. AB 1003X

Dear Mr. Paaverud:

Any time on or after October 9, 2007, Mohall Central Railroad, Inc. ("MHC") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line that is 44.44 miles long, extending from milepost 3.75, approximately 3.75 miles north of Lawton, North Dakota, to milepost 48.19, approximately four miles south of Munich, North Dakota, and running through Nelson, Ramsey and Cavalier Counties in North Dakota. Enclosed is an Environmental and Historic Report ("EHR") describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis ("SEA") at the Surface Transportation Board, 395 "E" Street SW, Washington, DC 20423-0001, (202/245-0245), and refer to the above docket number.

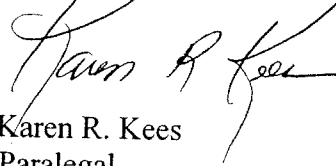
MHC will file the EHR with the STB on or about September 19, 2007. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three

Merlan E Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and Director, State Historical Society of North Dakota
September 19, 2007
Page 2

(3) weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at 651/312-6020, or by mail at the above address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Karen R. Kees", written over a horizontal line.

Karen R. Kees
Paralegal

klg
enclosure

cc: Byron D. Olsen
William Sippel
Michael Barron
Mark S. Radke

Felhaber Larson Fenlon & Vogt

A Professional Association – Attorneys at Law

ATTACHMENT 6

MINNEAPOLIS
220 South Sixth Street | Suite 2200
Minneapolis, MN 55402-4504
612 339 6321 | Fax 612 338 0535

Karen R. Kees
651/312-6020
Fax: 651/222-8905
E-mail: kkees@felhaber.com
Reply to St. Paul office

ST. PAUL
444 Cedar Street | Suite 2100
St. Paul, MN 55101-2136
651 222 6321 | Fax 651 222 8905

September 27, 2007

Merlan E Paaverud, Jr.
State Historic Preservation Officer (North Dakota)
and Director, State Historical Society of North Dakota
North Dakota Heritage Center
612 East Boulevard Avenue
Bismarck, ND 58505-0830

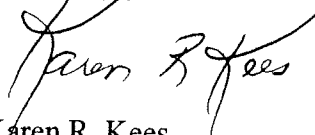
RE: Mohall Central Railroad, Inc.
Notice of Exemption for Abandonment - Nelson, Ramsey and Cavalier Counties, ND
Docket No. AB 1003X

Dear Mr. Paaverud:

On September 19, 2007, we forwarded to your office the Environmental and Historic Report ("Report") for the referenced matter. It has just come to our attention that there is an error in the Report. The segment of railroad line proposed for abandonment is described in the Report as extending "from milepost 3.75, approximately 3.75 miles north of **Lawton**, North Dakota, to milepost 48.19, approximately 4.0 miles south of Munich, North Dakota". The reference to "Lawton" should be "**Lakota**". The identification of the mileposts in the Report, and the length of the line (44.44 miles) are correct. The maps attached to the Report correctly identify the segment of the line proposed for abandonment and the beginning and end points.

We apologize for this error and hope that we have not caused any undue misunderstanding. Please feel free to contact the undersigned or Michael Barron, attorney for Mohall Central Railroad, Inc., whose phone number is 312-252-1511.

Very truly yours,



Karen R. Kees
Paralegal

KRK/clj

cc; Byron D. Olsen
William Sippel
Michael Barron
Mark S. Radke

SERVICE OF THE ENVIRONMENTAL & HISTORIC REPORT

Parties to be served with a copy of the Environmental and Historic Report pursuant to Section 1105.7(b) 20 days prior to the filing with the STB of the (i) Petition for Exemption; (ii) Notice of Exemption OR (iii) Application for Abandonment

Agency/Party	Address
The State Clearing House for North Dakota (or other state equivalent agency if the State has no clearing house)	Jim Boyd Division of Community Services North Dakota Department of Commerce P. O. Box 2057 Bismarck, ND 58502-2057
North Dakota Environmental Protection Agency	North Dakota Department of Health Environmental Health Section 918 East Divide Avenue Bismarck, ND 58501-1947 <i>Chief: Dave Glatt</i> 701/328-5150
Nelson County Commissioners (ND)	<i>Odell Flaagan</i> <i>Ronald Dahlen</i> <i>Donald Fougner</i> <i>Noel Lofthus</i> <i>Harold Bergquist</i> Nelson County Courthouse 210 B Avenue W Lakota, ND 58344-7410
Ramsey County Commissioners (ND)	<i>Pamela Brekke</i> <i>Joe Belford</i> <i>Scott Diseth</i> <i>Barry Gage</i> <i>Bill Mertens</i> Ramsey County Courthouse County Courthouse 524 4 th Avenue Devils Lake, ND 58301-2490
Cavalier County Commissioners (ND)	<i>Donald Quam</i> <i>Richard Flanders</i> <i>Ole Nowatzki</i> <i>Ray Rollness</i> <i>Neil Romfo</i> Cavalier County Courthouse 901 3 rd Street Langdon, ND 58249-2457

Agency/Party	Address
U.S. Environmental Protection Agency Regional Office	1595 Wynkoop Street Denver, CO 80202-1129
U.S. Fish & Wildlife Service	Department of the Interior 1849 "C" Street NW Washington, D.C. 20240
U.S. Army Corps of Engineers (LTG Carl Strock, Commander)	<i>LTG Carl Strock, Commander</i> Headquarters 441 "G" Street NW Washington, DC 20314
The National Park Service	<i>Robert Stanton, Director</i> Department of the Interior 1849 "C" Street NW Washington, D.C. 20240
U.S. Soil Conservation Service NOW: Natural Resources Conservation Service	P. O. Box 2890 Washington, D.C. 20013 Attn: Legislative and Public Affairs
National Geodetic Survey	SSMC-3 #9202 1315 East-West Highway Silver Spring, MD 20910-3282
State Historic Preservation Office	<i>Marvin L. Kaiser, President</i> 612 E. Boulevard Ave. Bismarck, ND 58505-0830
Gov. John Hoeven	600 East Boulevard Avenue Bismarck, ND 58505-0001
North Dakota Department of Transportation – Planning	608 East Boulevard Avenue Bismarck, ND 58505-0700

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)
) ss
 COUNTY OF NELSON)

Lyle Pederson of said State and County, being duly sworn on his oath says: That he is Publisher of THE LAKOTA AMERICAN, a weekly newspaper of general circulation, printed and published at Lakota, in said County and State, and that said Lakota American was duly and legally elected and designated as the official and legal newspaper, and that the advertisement of

Legal Notice

a printed copy of which is hereunto annexed, was printed and published in every copy of each issue of said newspaper for a period of 2 consecutive weeks, to-wit:

Straight Matter Lines	_____	<u>Feb 7</u>	<u>2007</u>
First Time Line Rate	_____	<u>Feb 14</u>	<u>2007</u>
Subsequent Line Rates	_____	_____	_____
Tabulated Lines	_____	_____	_____
First Time Line Rate	_____	_____	_____
Subsequent Lines Rates	_____	_____	_____
Column Inches	_____	_____	_____
First Time Inch Rate	_____	_____	_____
Subsequent Inch Rates	_____	_____	_____

and that the full amount of the legal fee for the publication of the annexed notice, insures to the benefit of the publisher of said newspaper, that no arrangement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person, whomsoever, and the amount of

said fee is \$ 74.20

Sworn to and subscribed before me this 28th day of

February A. D. 2007

Ellen L. Pederson
 Notary Public, Nelson County, N.D.

My Commission Expires Jan. 3, 2013
 State of North Dakota

NOTICE

Mohall Central Railroad, Inc., a North Dakota corporation, hereby gives notice that it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a segment of line 44.44 miles in length extending from milepost 3.75, approximately 3.75 miles north of Lawton, ND, to milepost 48.19, approximately 4.0 miles south of Munich, ND, in Nelson, Ramsey and Cavalier Counties, North Dakota. The proceeding has been docketed as No. AB 1003X.

The Board's Section of Environmental Analysis (SEA) will generally prepare and Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington DC 20423 or by calling SEA at (202)565-1538.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 "K" Street NW, Washington DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on petitioner's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services. Copies of any comments or requests for conditions should be served on the petitioner's representative, Felhaber, Larson, Fenton & Vogt, P.A., Attention: Karen R. Kees, 444 Cedar Street, Suite 2100, Saint Paul, MN 55101.

ATTACHMENT 8

Affidavit of Publication

STATE OF NORTH DAKOTA,
County of Cavalier

ss.

DOROTHY DOMRES, being first duly sworn, deposes and says that certain newspaper known as Cavalier newspaper is a paper of general circulation at Langdon, North Dakota, in said county legal printing; that the printed copy of

Notice

NOTICE

Mohall Central Railroad, Inc., a North Dakota corporation, hereby gives notice that it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a segment of line 44.44 miles in length extending from milepost 3.75, approximately 3.75 miles north of Lawton, ND, to milepost 48.19, approximately 4.0 miles south of Munich, ND, in Nelson, Ramsey and Cavalier Counties, North Dakota. The proceeding has been docketed as No. AB 1003X.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board,

Washington DC 20423 or by calling SEA at (202)565-1538.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 "K" Street NW, Washington DC 20423 [See 49 CFR 1 104.1 (a) and 1 104.3(a)], and one copy must be served on petitioner's representative [See 49 CFR 1 104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services. Copies of any comments or requests for conditions should be served on the petitioner's representative, Felhaber, Larson, Fenlon & Vogt, P.A., Attention: Karen R. Kees, 444 Cedar Street, Suite 2 100, Saint Paul, MN 55 10 1.

Felhaber, Larson, Fenlon & Vogt, P.A.
444 Cedar Street, Suite 2100
St. Paul, MN 55101-2136
F5,12,19

NOTICE

FELHABER, LARSON, FENLON & VOGT, P.A.

to which this affidavit is annexed was printed in every issue of said paper for and during weeks, the time when publication of such to-wit:

First Publication _____

Second Publication _____

Third Publication _____

Fourth Publication _____

Dorothy Domres

Subscribed and sworn to before me this _____

John Felhaber
Notary Public for Cavalier County, N.D.

My commission expires APRIL 15, 2008

Publication Fee \$ 97.29

ATTACHMENT 8

NOTICE

Mohall Central Railroad, Inc. a North Dakota corporation, hereby gives notice that it intends to file with the Surface Transportation Board, Washington, DC 20423, a petition for exemption under 49 U.S.C. 10502 from the prior approval requirements of 49 U.S.C. 10903, et seq., permitting the abandonment of a segment of line 44.44 miles in length extending from milepost 3.75, approximately 3.75 miles north of Lawton, ND, to milepost 48.19, approximately 4.0 miles south of Munich, ND, in Nelson, Ramsey and Cavalier Counties, North Dakota. The proceeding has been docketed as No. AB 1003X.

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 60 days after the filing of the petition for abandonment exemption. Comments on environmental and energy matters should be filed no later than 30 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington DC 20423 or by calling SEA at (202) 565-1538.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 "K" Street NW, Washington DC 20423 [See 49 CFR 1104.1(a) and 1104.3(a)], and one copy must be served on petitioner's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services. Copies of any comments or requests for conditions should be served on the petitioner's representative, Falhaber, Larson, Fenlon & Vogt, P.A., Attention: Karen R. Kees, 444 Cedar Street, Suite 2100, Saint Paul, MN 55101. (c1:31, 2:7, 14)

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA,

County of Ramsey

ss.

No. 4577

of said State and County

being first duly sworn, on oath says:

That

she

he

is the

Advertising Clerk ✓
Advertising Manager
General Manager

of the DEVILS LAKE JOURNAL

publishers of the Devils Lake Journal, a daily newspaper of general circulation printed and published in the City of Devils Lake, in said County and State and has been during the time hereinafter mentioned, and that advertisement of

Mohall Central Railroad

a printed copy of which is

hereto annexed, was printed and published in every copy of 3 issuesof said newspaper, for a period of 3 consecutive weeks, to-wit:

1-31-07
2-7-07
2-14-07

and that the full amount of the fee for the publication of the annexed notice inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever and the amount of said fee is \$ 113.85;

That said newspaper was, at the time of the aforesaid publication, qualified in accordance with the law of the State of North Dakota to do legal printing in said County and State.

Subscribed and sworn to before me this

28

day of

FebruaryA. D. 2007

Notary Public, Devils Lake

KIP SVIDAL
Notary Public, State of North Dakota
My Commission Expires May 27, 2009

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA)

)ss

COUNTY OF NELSON)

I, Ellen L. Pederson of said State and County, being duly sworn on his oath says: That he is Publisher of THE LAKOTA AMERICAN, a weekly newspaper of general circulation, printed and published at Lakota, in said County and State, and that said Lakota American was duly and legally elected and designated as the official and legal newspaper, and that the advertisement of

Legal

a printed copy of which is hereunto annexed, was printed and published in every copy of each issue of said newspaper for a period of 1 consecutive weeks, to-wit:

Single Matter Lines

Oct 3 2007

First Time Line Rate

Subsequent Line Rates

Classified Lines

First Time Line Rate

Subsequent Lines Rates

Column Inches

First Time Inch Rate

Subsequent Inch Rates

and that the full amount of the legal fee for the publication of the annexed notice insures to the benefit of the publisher of said newspaper, that no arrangement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person, whomsoever, and the amount of

said fee is \$ 39.60

Sworn to and subscribed before me this 3rd day of

October

2007

ELLEN L. PEDERSON
Notary Public
State of North Dakota

Notary Public, Nelson County, N.D.

My Commission Expires Jan. 3, 2013

NOTICE

Mohab Central Railroad, Inc., a North Dakota corporation, hereby gives notice that it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152 Subpart F - Exempt Abandonments, permitting the abandonment of a segment of line 44.44 miles in length extending from milepost 3.75, approximately 3.75 miles north of Lakota, ND, to milepost 48.19, approximately 4.0 miles south of Munich, ND, in Nelson, Ramsey and Cavalier Counties, North Dakota, which traverses through United States Postal Service Zip Codes 58321, 58330, 58338, 58344, 58345, and 58352. The proceeding has been docketed as No. AB1003X.

The Board's Section of Environmental Analysis (SEA) will general prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to SEA, Surface Transportation Board, Washington DC 20423 or by calling SEA at (202)245-0295.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, Public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 395 "E" Street SW, Washington DC 20423-0001 [See 49 CFR 1104.12(a)], and one copy must be served on applicant's representative [See 49 CFR 1104.12(a)]. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202/245-0230. Copies of any comments or requests for conditions should be served on the applicant's representative, Michael J. Barron, Jr., Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 920, Chicago, Illinois 60606-2832 (312/252-1511).

(Publish October 3 2007)

Filings Report

10/9/2007

Filing Date	Docket Number	Filed For	General Filing Type	Std	Filed by	Conf	Disk	ID
10/09/2007	AB_1003_0_X	Mohall Central Railroad Inc	Notice Of Exemption	PO	Michael J. Barron, Jr.	N	N	220416