

**WELLS
FARGO**

Wells Fargo Rail
9377 W. Higgins Rd.
Suite 600
Rosemont, IL 60018

wellsfargo.com

RECORDATION NO. 22715-I
FILED DECEMBER 8, 2016 10:22 AM
SURFACE TRANSPORTATION BOARD
December 8, 2016

Chief Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Suite 100
Washington, DC 20423-0001
Attn: Recordation of Railroad Equipment

Re: Memorandum of Partial Termination of Lease

Dear Section Chief:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) please find one (1) originally executed Memorandum of Partial Termination of Lease dated December 7, 2016, a secondary document as defined in the Board's Rules for the Recordation of Documents. The enclosed document relates to the Memoranda of Lease evidencing such Equipment duly filed with the Surface Transportation Board on February 27, 2001, October 18, 2001 and December 16, 2003 under secondary recordation numbers 22715-B, 22715-C and 22715-G respectively.

The names and addresses of the parties to the enclosed document are:

Lessor: Wells Fargo Rail Corporation
f/k/a First Union Rail Corporation
9377 W. Higgins Rd, Suite 600
Rosemont, IL 60018

Lessee: Badger Mining Corporation
409 South Church Street
Berlin, WI 54923

The enclosed document is for 51 covered hopper cars marked NOKL 810001 – NOKL 832187 n.i.; 40 covered hopper cars marked NOKL 815215 – NOKL 828825, n.i.; and 60 covered hopper cars marked NDYX 810028 – NDYX 832187, n.i. which have been terminated in all respects and are no longer covered under the Lease.

A short summary of the document to appear in the index follows: Memorandum of Partial Termination of Lease

Please accept this E-filing and invoice our account # 22860 in the amount of \$45.00 covering the required recordation fee. Kindly return one (1) stamped original of the enclosed document to the undersigned.

If you have any questions regarding the above-referenced matter, please contact me at (847) 384-5397. Thank you for your cooperation in this matter.

Sincerely,


Marcia Dunne
Manager Contract Administration

Enclosures

(BADG007-018, 012, 014)

Together we'll go far



MEMORANDUM OF PARTIAL TERMINATION OF LEASE

THIS MEMORANDUM OF PARTIAL TERMINATION OF LEASE (the "Memorandum") dated as December 7, 2016 is made by Wells Fargo Rail Corporation, f/k/a First Union Rail Corporation (the "Lessor"), a North Carolina corporation, and pertains to that certain Lease Agreement dated as of November 8, 1999, (collectively, the "Lease"), between Lessor and Badger Mining Corporation, (the "Lessee"), a Wisconsin corporation.

WITNESSETH:

WHEREAS, Lessor and Lessee entered into the Lease whereby Lessor has agreed to lease to Lessee certain railcars (the "Equipment") as more particularly described in on Exhibit A attached hereto; and,

WHEREAS, Lessor and Lessee entered into certain Memoranda of Lease, evidencing the above-described Lease of such Equipment, which were filed at the Surface Transportation Board on February 27, 2001, October 18, 2001 and December 16, 2003 having **secondary recordation numbers 22715-B, 22715-C and 22715-G** respectively.

WHEREAS, certain Equipment has been released and is no longer covered under the Lease; and,

NOW, THEREFORE, the Lessor desires to clarify the public record state as follows:

1. This Notice serves as notice that the Equipment listed on the attached Exhibit A as evidenced by the Memorandum of Lease filed with the Surface Transportation Board, has been terminated in all respects.
2. All of the interest of the Lessee, its successors and assigns, in the Equipment listed on Exhibit A arising pursuant to the Lease has been terminated.
3. Lessor wishes to record this Memorandum of Partial Termination of Lease so as to release the lien with respect to the Equipment.

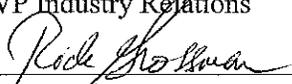
IN WITNESS WHEREOF, Wells Fargo Rail Corporation, as Lessor, has caused this Memorandum of Partial Termination of Lease to be duly executed by their respective officer duly authorized as of the date and year first above written (and the undersigned declares under penalty of perjury that he or she holds the title indicated below and that the execution of this Memorandum was the free act and deed of its corporation).

LESSOR:

WELLS FARGO RAIL CORPORATION

Name: Rick Grossman

Title: SVP Industry Relations

Signature: 

**EXHIBIT A
TO
MEMORANDUM OF PARTIAL TERMINATION OF LEASE**

RIDER NO. 6

NUMBER OF CARS: Fifty-one (51)

DESCRIPTION OF CARS: 4550/4650 cu. ft. Covered Hopper Cars

CAR NUMBERS:

NOKL 810001	NOKL 815501	NOKL 829206
NOKL 810012	NOKL 815503	NOKL 829740
NOKL 810014	NOKL 815504	NOKL 829883
NOKL 810016	NOKL 821513	NOKL 830289
NOKL 810020	NOKL 821514	NOKL 830305
NOKL 810028	NOKL 821525	NOKL 830329
NOKL 810030	NOKL 822497	NOKL 830381
NOKL 810039	NOKL 824479	NOKL 830428
NOKL 810046	NOKL 824526	NOKL 830447
NOKL 810160	NOKL 826917	NOKL 830663
NOKL 810174	NOKL 827625	NOKL 830677
NOKL 810186	NOKL 828231	NOKL 830998
NOKL 810188	NOKL 828354	NOKL 831007
NOKL 810189	NOKL 828358	NOKL 832159
NOKL 810308	NOKL 828456	NOKL 832187
NOKL 810316	NOKL 828479	Count: 51
NOKL 810358	NOKL 828633	
NOKL 815420	NOKL 828710	

RIDER NO. 7

NUMBER OF CARS: Forty (40)

DESCRIPTION OF CARS: 4750 cu. ft. Covered Hopper Cars

CAR NUMBERS:

NOKL 815215	NOKL 822286
NOKL 815216	NOKL 822330
NOKL 815238	NOKL 822331
NOKL 815248	NOKL 822342
NOKL 815253	NOKL 822343
NOKL 815257	NOKL 822345
NOKL 815259	NOKL 822346
NOKL 815261	NOKL 822347
NOKL 815263	NOKL 822350
NOKL 815267	NOKL 822494
NOKL 815268	NOKL 826558
NOKL 815269	NOKL 826623
NOKL 815271	NOKL 828242
NOKL 815275	NOKL 828315
NOKL 815279	NOKL 828352
NOKL 815288	NOKL 828558
NOKL 815289	NOKL 828730
NOKL 815516	NOKL 828790
NOKL 822264	NOKL 828825
NOKL 822273	Count: 40
NOKL 822284	

RIDER NO. 13

NUMBER OF CARS: Sixty (60)

DESCRIPTION OF CARS: 4750 cu. ft. Covered Hopper Cars

CAR NUMBERS:

NDYX 810028	NDYX 819003	NDYX 828633
NDYX 815420	NDYX 821513	NDYX 828690
NDYX 815501	NDYX 821514	NDYX 828710
NDYX 815503	NDYX 821525	NDYX 829206
NDYX 815504	NDYX 822273	NDYX 829740
NDYX 816917	NDYX 822331	NDYX 829883
NDYX 818901	NDYX 822343	NDYX 830289
NDYX 818917	NDYX 822345	NDYX 830305
NDYX 818921	NDYX 822346	NDYX 830329
NDYX 818929	NDYX 822347	NDYX 830381
NDYX 818931	NDYX 822497	NDYX 830428
NDYX 818939	NDYX 824479	NDYX 830447
NDYX 818944	NDYX 824526	NDYX 830663
NDYX 818945	NDYX 824627	NDYX 830677
NDYX 818967	NDYX 826558	NDYX 830998
NDYX 818983	NDYX 828231	NDYX 831007
NDYX 818988	NDYX 828354	NDYX 832159
NDYX 818989	NDYX 828358	NDYX 832187
NDYX 818990	NDYX 828456	Count: 60
NDYX 818993	NDYX 828479	
NDYX 818996	NDYX 828558	