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ENTERED  
Office of Proceedings  
June 23, 2015  
Part of  
Public Record  
May 20, 2015

**VIA E-FILE**

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
Surface Transportation Board  
395 E. Street, S.W., Room #100  
Washington, DC 20423-0001

**JOINT NOTICE OF INTERIM TRAIL USE / RAIL BANKING AGREEMENT  
BETWEEN UNION PACIFIC RAILROAD COMPANY AND FRIENDS OF THE  
WEISER RIVER TRAIL, INC. IN ACCORDANCE WITH 49 C.F.R. 1152.29(h)**

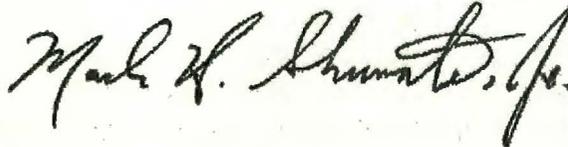
**Re: Proposed Abandonment of and Discontinuance of Service of the New Meadows Industrial Lead from M.P. 0.22 to M.P. 0.50 at Weiser, a total distance of 0.28 miles in Washington County, Idaho; STB Docket No. AB-33 (Sub-No. 311X)**

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") and Friends of the Weiser River Trail, Inc. ("FWRT") have entered into a trail use / rail banking agreement (the "Trail Use Agreement") covering the rail line (1) from Milepost 0.22 to Milepost 0.50 at Weiser, Washington County, Idaho on the New Meadows Industrial Lead for a total distance of 0.28 miles (the "Line"). Attached to this Joint Notice as **Exhibit A** and hereby made a part hereof, is a map depicting an accurate description of the Line including mileposts that is the subject of said Trail Use Agreement. In accordance with the requirements of 49 C.F.R. 1152.29(h) the Union Pacific and FWRT hereby certify that the Trail Use Agreement includes provisions requiring the trail sponsor, FWRT, to fulfill the responsibilities described at 49 C.F.R. 1152.29(a) (3). A copy of FWRT's said Statement of Willingness to Assume Financial Responsibility under the Trail Use Agreement is attached hereto as **Exhibit B** and is hereby made a part hereof.

Sincerely,

UNION PACIFIC RAILROAD COMPANY



Mack H. Shumate, Jr.  
Senior General Attorney



Sincerely,

FRIENDS OF THE WEISER RIVER TRAIL, INC.

By: 

President - FWRT

Title

6/15/15

Enclosures

EXHIBIT A



BRIDGE NO.	BRIDGE TYPE	TOTAL LENGTH	DATE
0.35	1 - TIMBER STRINGERS OPEN DECK	75	1938

**Legend**

- UPRR TO BE ABANDONED
- OTHER UPRR LINES
- 50+ YEAR OLD STRUCTURES
- OTHER RAILROADS
- PRINCIPAL HIGHWAYS
- OTHER ROADS

**NEW MEADOWS INDUSTRIAL LEAD**

MP 0.22 TO MP 0.60  
TOTAL OF 0.38 MILES IN WASHINGTON COUNTY  
IN IDAHO

**UNION PACIFIC RAILROAD CO.  
NEW MEADOWS INDUSTRIAL LEAD  
IDAHO**

INCLUDING 50+ YEAR OLD STRUCTURES



*Path: Q:\abandonments\ah33\_311r New Meadows IndLead*

**Friends of the Weiser River Trail, Inc.  
Statement of Willingness To Assume Financial Responsibility**

Friends of the Weiser River Trail, Inc. acquired the Line as defined below on November 5, 2013 under a Purchase and Sale Agreement between Union Pacific Railroad Company and Benton County dated November 5, 2013.

In order to establish interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 CFR 1152.29 with respect to the right-of-way owned by Union Pacific Railroad Company, Friends of the Weiser River Trail, Inc. hereby represents to the Surface Transportation Board and Union Pacific Railroad Company that Friends of the Weiser River Trail, Inc. assumes responsibility for (1) Managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the sponsor is immune from liability, in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right of way. The right of way is known as New Meadows Industrial Lead from milepost 0.22 to milepost 0.50 and extends for a total distance of 0.28 miles in Washington County, Idaho (the "Line"). The right-of-way is part of a line of railroad proposed for abandonment by Union Pacific Railroad Company in Docket No. STB AB 33 (Sub No. 311X). A map of the property depicting the right-of-way is attached hereto as Exhibit A and is hereby made a part hereof.

Friends of the Weiser River Trail, Inc. acknowledges that use of the right-of-way is subject to Friends of the Weiser River Trail, Inc.'s continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad(s) on the same date it is being served on the Surface Transportation Board.

FRIENDS OF THE WEISER RIVER TRAIL, INC.

By: Shirley S Atteberry  
Title: Director

Agreed to and Acknowledged by Union Pacific Railroad Company this \_\_\_\_ day of May, 2015.

By: \_\_\_\_\_

Title: \_\_\_\_\_

EXHIBIT A

