

November 6, 2012

Chairman Cervantes,

Unfortunately because of a prior comment, I will not be able to attend your Interim Study hearing scheduled for Wednesday and therefore will not be able to make any comments in regards to railroad right of way fencing issues concerning BNSF Railway. However, since your last hearing the communication process between the New Mexico Cattlegrowers and the New Mexico Farm & Livestock Bureau and BNSF Railway has improved.

While the Conniff Ranch fencing issues have not been completely resolved, as of this writing, BNSF has hired a fencing contractor that will be doing the fencing repairs. The contractor should be initiating the repairs by 11/8. We are hopeful the repairs will be completed in the very near future. John Conniff has been very patient with us and we understand his frustration as the length of time it has taken to get his repairs completed has been somewhat lengthy and for that we apologize. We will advise you when the repairs are completed.

On behalf of BNSF Railway we look forward to growing our relationship with the NM Cattlegrowers and the NM Farm & Livestock Bureau in the future and we are committed to resolving fencing issues in a responsive and cooperative manner with our livestock/Ag neighbors.

Respectfully,

Bob Munguia

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