

FILED

212137

OCT 04 2004

LEONARD, STREET AND DEINARD

TRANSMITTED September 29, 2004

PROFESSIONAL ASSOCIATION

Annie Littlefield
612/335-7082
annie.littlefield@leonard.com



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Re: Filing of Notice of Exemption to Abandon Approximately 28.35+/- miles of Rail Line Between Devils Lake, North Dakota and Harlow, North Dakota (Environmental and Historic Reports Enclosed); STB Docket No.: AB-57 (Sub No. 54X)

Dear Secretary Williams:

Soo Line Railroad Company, d/b/a Canadian Pacific Railway Company, hereby files a **Notice of Exemption to Abandon**, pursuant to 49 U.S.C. § 10502. The purpose of this proposed abandonment is to discontinue and abandon all freight rail operations over approximately 28.35 +/- miles of rail line and adjacent properties located between Devils Lake, Ramsey County, North Dakota and Harlow, Benson County, North Dakota.

Enclosed for filing in **STB Docket No.: AB-57 (Sub No. 54X)** are the following:

1. Verified Notice of Exemption (1 original and 10 copies);
2. Environmental and Historic Reports (1 original and 10 copies);
3. Three (3) electronic copies of Items 1 and 2 (CDs enclosed);
4. A check in the amount of \$2,800.00 for the required filing fees; and
5. An extra copy of this transmittal letter. **Please date stamp this copy upon receipt and return it to me in the enclosed envelope.**

Should you have any questions, please contact me at the address above, or via facsimile (612/335-1657) or email (annie.littlefield@leonard.com). Thank you very much for your assistance.

Very truly yours,

LEONARD, STREET AND DEINARD
Professional Association

Annie Littlefield
Annie Littlefield, Esq.

ENTERED
Office of Proceedings

OCT 04 2004

Part of
Public Record

Enclosures: Notice of Exemption, Environmental Report, Historic Report
cc: William M. Tuttle, Esq.; Judy Mitchell; Steve Fisk; Gregg Haug, Northern Plains Railroad;
Steve Cunningham, North Dakota Department of Transportation; Carolyn V. Wolski, Esq.

150 SOUTH FIFTH STREET SUITE 2300 MINNEAPOLIS, MINNESOTA 55402 TEL 612-335-1500 FAX 612-335-1657

LAW OFFICES IN MINNEAPOLIS, SAINT PAUL, MANKATO, SAINT CLOUD AND WASHINGTON, D.C.

2530783v2

WWW.LEONARD.COM

212137

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



SOO LINE RAILROAD COMPANY -)
ABANDONMENT OF TRACKAGE)
LOCATED BETWEEN HARLOW,)
NORTH DAKOTA AND DEVILS LAKE,)
NORTH DAKOTA)

DOCKET NO. AB- 57
(SUB-NO 54X)

NOTICE OF EXEMPT ABANDONMENT OF TRACKAGE LOCATED
BETWEEN MILE POST 446.0 +/- IN DEVILS LAKE, NORTH DAKOTA AND MILE
POST 474.35 +/- LOCATED IN HARLOW, NORTH DAKOTA, WHICH
TRAVERSES THROUGH UNITED STATES POSTAL ZIP CODES 58301, 58325,
58346, 58351 AND 58362

NOTICE OF EXEMPTION
PURSUANT TO 49 U.S.C. § 10502 AND 49 C.F.R. § 1152.50

CLASS EXEMPTION FROM THE REQUIREMENTS
OF 49 U.S.C. § 10903

FILED

OCT 04 2004

OFFICE OF
TRANSPORTATION

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Office of Proceedings

OCT 04 2004

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Public Record

SOO LINE RAILROAD COMPANY
d/b/a Canadian Pacific Railway

Annie Littlefield, Esq. (Att. No. 0329277)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone (612) 335-1500
Facsimile (612) 335-1657

OCT 04 2004

Date of Filing: September 29, 2004

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, D.C.



SOO LINE RAILROAD COMPANY –)
ABANDONMENT OF TRACKAGE)
LOCATED BETWEEN HARLOW,)
NORTH DAKOTA AND DEVILS LAKE,)
NORTH DAKOTA)

DOCKET NO. AB- 57
(SUB-NO 54X)

NOTICE OF EXEMPT ABANDONMENT OF TRACKAGE LOCATED
BETWEEN DEVILS LAKE, RAMSEY COUNTY, NORTH DAKOTA AND
HARLOW, BENSON COUNTY, NORTH DAKOTA

The Soo Line Railroad Company, d/b/a Canadian Pacific Railway (“Soo Line”), files this Notice of Exemption pursuant to 49 U.S.C. § 10502 and the Commission’s regulations at 49 C.F.R. § 1152.50. This Notice of Exemption is for Soo Line’s abandonment of a 28.35 +/- mile portion of its line of railroad between milepost 446.0 +/-, in Devils Lake, Ramsey County, North Dakota and milepost 474.35 +/- in Harlow, Benson County, North Dakota, which traverses through United States Postal Zip Codes 58301, 58325, 58346, 58351 and 58362. The line is the stub end of a grain branch line currently leased to Northern Plains Railroad.

No local traffic has moved over the line for at least 2 years. A map showing the line to be abandoned is attached as **Exhibit 1**.

In accordance with the requirements of 49 C.F.R. § 1152.50, Soo Line submits the following:

1. **INFORMATION REQUIRED BY 49 C.F.R. §§ 1152.22(a)(1)-(4), (7) and (8) and (e)(4) (INCORPORATED BY REFERENCE IN 49 C.F.R. § 1152.50(d)(2))**

(a) **EXACT NAME OF APPLICANT - § 1152.22(a)(1)**

Soo Line Railroad Company, d/b/a Canadian Pacific Railway.

(b) **WHETHER THE APPLICANT IS A COMMON CARRIER BY RAILROAD SUBJECT TO THE INTERSTATE COMMERCE ACT - § 1152.22(a)(2)**

Soo Line is a common carrier by railroad subject to the Interstate Commerce Act and the Interstate Commerce Commission Termination Act of 1995 (Title 49 U.S.C.).

(c) **RELIEF SOUGHT (ABANDONMENT OF LINE) - § 1152.22(a)(3)**

Soo Line seeks authority to abandon a 28.35 +/- mile portion of its line of railroad between milepost 446.0 +/- in Devils Lake, Ramsey County, North Dakota and milepost 474.35 +/- in Harlow, Benson County, North Dakota, which traverses through United States Postal Zip Codes 58301, 58325, 58346, 58351 and 58362.

(d) **DETAILED MAP - § 1152.22(a)(4)**

See Exhibit 1.

(e) **NAME, TITLE AND ADDRESS OF REPRESENTATIVE OF APPLICANT TO WHOM CORRESPONDENCE SHOULD BE SENT § 1152.22(a)(7)**

Annie Littlefield, Esq. (Att. No. 0329277)
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150 South Fifth Street, Suite 2300
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Telephone (612) 335-1500
Facsimile (612) 335-1657

(f) LIST OF ALL UNITED STATES POSTAL ZIP CODES THAT THE LINE PROPOSED FOR ABANDONMENT TRAVERSES § 1152.22(a)(8)
United States Postal Zip Codes 58301, 58325, 58346, 58351 and 58362.

(g) § 1152.22(e)(4) STATEMENT OF WHETHER THE PROPERTIES PROPOSED TO BE ABANDONED ARE SUITABLE FOR USE FOR OTHER PUBLIC PURPOSES, INCLUDING ROADS OR HIGHWAYS, OTHER FORMS OF MASS TRANSPORTATION, CONSERVATION, ENERGY PRODUCTION OR TRANSMISSION, OR RECREATION. IF THE APPLICANT IS AWARE OF ANY RESTRICTION ON TITLE TO THE PROPERTY, INCLUDING ANY REVERSIONARY INTEREST, WHICH WOULD AFFECT THE TRANSFER OF TITLE OR THE USE OF THE PROPERTY FOR OTHER THAN RAIL PURPOSES, THIS SHALL BE DISCLOSED.

Only portions of the properties proposed to be abandoned are likely suitable for use as transportation infrastructure.

2. PROPOSED CONSUMMATION DATE - 49 C.F.R. § 1152.50(d)(2)

Soo Line intends to consummate the proposed abandonment of its trackage on or after May 1, 2005.

3. CARRIER CERTIFICATION REGARDING LOCAL AND OVERHEAD TRAFFIC AND STATUS OF NO COMPLAINTS - BY 49 C.F.R. §§ 1152.50(b) and (d)(2)

The required Certification is annexed hereto as **Exhibit 2**.

4. THE LEVEL OF LABOR PROTECTION - § 1152.50(d)(2)

Soo Line understands that in granting an exemption for the proposed abandonment, the Board does not relieve a carrier of its statutory obligation to protect the interests of employees. Accordingly, while Soo Line anticipates that no adverse effect to its employees will occur as the result of this abandonment, it understands that the Board will likely impose the conditions set forth in Oregon Short Line Railroad Company - Abandonment – Goshen, 360 I.C.C. 91 (1979), for the benefit of any carrier employee who may be adversely affected by the proposed abandonment.

5. WRITTEN NOTIFICATION OF FILING FOR ABANDONMENT EXEMPTION - 49 C.F.R. § 1152.50(d)(1)

Said notification was served on the appropriate parties by letter dated June 15, 2004. See **Exhibit 3**.

6. CERTIFICATE OF SERVICE OF ENVIRONMENTAL REPORT AND HISTORIC REPORT - § 1105.7(c)

The Environmental Report and Historic Report ("Reports") have been prepared in accordance with 49 C.F.R. §§ 1105.7 and 1105.8. These Reports were mailed to all relevant parties on August 12, 2004, pursuant to 49 C.F.R. § 1105.7(b). Applicant's certification pursuant to 49 C.F.R. § 1105.7(c) is attached as **Exhibit 4**.

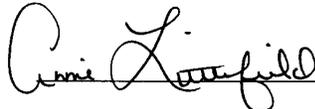
7. PUBLICATION OF NEWSPAPER NOTICE - § 1105.12

A Notice in accordance with Part 1105.12 has been published in a newspaper of general circulation in Benson County and Ramsey County, North Dakota. A copy of said notice is attached hereto with the requisite Certification. See **Exhibit 5**.

8. VERIFICATION

The required Verification is attached as **Exhibit 6** and made a part of this Notice of Exemption.

Date of Filing: September 29, 2004



Annie Littlefield, Esq. (Att. No. 0329277)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone (612) 335-1500
Facsimile (612) 335-1657

Counsel for the Soo Line Railroad Company

TABLE OF CONTENTS

Exhibits

- Exhibit 1 - Detailed Map (§ 1152.22(a)(4))
- Exhibit 2 - Certification Statement (§ 1152.50(b))
- Exhibit 3 - Written Notification of Filing (§ 1152.50(d)(1))
- Exhibit 4 - Certificate of Service of Environmental Report & Historical Report (§ 1105.7(c))
- Exhibit 5 - Publication of Newspaper Notice & Certificate of Publication (§ 1105.12)
- Exhibit 6 - Verification Statement

EXHIBIT 1

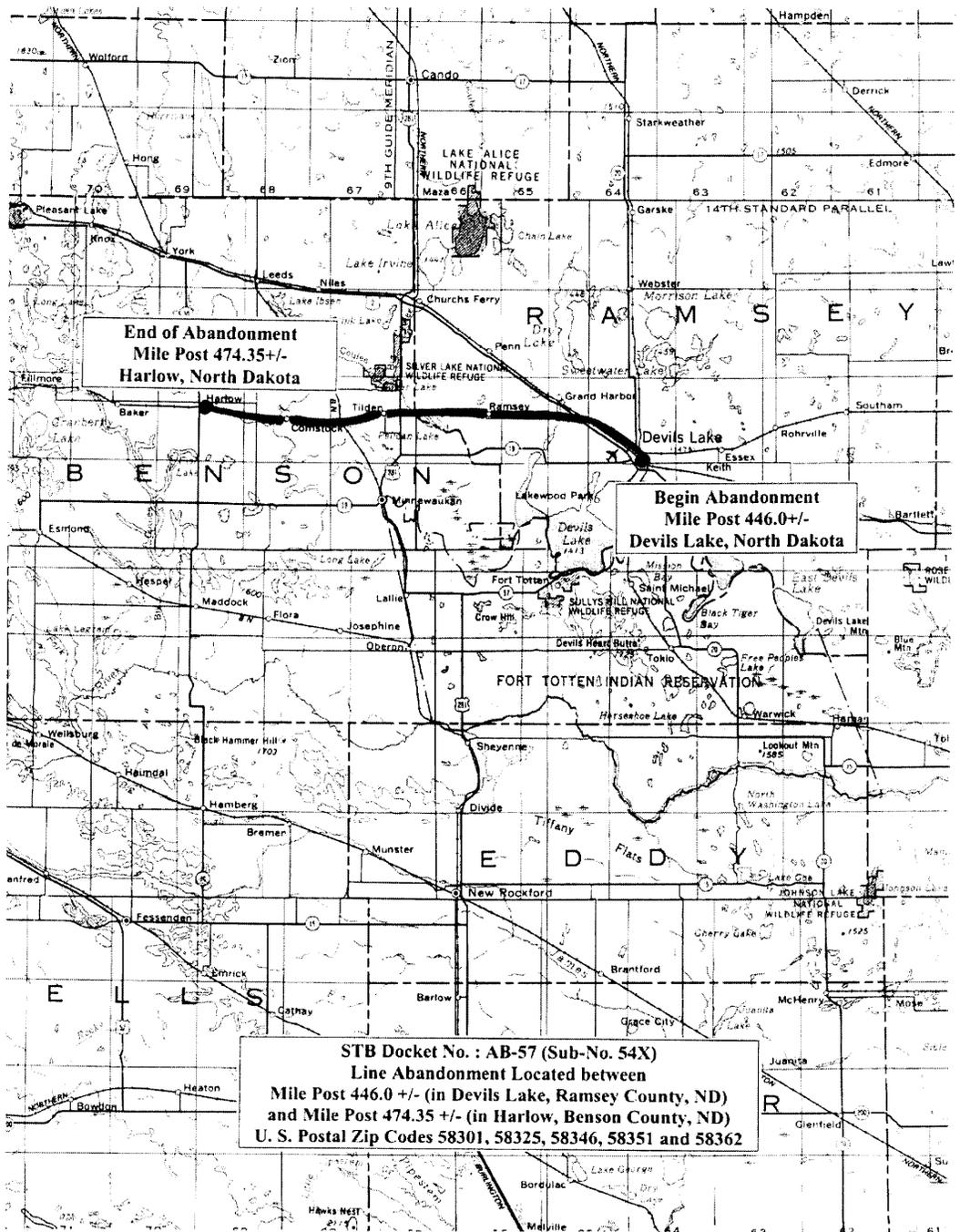


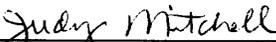
EXHIBIT 2

CERTIFICATION THAT RAIL LINE MEETS

CRITERIA OF 49 C.F.R. § 1152.50(b)

I, Judy Mitchell, Director of Business Development, for the Soo Line Railroad Company, hereby certify that with respect to the trackage that is the subject of this Notice of Exemption in Docket AB-57 (Sub-No. 54X), the Soo Line Railroad Company has had no movements over the subject trackage in at least two years. No local traffic has been handled to or from any customer for at least two (2) years prior to the date hereof and any overhead traffic routed over this line can be and has been rerouted over other lines. Further, I certify that no formal complaint has been filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line segment and that no such complaint is either pending with the Commission or any U.S. District Court or has been decided in favor of a complainant within the two-year period immediately preceding the filing of this Notice.

The foregoing Certification is made on behalf of the Soo Line Railroad Company, and Canadian Pacific Railway by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by the Soo Line Railroad Company, to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.



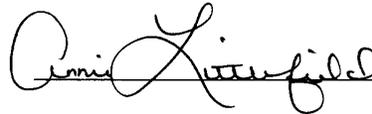
**Judy Mitchell, Director of Business Development
Canadian Pacific Railway**

Dated: September 21, 2004

EXHIBIT 3

**CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
NOTIFICATION OF INTENT TO FILE EXEMPTION ABANDONMENT**

The undersigned hereby certifies that she served the Notice of Intent to File Notice of Exemption for the proposed abandonment in Docket No. AB-57 (Sub. No. 54X) via first class U.S. Mail, on June 15, 2004, as required by 49 C.F.R. Section 1152.50(d)(1), to the parties listed on the attached Service List. (See attached list).



Annie Littlefield, Esq. (Att. No. 0329277)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone (612) 335-1500
Facsimile (612) 335-1657

Dated: September 21, 2004

EXHIBIT 3

SERVICE LIST
NOTICE OF INTENT TO FILE EXEMPT ABANDONMENT
Soo Line Railroad Company Abandonment of Trackage
Located between Devils Lake and Harlow, North Dakota
Docket No.: AB-57 (Sub No. 54X)

NORTH DAKOTA PUBLIC SERVICE COMMISSION (OR EQUIVALENT AGENCY)

North Dakota Public Service Commission
Susan E. Wefald & Kevin Cramer, Commissioners
600 E. Boulevard, Dept.408
Bismarck, ND 58505-0480
701.328.2400 (phone)
701.328.2410 (fax)

U.S. DEPARTMENT OF DEFENSE

- (A) Military Surface Deployment and Distribution Command
ATTN: SDJA, Room 12N67
200 Stovall Street
Alexandria, VA 22332-5000
- (B) Transportation Engineering Agency
Attn: M.T.T.E. - S.A.
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574
- (C) Railroad for National Defense Program
William Cooper, Director
720 Thimble Shoals Boulevard
Newport News, VA 23606-2574

NATIONAL PARK SERVICE, RECREATION RESOURCES ASSISTANCE DIVISION

National Center for Recreation and Conservation
U.S. Department of the Interior - National Park Service
1849 C Street NW
Org. Code 2240
Washington, DC 20240

U.S. DEPARTMENT OF AGRICULTURE, CHIEF OF THE FOREST SERVICE

U.S.D.A. Forest Service
Attn: Dale N. Bosworth, Chief of the Forest Service
1400 Independence Ave. SW
Washington, D.C. 20250-0003

EXHIBIT 4

**CERTIFICATE OF COMPLIANCE WITH SERVICE REQUIREMENT FOR
ENVIRONMENTAL AND HISTORIC REPORTS**

The undersigned hereby certifies that she served the Environmental and Historic Reports for the proposed abandonment in Docket No. AB-57 (Sub. No. 54X) via first class U.S. Mail, on August 12, 2004, as required by C.F.R. Section 1105.7(c), to the parties listed on the attached List of Parties Consulted. (See attached Service List).

Dated: September 29, 2004



Annie Littlefield, Esq. (Att. No. 0329277)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone (612) 335-1500
Facsimile (612) 335-1657

EXHIBIT 4

SERVICE LIST
ENVIRONMENTAL AND HISTORIC REPORT
Soo Line Railroad Company Abandonment of Trackage
Located between Devils Lake and Harlow, North Dakota
Docket No.: AB-57 (Sub No. 54X)

REGIONAL OFFICES OF FEDERAL AGENCIES CONSULTED

U.S. Environmental Protection Agency

Robert Roberts, Regional Director
EPA Region 8 Office
999-18th St. Suite 300
Denver, CO 80202-2466
(303) 312-6312

U.S. Fish and Wildlife Service

Office of the Regional Director
U. S. Fish & Wildlife Service
Mountain-Prairie Region
Denver Federal Center
P. O. Box 25486
Denver, CO 80225-0286

U.S. Army Corps of Engineers

Col. Robert L. Ball
U. S. Army Engineer District, St. Paul
190 Fifth Street East
St. Paul, MN 55101-1638

National Park Service

William W. Schenk, Regional Director
National Park Service Midwest Region
1709 Jackson St.
Omaha, NE 68102
(402) 221-3471

U.S. Soil and Conservation Service

USDA Natural Resources
Conservation Service
Attn: Serapio "J.R." Flores
State Conservationist
220 East Rosser Avenue
PO Box 1458
Bismarck, ND 58502-1458

National Geodetic Survey

National Geodetic Survey
Director Charlie Challstrom
NGS Information Services
NOAA, N/NGS12
SSMC-3, #9202
1315 East-West Highway
Silver Spring, MD 20910-3282
(301) 713-3242

State Clearinghouse

State Single Point of Contact
Governor's Office
600 East Boulevard Avenue
Bismarck, ND 58505-3001
(701) 328-2200

State Department of Transportation for
North Dakota

David A. Spryncznatyk
Department of Transportation
North Dakota Department of Transportation
608 East Boulevard Avenue
Bismarck, ND 58505-0700

State Environmental Protection Agency for
North Dakota

North Dakota Department of Health
Attn: Dave Glatt, Environmental Health
Section Chief
600 E. Boulevard Ave.
Bismarck, N.D. 58505-0200
Phone: 701.328.5152
E-mail: dglatt@state.nd.us

State Historic Preservation Office for North
Dakota

Mr. James E. Sperry
State Historic Preservation Officer
State Historical Society of N.D.
Heritage Center, 612 East Boulevard
Avenue
Bismarck, ND 58505
Phone: (701) 328-2667
Fax: 701-328-3710

Mr. Louis N. Hafermehl
Deputy State Historic Preservation Officer
State Historical Society of N.D.
Heritage Center, 612 E. Boulevard Avenue
Bismarck, ND 58505
Phone: (701) 328-3566

Other Political Entities and/or Indian
Reservations

Ramsey County Commission
524 4th Avenue #6
Devils Lake, ND 58301

Benson County Commission
P. O. Box 206
Minnewaukan, ND 58351

Valentino White, Tribal Chairman
Spirit Lake Dakotah Nation
P. O. Box 99
Fort Totten, ND 58335
701-766-1708

Si Ironheart
Environmental Administrator
Spirit Lake Dakotah Nation
P. O. Box 99
Fort Totten, ND 58335
701-766-1708

Fred Bott
Devils Lake City President
P. O. Box 1048
423 6th Street
Devils Lake, ND 58301
701-662-7600

Local and Regional Planning Agencies

City of Devils Lake Planning Commission
P. O. Box 1048
423 6th Street
Devils Lake, ND 58301
701-662-7600

EXHIBIT 5

CERTIFICATE OF PUBLICATION OF NEWSPAPER NOTICE

The undersigned hereby certifies that Notice of the Proposed abandonment in Docket No. AB-57 (Sub No. 54X) (copy of Affidavits of Publication and Notices appended) was advertised in a newspaper of general circulation in all Counties through which the Line which is the subject of this Notice runs, as required by 49 C.F.R. § 1105.12.

Dated: September 21, 2004



Annie Littlefield, Esq. (Att. No. 0329277)
LEONARD, STREET AND DEINARD
PROFESSIONAL ASSOCIATION
150 South Fifth Street, Suite 2300
Minneapolis, Minnesota 55402
Telephone (612) 335-1500
Facsimile (612) 335-1657

Notice Published in the Devils Lake Daily Journal on June 16, 2004

2791(62)

NOTICE

Soo Line Railroad Company (d/b/a Canadian Pacific Railway Co., Inc.) gives notice that on or about July 22, 2004, It intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 CFR 1152, Subpart F - Exempt Abandonment permitting the abandonment of a 28.35+/- mile line of railroad between railroad milepost 446.0+/-, near Devils Lake, ND, and railroad milepost 474.35+/-, near Harlow, ND, which traverses through United States Postal Service Zip Codes 58301, 58325, 56346, 58351 and 58362 in Ramsey and Benson Counties, North Dakota. The proceeding will be docketed as No. AB-57 (Sub No. 54X).

The Board's Section of Environmental Analysis (SEA) will generally 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 the Section of Environmental Analysis (SEA), Surface Transportation Board, 1925 K Street NW, Washington, DC, 20423-0001, 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 20423-0001 [See 49 CFR 1104.1 (a) and 1104.3(a)], and one copy must be served on applicants' 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 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative, Jean M. Hamm at Leonard, Street and Deinard, 150 South Fifth Street, Suite 2300, Minneapolis, MN 55402, 612-335-1500.

Soo Line Railroad Company
(d/b/a Canadian Pacific Railway)
Minneapolis, Minnesota
(c6:14)

Affidavit of Publication for the Devils Lake Daily Journal

AFFIDAVIT OF PUBLICATION

STATE OF NORTH DAKOTA, }
 County of Ramsey } ss.
 No. 2791

Straight Matter Lines 614
 First Time Line Rate .63 38.43 Kristi L. Olson being first duly sworn, on oath says:
 Subsequent Line Rates That she is the Advertising Clerk of the DEVILS LAKE DAILY
 Tabulated Lines Advertising Manager
 First Time Line Rate General Manager
 Subsequent Line Rates JOURNAL, publishers of the Devils Lake Daily Journal, a daily newspaper of
 Column Inches general circulation printed and published in the City of Devils Lake, in said County and
 First Time Inch Rates State, and has been during the time hereinafter mentioned, and that advertisement of
 Subsequent Inch Rates Notice 500 line a printed copy of which is
 hereto annexed, was printed and published in every copy of issues
 of said newspaper, for a period of 6-14 consecutive day to-wit:
 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 under-
 standing 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 \$ 38.43.....

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 16 day of June A. D. 2007
Kristi L. Olson
Gloria Corneille
 Notary Public, Devils Lake, N. D.

Publication Fee \$ 38.43
 Received Payment

Gloria Corneille
 Notary Public, STATE OF NORTH DAKOTA
 My Commission Expires May 17, 2007

NOTICE

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Soo Line Railroad Company
(d/b/a Canadian Pacific Railway)
Minneapolis, Minnesota

Affidavit of Publication for the Benson County Farmers Press

Affidavit of Publication

COUNTY OF BENSON)
)SS
STATE OF NORTH DAKOTA)

Richard M. Peterson of said County and State, being first duly sworn on his oath, says: That the Benson County Farmers Press is a legal weekly newspaper of general circulation, printed and published in the City of Minnewaukan, in said County and State, by Richard M. Peterson, and has been such newspaper during the time hereinafter mentioned; and that I, Richard M. Peterson, the undersigned, am publisher and during all such times have been publisher of said newspaper, and that the advertisement headed

RE: Legal Notice Publication/Soo Line Railroad Abandonment

a printed copy of which is hereunto attached, was printed and published in the said Benson

County Farmers Press for 1 consecutive weeks to wit:

June 16, 2004 _____, 2004 _____, 2004
_____, 2004 _____, 2004 _____, 2004

that the full amount of the legal fee for publication of the annexed notice inures solely to the benefit of the publisher of the Benson County Farmers Press, that no agreement for 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.

First insertion line rate

of .57 per line times _____ lines of straight matter \$ _____

Subsequent line rate

of .57 per line times _____ lines of straight matter
times _____ subsequent insertions \$ _____

First insertion inch rate

of \$5 times 2 columns times depth of 7.5
inches times 1 subsequent insertions \$ 75.00

TOTAL PUBLISHER'S FEE \$ 75.00

Richard M. Peterson
Richard M. Peterson

Subscribed and sworn to before me this 16th day of June, 2004.

Lori Kay Howard
Lori Kay Howard, Notary Public N.D.
My commission expires April 21, 2006.

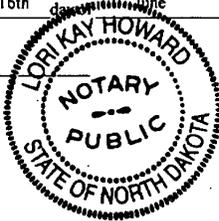
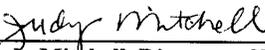


EXHIBIT 6

VERIFICATION

I, Judy Mitchell, Director of Business Development for the Soo Line Railroad Company, hereby verify that I have carefully examined all of the statements concerning the operations over the line of railroad between milepost 446.0 +/-, in Devils Lake, Ramsey County, North Dakota and milepost 474.35 +/- in Harlow, Benson County, North Dakota, which traverses through United States Postal Zip Codes 58301, 58325, 58346, 58351 and 58362; the Notice of Exemption, including the map attached as **Exhibit 1** to the Notice; that I have knowledge of the matters set forth therein; and that all such statements made and matters set forth are true and correct to the best of my knowledge, information, and belief.

The foregoing is made on behalf of the Soo Line Railroad Company, by the undersigned after due and careful investigation of the matters herein certified. I verify under penalty of perjury under the laws of the United States of America, that I have been authorized by the Soo Line Railroad Company, to verify and file with the Surface Transportation Board the foregoing statement; that I know the contents thereof and the facts asserted therein; that I declare that the foregoing is true and correct.



Judy Mitchell, Director of Business Development
Canadian Pacific Railway

September 29, 2004