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Office of Proceedings  
MAR 17 2005  
Part of  
Public Record



**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

Docket No. AB-6, Sub-No. 346X & Sub-No. 335X

*213572*  
*- 213573*

BURLINGTON NORTHERN RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
IN KLICKITAT COUNTY, WA (Sub-No. 346X);  
and,  
BURLINGTON NORTHERN RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
BETWEEN KLICKITAT AND GOLDENDALE, WA ((Sub-No. 335X)

**NOTICE OF APPEARANCE**

TO: THE CLERK OF THE AFORE-MENTIONED BOARD; and  
TO: ALL PARTIES OF RECORD AND THEIR COUNSEL..

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE That the  
WASHINGTON STATE PARKS AND RECREATION COMMISSION hereby enters its  
appearance in the above-captioned action, by and through its attorneys, ROB MCKENNA,  
Attorney General, and BARBARA HERMAN, Assistant Attorney General, specifically  
reserving all rights and defenses.

**ORIGINAL**

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All further papers, except original process, be served upon the undersigned attorneys at the address below stated.

Barbara Herman  
Assistant Attorney General  
P.O. Box 40100  
Olympia, WA 98504-0100  
(360) 586-4034

TRANSMISSION BY FAX DOES NOT CONSTITUTE SERVICE

Dated this 24<sup>th</sup> day of February, 2005.

ROB MCKENNA  
Attorney General

  
BARBARA HERMAN, WSBA No. 26669  
Assistant Attorney General  
Attorneys for State of Washington

**PROOF OF SERVICE**

I certify I served a copy of this document on all parties or their counsel of record on the date below as follows:

Party	Method of Service	
Cecilia Fey Ackerson Kauffman Fex PC Attorneys at Law 1250 "H" Street NW, Suite 850 Washington, D.C.. 20006	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
Sarah Whitley, Bailiff BNSF Railway PO Box 961039 Fort Worth, TX 76131-2828	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
Cecilia Fex Ackerson Kauffman Fex, P C 1250 H Street, NW, Suite 850 Washington, DC 20005	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
Honorable James W. Grimes P O Box 69 Goldendale, WA 98620	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
John E. Lowe P O BOX 3623 Portland, OR 97208	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
Gerald Opatz Epa-Wd-126 1200 Sixth Avenue Seattle, WA 98101	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:

1	Bob Barwin	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
2	Dept Of Ecology - Central	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
3	Regional Office	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
4	106 South 6th Ave	<input type="checkbox"/> ABC/Legal Messenger	
5	Yakima, WA 98902-3307		
6	Donald R. Carver, Arbitrator	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
7	United Trans. Union	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
8	14600 Detroit Avenue	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
9	Cleveland, OH 44107	<input type="checkbox"/> ABC/Legal Messenger	
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11	Environmental Protection Agency	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
12	Department Of Ecology	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
13	P O Box 47600	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
14	Olympia, WA 98504	<input type="checkbox"/> ABC/Legal Messenger	
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16	Patrick Oshie	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
17	Office Of Legal Counsel	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
18	P O Box 151	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
19	Toppenish, WA 98948	<input type="checkbox"/> ABC/Legal Messenger	
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21	Ehman Sheldon	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
22	PO Box 69	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
23	Goldendale, WA 98620	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
24		<input type="checkbox"/> ABC/Legal Messenger	
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	Department of Transportation	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
	State Rail Branch	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
	P.O. Box 47300	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
	Olympia, WA 98504-7300	<input type="checkbox"/> ABC/Legal Messenger	
	U.S. Fish & Wildlife Service	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
	215 Melody Lane, #119	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
	Wenatchee, WA 98801-5933	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
		<input type="checkbox"/> ABC/Legal Messenger	

1	Washington State Historic Preservation Office	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
2	Office Of Archeology And Historic Preservation	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
3	111 West 21st Avenue KI-11	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
4	Olympia, WA 98504	<input type="checkbox"/> ABC/Legal Messenger	
5	Richard Welsh	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
6	Narpo	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
7	50-505 Grand Traverse	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
8	La Quinta, CA 92253	<input type="checkbox"/> ABC/Legal Messenger	
9	Lori Zoller	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
10	38 Norwestern Lake	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
11	White Salmon, WA 98672	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
12		<input type="checkbox"/> ABC/Legal Messenger	
13	James M. Brunkenhoefer	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
14	United Transportation Union	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
15	304 Pennsylvania Ave SE	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
16	Wash, DC 20003-1130	<input type="checkbox"/> ABC/Legal Messenger	
17	Robert J. Irvin	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
18	Railway Labor Exec. Assn	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
19	10 G St. NE Ste. 480	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
20	Washington, DC 20002-4213	<input type="checkbox"/> ABC/Legal Messenger	
21	Charles H. Montange	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
22	426 NW 162nd Street	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
23	Seattle, WA 98177	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
24		<input type="checkbox"/> ABC/Legal Messenger	
25	Shay S. Scott	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
26	One Main Place	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
	101 SW Main Suite 1800	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
	Portland, OR 97204	<input type="checkbox"/> ABC/Legal Messenger	

1	Robert G. Whitman PO Box 48343 Olympia, WA 98504-8343	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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4	Ken Berg U.S. Fish And Wildlife Service 510 Desmond Dr SE # 102 Lacey, WA 98503	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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8	President G. T. Dubose United Transportation 14600 Detroit Avenue Cleveland, OH 44107	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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11	Jannette Herrington Assistant Planner Planning Department Goldendale, WA 98620	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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14	Office of the Governor State Capitol Building Olympia, WA 98504	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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17	T. R. Retterath Utu, State Leg. Dir. P O Box 1178 Longview, WA 98632	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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21	State Conservationist Soil Conservation Service 316 Boone Avenue Suite 450 Spokane, WA 99201-2348	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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1	U.S. Army Corps Of Engineers Walla Walla District 201 North Third Avenue Walla Walla, WA 99362	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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5	U.S. Fish & Wildlife Service 14852 Northeast 95th Street Redmond, WA 98052	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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8	Washington Utilities And Transportation Comm. Chandler Plaza Building PO Box 47250 Olympia, WA 98504-7250	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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11	M. M. Winter. 2060 Lindy Ave St Paul, MN 55113	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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15	James E. Sperry State Historical Society North Dakota Heritage Center Bismarck, ND 58505	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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18	Office of the Governor State Capitol Building Bismarck, ND 58502	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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21	North Dakota Public Service Comm.. Secretary To Commission State Capitol Bldg - 12th Floor Bismarck, ND 58505	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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1	D.B. Snyder	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
2	General Chairperson Utu	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
3	45 SW 7th Ave	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
4	Forest Lake, MN 55025	<input type="checkbox"/> ABC/Legal Messenger	
5	North Dakota Historical Society	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
6	State Historical Preservation	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
7	Officer	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
8	North Dakota Heritage Center	<input type="checkbox"/> ABC/Legal Messenger	
9	612 East Boulevard Avenue		
10	Bismarck, ND 58505		
11	Transportation Services	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
12	Division	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
13	State Highway Department	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
14	State Capitol Grounds	<input type="checkbox"/> ABC/Legal Messenger	
15	Bismarck, ND 58505		
16	Environmental Health Section	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
17	1200 Missouri Avenue	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
18	Bismarck, ND 58505	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
19		<input type="checkbox"/> ABC/Legal Messenger	
20	G. L. Hubbell	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
21	E 9015 Euclid Avenue	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
22	Spokane, WA 99212	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
23		<input type="checkbox"/> ABC/Legal Messenger	
24	John Risch	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
25	State Legislative Director Utu	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
26	750 Augsburg Avenue	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
	Bismarck, ND 58504	<input type="checkbox"/> ABC/Legal Messenger	
	State Conservationist	<input checked="" type="checkbox"/> US Mail Postage Prepaid	<input type="checkbox"/> Overnight Express
	Soil Conservation Service	<input type="checkbox"/> Certified Mail Postage Prepaid	<input type="checkbox"/> By Fax
	Rossner Ave & 3rd St , 278 Fed	<input type="checkbox"/> State Campus Mail	<input type="checkbox"/> Hand delivered by:
	Bldg	<input type="checkbox"/> ABC/Legal Messenger	
	Bismarck, ND 58502		

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State Single Point Of Contact Office Of Mgmt & Budget State Capitol 14th Floor Bismarck, ND 58505	<input checked="" type="checkbox"/> US Mail Postage Prepaid <input type="checkbox"/> Certified Mail Postage Prepaid <input type="checkbox"/> State Campus Mail <input type="checkbox"/> ABC/Legal Messenger	<input type="checkbox"/> Overnight Express <input type="checkbox"/> By Fax <input type="checkbox"/> Hand delivered by:
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I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 24<sup>th</sup> day of February, 2005, at Olympia, Washington.

  
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Glenda Yepes  
Legal Assistant