



# Public Services

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VERN M. REDIFER, P.E. - Director

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JAN 9 2006  
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January 06, 2006

## BY HAND

Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423

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Office of the Auditor  
JAN 9 2006  
Dept of  
Public Records

Re: STB Finance Docket No. 34804

Dear Secretary Williams:

This letter is to inform the Surface Transportation Board (Board) that Yakima County, WA has changed common carrier operators with respect to the rail line it owns from mp 0.00 near Toppenish to mp 20.56 near White Swan. This rail line was previously operated under a lease by the Toppenish, Simcoe & Western Railroad (TSWR). See Finance Docket No. 32487. By letter dated September 20, 2005, the County notified TSWR that the lease would terminate according to its terms on December 21, 2005.

Yakima County and Columbia Basin Railroad Company (CBRW), a class III rail carrier, have entered into a new lease with respect to the subject rail line. Contemporaneous with the execution of the lease, Central Washington Railroad Company (CWA), a class III rail carrier and an affiliate of CBRW, assumed the rights and obligations of CBRW under the lease. We understand that CBRW and CWA have filed with the Board for authority to operate this line in Finance Docket No. 34804.

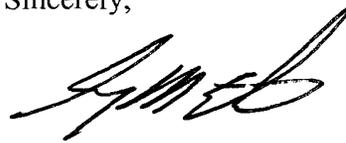
The County's decision to change operators for this rail line has been public for some time, as it has been the subject of both local newspapers articles and public hearings held by the County. The County is unaware of any shipper on the line objecting to TSWR's replacement. In addition, the County understands that, prior to December 21, 2005, CWA met with the active shippers on the rail line to discuss CWA's commencement of freight operations over the line.

In Finance Docket No. 32487, TSWR obtained authority to operate the subject rail line under a modified rail certificate. This letter, which is being copied to TSWR, hereby requests

TSWR to provide the Board, the State and those that used the rail line in the past six months with notice of its termination of rail service. See 49 C.F.R. § 1150.24. Please note that we also are sending a copy of this letter to the Governor of Washington and those rail users identified above. If TSWR fails to provide a termination notice pursuant to section 1150.24, please consider this letter the requisite notice of TSWR's termination of rail service.

Please call me if you have questions at 509-274-2300.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Ekstedt', written in a cursive style.

Gary N. Ekstedt, P.E.  
Yakima County Engineer

cc: Roger O'Dell, President, Toppenish, Simcoe & Western Railroad (by first-class mail)  
Governor Christine Gregoire (by first-class mail)  
Husch & Husch (by first-class mail)  
Walters Inc. (by first-class mail)  
Washington Beef, Inc. (by first-class mail)  
Yakama Forest Products (by first-class mail)  
AT James Bark & Tree Company (by first-class mail)