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"Conserving the beauty, character and diversity of significant lands in far Northern California."

Mission of Shasta Land Trust

April 9, 2012

Rachel D. Campbell, Director
Office of Proceeding
Surface Transportation Board
395 E. Street, S. W.
Washington, DC 20423-0001

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*Shasta
Land
Trust*

Re: McCloud Railway Company – Abandonment and Discontinuance of Service Exemption –in Siskiyou, Shasta, and Modoc Counties, CA. STB Docket No. AB-914-0-X

Dear Ms. Campbell:

Shasta Land Trust (SLT) entered into a formal Purchase and Sale Agreement with 4 Rails, Inc (parent company of McCloud Railway Company) to purchase the right of way for future use as a public multi-use recreation trail.

Save Burney Falls, a California non-profit 501 (c) (3) Corporation ("SBF"), and McCloud Railway Company (MCR) received an extension of the notice of interim trail use (NITU) negotiating period until April 1, 2012, based on Board Decision 41492, Service Date of October 4, 2011.

The agreement was signed by 4 Rails, Inc and SLT on March 29, 2012. SLT and SBF have been collaborating on this project for over four years, and will continue partnering on this rail to trail project for the duration of the project. SLT is a California non-profit 501 (c) (3) Corporation and will hold title to the property at the close of escrow.

SLT respectfully requests substitution of SLT (for SBF) as the new interim trail manager and party to the NITU. SLT hereby submits a statement of willingness to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against, the right of way, as required by 49 C.F.R. § 1152.29, and acknowledges that the use of the right-of-way for trail purposes is subject to the future reactivation for rail service.

Respectfully submitted,

Ben Miles
Executive Director
Shasta Land Trust

1918 West Street,
Suite D
P.O. Box 992026
Redding, CA 96099-2026

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*Coordinator of
Outreach & Development*
- Susan Partridge
Administrative Assistant
- Bridget Harrison
*Americorps Conservation
Associate*

- cc: Jeff Forbis, 4 Rails, Inc
801 Industrial Way, P. O. Box 1500, McCloud, CA 96057
- cc: Jeffery J. Swanson, Attorney for **SAVE BURNEY FALLS**
2515 Park Marina Drive, Suite 102, Redding, CA 96001
- cc: Thomas F. McFarland, Attorney for McCloud Railway Company
208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112
- cc: Mathew Bornstein, Attorney for Surface Transportation Board
395 E. Street, S. W., Room 1034, Washington, D. C. 20423
- cc: Joe Studenicka, CFO, Save Burney Falls
37985 Clark Creek Road, Burney, CA 96013
- cc: Alison A. Huycke, Attorney for McCloud Railway Company
1148 NW Hill Street, Bend, OR 97701-1914

37985 Clark Creek Road
Burney, CA 96013
530-335-3978

SAVE BURNEY FALLS

April 3, 2012

Rachel D. Campbell, Director
Office of Proceeding
Surface Transportation Board
395 E. Street, S. W.
Washington, DC 20423-0001

Re: McCloud Railway Company – Abandonment and Discontinuance of Service Exemption –
in Siskiyou, Shasta, and Modoc Counties, CA. **STB Docket No. AB-914-0-X**

Dear Ms. Campbell:

SAVE BURNEY FALLS, a California non-profit 501 (c) (3) Corporation (“**SBF**”), and McCloud Railway Company (**MCR**) received an extension of the notice of interim trail use (NITU) negotiating period until April 1, 2012, based on Board Decision 41492, Service Date of October 4, 2011. We are pleased to report that a Purchase and Sale Agreement for use of the right-of-way for trail purposes, including interim trail use/rail banking, was reached on March 29, 2012.

The agreement with 4 Rails, Inc, owners of MCR was signed by Ben Miles, Executive Director, Shasta Land Trust (**SLT**), a collaborating partner with SBF. SLT is a California non-profit 501 (c) (3) Corporation and will hold title to the property at the close of escrow.

SBF respectfully requests substitution of SLT as the new interim trail manager and party to the NITU. SLT is submitting a separate statement of willingness to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against, the right of way, as required by 49 C.F.R. § 1152.29, and will acknowledge that the use of the right-of-way for trail purposes is subject to the future reactivation for rail service.

By my signature below, I certify service upon McCloud Railway Company, Mr. Jeff Forbis, 801 Industrial Way, P. O. Box 1500, McCloud, CA 96057, by U. S. Mail, postage pre-paid, first class, this 3rd day of April, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph R. Studenicka". The signature is fluid and cursive, written over the printed name.

Joseph R. Studenicka, CFO

On behalf of: **SAVE BURNEY FALLS**

cc: Jeffery J. Swanson, Attorney for **SAVE BURNEY FALLS**
2515 Park Marina Drive, Suite 102, Redding, CA 96001

cc: Thomas F. McFarland, Attorney for McCloud Railway Company
208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1112

cc: Mathew Bornstein, Attorney for Surface Transportation Board
395 E. Street, S. W., Room 1034, Washington, D. C. 20423

cc: Ben Miles, Executive Director, Shasta Land Trust
1918 West Street, P. O. Box 992026, Redding, CA 96099-2026

cc: Alison A. Huycke, Attorney for McCloud Railway Company
1148 NW Hill Street, Bend, OR 97701-1914