



Mack H. Shumate, Jr.
Senior General Attorney, Law Department

282370

May14, 2008

VIA E-Filing

Anne K Quinlan
Surface Transportation Board
395 E Street, S. W., Room 1149
Washington, DC 20024

RE: Proposed Abandonment of an Western Portion of the Bristow Subdivision from M.P. 318.66 near Hampton to M.P. 326.50 near Coulter, a distance of 7.84 miles in Franklin County, Iowa; STB Docket No. AB-33 (Sub-No. 201X)

Dear Ms Quinlan:

Union Pacific Railroad Company ("Union Pacific") acknowledged and concurred with the request from the Iowa Natural Heritage Foundation ("INHF") on behalf of Franklin County, Butler County and the Iowa Trails Council, dated May 1, 2008, for additional time in which to complete negotiations for the acquisition under the provisions 16 U.S.C. § 1247(d) and 49 C.F.R. § 1152.29 regarding that portion of the Union Pacific's right-of-way known as the Western Portion of the Bristow Subdivision from Milepost 318.66 near Hampton, Iowa to Milepost 326.50 near Coulter Iowa, a distance of 7.84 miles in Franklin County, Iowa. Union Pacific erroneously referred to the applicant as the Iowa Trails Council when in fact the moving party is now the Iowa Natural Heritage Foundation. Union Pacific concurs with the substitution of the INHF for the Iowa Trails Council, the original applicant for a trails use condition

A copy of the INHF's clarification letter dated May 9, 2008 is attached hereto as Exhibit "A" and hereby made a part hereof.

Sincerely yours,

Enclosure

cc. INHF

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IOWA
NATURAL HERITAGE
FOUNDATION
"for those who follow"

Insurance Exchange Bldg Phone 515-288-1846
Suite 444 Fax 515-288-0137
505 Fifth Avenue e-mail info@inhf.org
Des Moines, IA 50309-2321 www.inhf.org

May 9, 2008

Anne K. Quinlan
Surface Transportation Board
1925 "K" Street, NW
Washington, D C 20423-0001

RE: STB Docket No. AB-33 (Sub-no -201X and STB Docket No. AB-33 (Sub-no. 200X)

Union Pacific Railroad Abandonment of an Eastern Portion of the Bristow Subdivision from M.P. 318.36 near Hampton to the end of the Line at M.P. 294.75 at Allison, a distance of 23.61 miles in Franklin and Butler Counties, Iowa, and the proposed Abandonment of a Western Portion of the Bristow Subdivision from M.P. 318.66 near Hampton to M.P. 326.50 near Coulter, a distance of 7.84 miles in Franklin County, Iowa

Dear Ms Quinlan:

This letter is to clarify the role of the Iowa Natural Heritage Foundation in the above captioned proceeding. The Iowa Natural Heritage Foundation (INHF) was not the original petitioner in this case, but has been asked to assist with the final negotiations with Union Pacific Railroad on behalf of the Franklin and Butler Counties. Because of this request by the counties, INHF petitioned for a 90 day extension of the Notice of Interim Trail Use on May 1, 2008 on behalf of the counties.

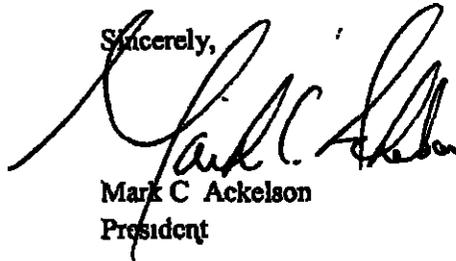
The railroad right-of-way in this proceeding continues to be suitable for railbanking and interim trail use. In order to establish interim trail use and rail banking under section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d), and 49 C.F.R. 1152.29(a)(2) and (3), INHF is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by UP Railroad Company after the transfer of ownership of the corridor to INHF.

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The Franklin and Butler County Conservation Boards and the Natural Heritage Foundation acknowledge that the use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

Sincerely,



Mark C Ackelson
President

Cc Union Pacific Railroad Company c/o Mack Schumate, Room 1920, 101 N. Whacker Drive, Chicago, IL 60606 via FAX number 312-777-2065.

Butler and Franklin Counties
Iowa Trails Council