

**BEFORE THE WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION**

In the Matter of the Petition of the BNSF)
Railway to Close a Grade Crossing Located) DOCKET NO. TR-070696
at Hickox Road, at Railroad Milepost 65.60) NOTICE OF APPEARANCE
in Skagit County, Washington.)
_____)

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that Richard H. Smith and Patricia A. Smith, husband and wife, and David Boon, hereby enter their appearance in the above entitled action by and through their attorneys Gary T. Jones of Jones & Smith, and requests that all notice of further proceedings, except original process, in said action be served upon said attorneys at their address stated.

DATED this 19th day of June 2007.

JONES & SMITH

GARY T. JONES, WSBA #5217
Attorney for Intervenors, Smith & Boon

DECLARATION OF SERVICE

Llewella Faye Davis states and declares as follows:

I am over the age of 18; and not a party to this action. I am the assistant to Gary T. Jones of Jones & Smith whose address is PO Box 1245, Mount Vernon, Washington 98273.

I hereby declare that the original and 12 copies of the foregoing NOTICE OF APPEARANCE has been sent by U.S. mail to Carole J. Washburn at Washington Utilities and Transportation Commission, 1300 S. Evergreen Park Drive, S.W., PO Box 47250, Olympia, WA 98504-7250 and a PDF version sent by electronic mail. I also declare that trust and complete copies have been sent via U.S. Mail to the following interested parties:

Stephen Fallquist
Deputy Prosecuting Attorney
Skagit County
605 South 3rd Street
Mount Vernon, WA 98273

L. Scott Lockwood
Assistant Attorney General
1400 S. Evergreen Park Dr., S.W.
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1400 S. Evergreen Park Dr., S.W.
PO Box 40128
Olympia, WA 98504

Brian K. Snure
Snure Law Office
612 South 227th Street
Des Moines, WA 98198

I declare under penalty under the law of the State of Washington that the foregoing is true and correct.

DATED this __ day of June 2007 at Mount Vernon, Washington.

Llewella Faye Davis, Legal Assistant