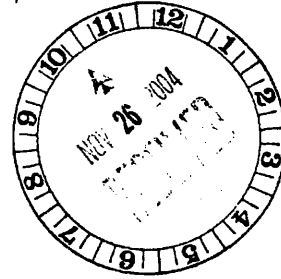




November 24, 2004

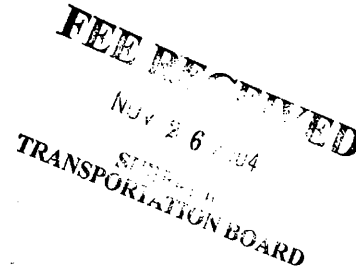
212634



**VIA U.P.S. OVERNIGHT DELIVERY**

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001

ATTN: Barbara Saddler

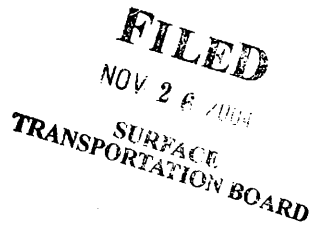


**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company**  
- Abandonment Exemption - In Kootenai County, Idaho from  
- M.P. 2.25 to M.P. 7.50 (Coeur'd Alene Industrial Lead)

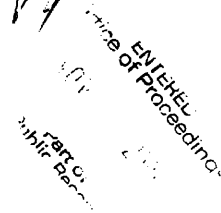
Dear Ms. Saddler:

Pursuant to conversations with Tony Jacobik of your office, please file the attached Notice of Exemption in Docket No. AB-33 (Sub-No. 218X). Also, I am requesting that you retrieve from the Board's vault, Union Pacific's check in the amount of \$3,000.00, representing the filing fee in this matter and attach to this filing.

Thank you for your assistance in this regard.



Sincerely yours,



Enclosures

cc: All parties of record

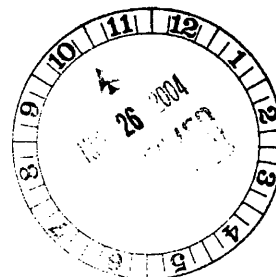
O:\Abandonmetns\33-218X\STB-Not2-Ltr.doc

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

**UNION PACIFIC RAILROAD**  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

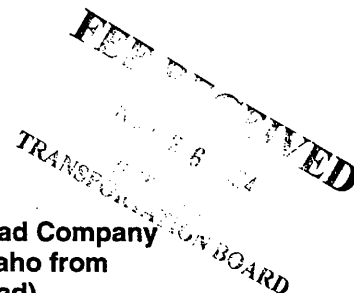


November 24, 2004



**VIA U.P.S. OVERNIGHT DELIVERY**

Mr. Vernon Williams, Secretary  
Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001



**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company**  
- **Abandonment Exemption - In Kootenai County, Idaho from**  
- **M.P. 2.25 to M.P. 7.50 (Coeur'd Alene Industrial Lead)**

Dear Mr. Williams:

Pursuant to the Board's exemption procedures for abandonment of rail lines with no local business for at least two years, (49 C.F.R. 1152.50), enclosed are an original and ten (10) copies of a verified Notice of Exemption, including a Certificate of Service and Publication.

Please file the Notice of Exemption in Docket No. AB-33 (Sub-No. 218X). Enclosed is a check for \$3,000.00 for the filing fee. Three (3) computer disks, in Word format, are included for the Board's use.

Sincerely yours,

Office of Proceedings  
NOV 26 2004  
Part of  
Public Record

**FILED**  
NOV 24 2004  
SURFACE TRANSPORTATION BOARD

Enclosures

cc: All parties of record

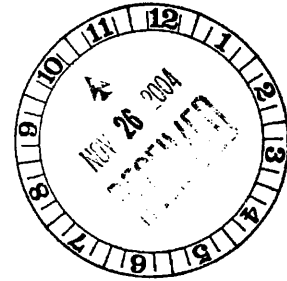
O:\Abandonmetns\33-218X\STB-Pet-Ltr.doc

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

**UNION PACIFIC RAILROAD**  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065

Before the  
SURFACE TRANSPORTATION BOARD

---



Docket No. AB-33 (Sub-No. 218X)  
UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN KOOTENAI COUNTY, IDAHO  
(COEUR'D ALENE INDUSTRIAL LEAD)

---

**NOTICE OF EXEMPTION**

UNION PACIFIC RAILROAD COMPANY

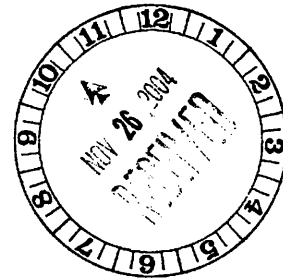
Mack H. Shumate, Jr., Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

Dated: November 24, 2004  
Filed: November 29, 2004

Before the  
SURFACE TRANSPORTATION BOARD

Docket No. AB-33 (Sub-No. 218X)

UNION PACIFIC RAILROAD COMPANY  
-- ABANDONMENT EXEMPTION --  
IN KOOTENAI COUNTY, IDAHO  
(COEUR'D ALENE INDUSTRIAL LEAD)



**NOTICE OF EXEMPTION**

Union Pacific Railroad Company ("UP") submits this verified Notice of Exemption pursuant to 49 § C.F.R. 1152, Subpart F -- Exempt Abandonments and Discontinuances of Service and Trackage Rights, for an exempt abandonment of the Coeur'd Alene Industrial Lead from milepost 2.25 near Feeley Spur to milepost 7.50 near Gibbs, a distance of 5.25 miles in Kootenai County, Idaho, (the "Line").

**Proposed Consummation Date: 49 C.F.R. § 1152.50 (d)(2)**

The abandonment is proposed to be consummated on or after January 18, 2005 (at least 50 days after filing the Notice of Exemption).

**Certification: 49 C.F.R. 1152.50(b)**

UP certifies that no local traffic has moved over the Line for at least two years; and that no formal complaint filed by a user of rail service on the Line (or filed by a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Line either is pending with this Board or any U.S. District Court or has been decided in favor of the complainant within the two-year period. The subject Line has not been used for freight traffic for at least two years. All overhead traffic

which could travel over the Line has been shifted to an adjacent BNSF line. After abandonment, Coeur'd Alene will continue to receive rail service from both UP and BNSF.

**Additional Information Required: 49 C.F.R. 1152.22(a)(1) (4), (7)-(8) and (e)(4)**

(a) General.

(a)(1) The railroads' exact name is Union Pacific Railroad Company.

(a)(2) UP is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, Chapter 105.

(a)(3) UP intends to abandon the Line from milepost 2.25 near Feeley to milepost 7.50 near Gibbs, a distance of 5.25 miles. The Line is located in Kootenai County, Idaho.

(a)(4) A map showing the location of the Line in conjunction with other rail lines, highways and major roads in the area is attached hereto as **Exhibit A** and hereby made a part hereof.

(a)(7) The representative to whom correspondence regarding this abandonment should be sent is:

Mack H. Shumate, Jr., Senior General Attorney  
Union Pacific Railroad Company  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

(a)(8) ZIP Code. The Line traverses U. S. Postal Service Zip Codes 83840.

(e)(4) Rural and Community Impact. The Line was constructed by the Coeur'd Alene and Pend Oreille Railway Company in 1911. The Line consists of 72-pound jointed rail. There appears to be no reasonable alternative to the abandonment.

No local traffic has moved over the Line in the past two years, and all overhead traffic on the Line has been shifted to an adjacent BNSF line. After abandonment, Coeur'd Alene will continue to receive rail service from both BNSF and UP. A portion of the Line to be abandoned might be reclassified for use as an industrial track. Coeur'd Alene is served by Interstate 90, a major east-west route, and U.S. 95, a major north-south route.

Based on information in the Applicant's possession, the Line proposed for abandonment does not contain federally granted right-of-way. The title to the property in the proposed abandonment is primarily fee. There will be no effect on regional or local transportation systems and patterns and no diversion of traffic to other transportation systems or modes. Except for the minimal overhead traffic which has been shifted to an adjacent BNSF line.

Any documentation so related to the Line, including real estate documentation relating to the Line in UP's possession, will be made available to those requesting it.

#### **Labor Protection**

The interests of railroad employees will be protected by the conditions discussed in Oregon Short Line Railroad Co. -- Abandonment -- Goshen , 360 ICC 91 (1979).

**Certifications**

Attached hereto as **Exhibit B** and hereby made a part hereof is a Certificate of Service and Publication pursuant to the notice requirements of 49 C.F.R. §§ 1152.50(d)(1), 1105.11 and 1105.12.

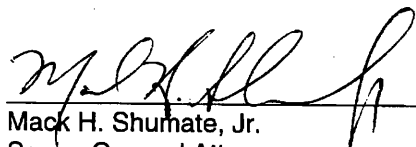
**Environmental and Historic Report**

A copy of the Transmittal Letter of UP's Combined Environmental and Historic report containing the information required by 49 C.F.R. §§ 1105.7 (e) and 1105.8, and delivered in accordance with 49 C.F.R. 1105.11, is attached hereto as **Exhibit C** and hereby made a part hereof. The original and ten (10) copies were sent to Ms. Victoria Rutson, Section of Environmental Analysis (SEA), on October 11, 2004. This letter indicates that the proposed abandonment does not involve historic properties.

Dated this 24<sup>th</sup> day of November, 2004.

Respectfully submitted,

UNION PACIFIC RAILROAD COMPANY

  
\_\_\_\_\_  
Mack H. Shumate, Jr.  
Senior General Attorney  
101 North Wacker Drive, Room 1920  
Chicago, Illinois 60606  
(312) 777-2055  
(312) 777-2065 FAX

**VERIFICATION**

STATE OF NEBRASKA    )  
                                  ) ss:  
COUNTY OF DOUGLAS    )

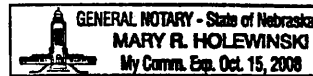
I, RAYMOND E. ALLAMONG, JR., Senior Manager Rail Line Planning of Union Pacific Railroad Company, declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing document and that its assertions are true and correct to the best of my knowledge, information and belief. I further declare that I am qualified and authorized to submit this verification on behalf of Union Pacific Railroad Company. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, I know that these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Omaha, Nebraska, this 9th day of November, 2004.

Raymond E. Allamong, Jr.  
Raymond E. Allamong, Jr.

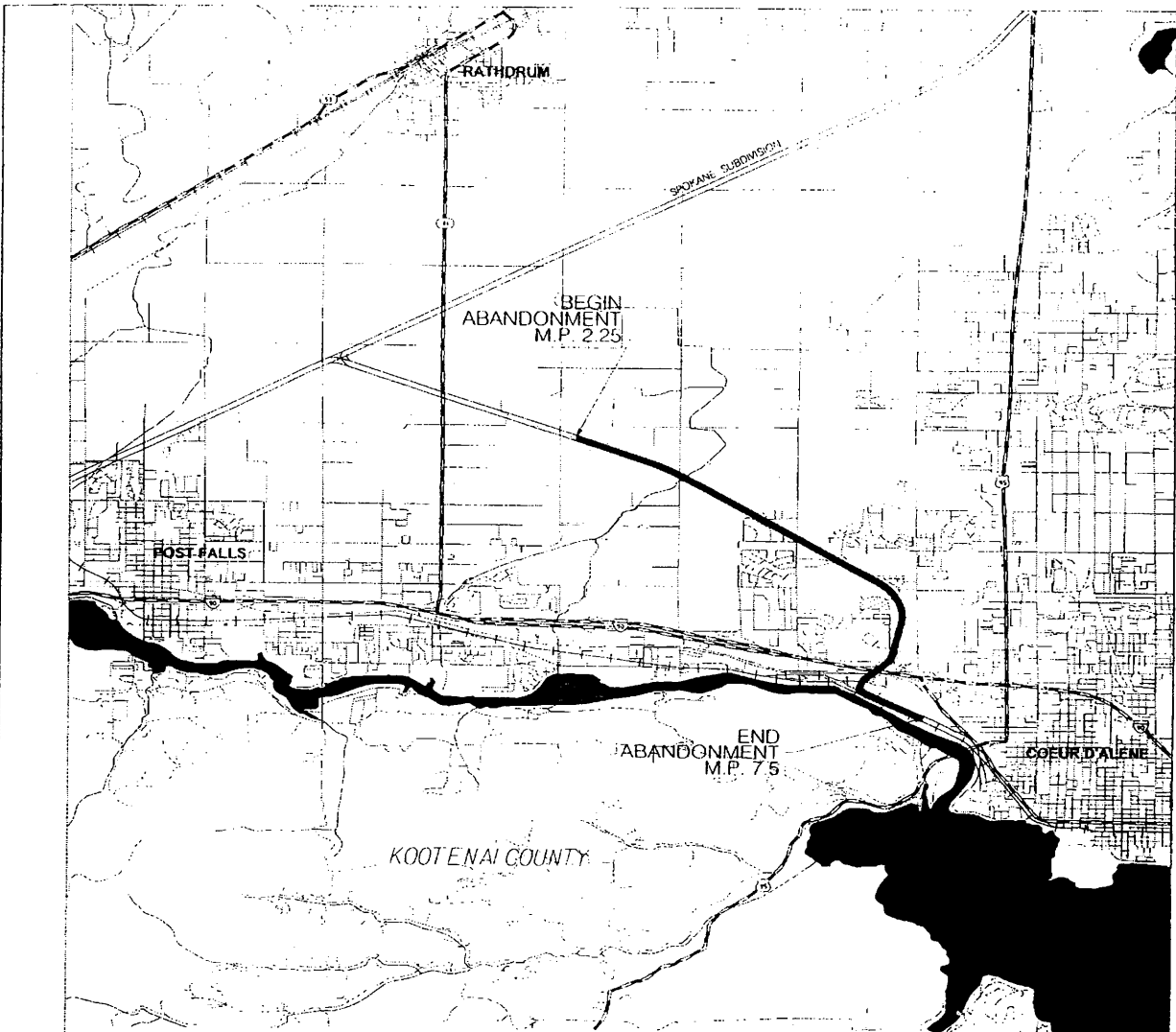
SUBSCRIBED AND SWORN TO  
before me this 9th day of  
November, 2004.

Mary R. Holewinski  
Notary Public



My Commission expires: October 15, 2008





NOTE  
DASH ARE NO STRUCTURES +50

A TOTAL OF 5.25 MILES  
IN KOOTENAI COUNTY, IDAHO

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

COEUR D'ALENE INDUSTRIAL LEAD  
UNION PACIFIC RAILROAD CO.  
COEUR D'ALENE INDUSTRIAL LEAD  
FEELEY SPUR TO GIBBS, IDAHO  
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE MILES

FILE: q:\abandonment\stab0340.ctb\jatzaph.dgn

DATE: 03-Mar-04 08:51



**Exhibit B**  
**AB-33 (Sub-No. 218X)**

**DOCKET NO. AB-33 (SUB-NO. 218X)**  
**Coeur d' Alene Industrial Lead in Kootenai County, ID**

**CERTIFICATE OF SERVICE AND PUBLICATION**

**49 C.F.R. § 1152.50(d)(1) - Notice**

The undersigned certifies that on November 5, 2004 (at least 10 days before a Notice of Exemption is filed), written notice was given of Union Pacific's intent to use the exemption notice procedure to abandon the Coeur d' Alene Industrial Lead in Kootenai County, Idaho in Docket No. AB-33 (Sub-No. 218X). Inadvertently, the 10-day Notice of Exemption was served on all of the agencies listed on the Service List for the Combined Environmental and Historic Report which included:

Idaho Public Utilities Commission  
P.O. Box 83720  
472 West Washington St.  
Boise, ID 83706

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N.W., #MS3540  
Washington, DC 20240

**10**

Regretfully, the following two required agencies were not included on the Service List:

U.S. Department of Agriculture  
Chief of the Forest Service  
4th Flr. N.W., Auditors Bldg.  
14th St. & Independence Ave., SW  
Washington, DC 20250

Military Traffic Management Command  
Transportation Engr. Agency  
Railroads for National Defense  
720 Thimble Shoals Blvd., Su.130  
Newport News, VA 23606-2574

These two agencies, the U. S. Department of Agriculture, Chief of the Forest Service and the Military Traffic Management Command, Transportation Engr. Agency were contacted by telephone and fax, accepted late notice and confirmed that the proposed filing was acceptable to their respective agencies. Copies of the original 10-day Notice and faxed notices to the U. S. Department of Agriculture and Military Traffic Management Command are attached hereto as Attachments 1, 2 and 3, respectively.

**49 C.F.R. § 1105.11 -**

The undersigned certifies that on October 12, 2004 (at least 20 days before a Notice of Exemption is filed), a Combined Environmental and Historic Report pursuant to 49 C.F.R. §§ 1105.7 and 1105.8 was served in Docket No. AB-33 (Sub-No. 218X) for abandonment of the Coeur d' Alene Industrial Lead in Kootenai County, Idaho on the following:

- (1) State Clearinghouse (or alternate)
- (2) State Environmental Protection Agency
- (3) State Coastal Zone Management Agency
- (4) Head of each County
- (5) U.S. Environmental Protection Agency (regional office)
- (6) U.S. Fish and Wildlife Service
- (7) U.S. Army Corps of Engineers
- (8) National Park Service
- (9) U.S. Natural Resources Conservation Service
- (10) The National Geodetic Survey
- (11) State Historic Preservation Office
- (12) Other Agencies Consulted (as listed)

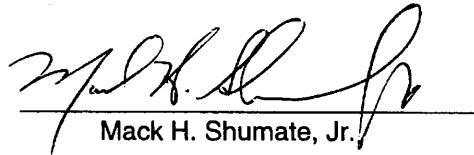
(The Certificate of Service attached to the Combined Environmental and Historic Report lists the names and addresses of the federal, state and local agencies served; see, Attachment 4.)

**49 C.F.R. § 1105.12 - Newspaper Notice**

The undersigned further certifies that a "Notice of Intent to Abandon was published in the form prescribed by the Board for a Notice of Exemption. The notice was published one time in a major newspaper in the county in which the Line is located as follows:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Kootenai	<i>Coeur d' Alene Daily Press</i>	November 15, 2004

Dated this 24<sup>th</sup> day of November, 2004.

  
Mack H. Shumate, Jr.



FILE COPY

November 5, 2004

**State Clearinghouse (or alternate):**

Commission Secretary  
Idaho Public Utilities Commission  
P. O. Box 83720  
472 West Washington St.  
Boise, ID 83702

**State Environmental Protection Agency:**

Idaho Division of Environmental Quality  
1410 N. Hilton  
Boise, ID 83706

**State Coastal Zone Management Agency  
(if applicable):**

None

**Head of each County:**

Kootenai County Supervisors  
County Courthouse  
451 Government Way  
Coeur D' Alene, ID 83814-2988

**Environmental Protection Agency  
(Regional Office):**

U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District  
Walla Walla  
201 North Third Avenue  
Walla Walla, WA 99362-1876

**U.S. Natural Resources Conservation Service:**

State Conservationist  
Natural Resources Conservation Service  
9173 W. Barnes Dr., Ste. C  
Boise, ID 83709-1573

**National Geodetic Survey:**

National Geodetic Survey  
Frank Maida – Spatial Reference System Division  
NOAA NNGS23  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

State Historic Preservation Office  
Idaho Historical Society  
1109 Main St., Ste. 250  
Boise, ID 83702

**U.S. Fish and Wildlife:**

U.S. Fish and Wildlife Service, Region 1  
911 NE 11<sup>th</sup> Avenue  
Portland, OR 97232-4181

**National Park Service:**

National Park Service  
William D. Shaddox, Chief  
1849 "C" St., N.W., #MS3540  
Washington, D.C. 20240

**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company  
- Abandonment Exemption - In Kootenai County, Idaho from M.P. 2.25 to  
M.P. 7.50 (Coeur'd Alene Industrial Lead)**

Dear Sirs:

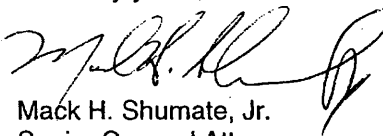
This is notice that Union Pacific Railroad Company intends to abandon the Coeur D' Alene Industrial Lead from Milepost 2.25 near the Feeley Spur to Milepost 7.50 near Gibbs, a distance of 5.25 miles in Kootenasi County, Idaho, (the "Line"). The Line traverses U.S. Postal Service Zip Code 83840. The proceeding will be docketed as No. AB-33 (Sub-No. 218X).

The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and there is no overhead traffic on the rail Line. A Notice of Exemption will be filed with the Surface Transportation Board on or after November 15, 2004.

Based on information in our possession, the Line does contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

A map showing the Line to be abandoned is attached, for your information.

Sincerely yours,

  
Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

\*\*\* STATUS REPORT \*\*\*

PG. OF NOV 24 2004 10:34 PAGE.01

URRP

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
22	11/24 10:33	757 599 1560	EC--S	01'15"	004	183	OK

**UNION PACIFIC RAILROAD COMPANY  
FACSIMILE TRANSMISSION**



Law Department  
Chicago

101 N. Wacker Dr.  
Room 1920  
Chicago, IL 60606

<b>Deliver to:</b>	<b>David Dorfman</b>	<b>Co:</b>	<b>Railroads for National Defense</b>
<b>Fax:</b>	757/599-1560		
<b>From:</b>	Mack H. Shumate, Jr.	<b>Tele:</b>	312/777-2055
<b>Date:</b>	November 24, 2004	<b>Fax:</b>	312/777-2065

No. of Pages Transmitted - 4 - Including Cover

**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company  
-- Abandonment Exemption - In Kootenai County, Idaho from  
Milepost 2.25 to Milepost 7.50 (Coeur'd Alene Industrial Lead)**

**Comments:** Attached is a copy of the Ten-Day letter and map with regard to the captioned abandonment. We apologize for any inconvenience this may have caused your department in not receiving a copy of UP's notice previously sent. This abandonment almost exclusively is in the town of Coeur'd Alene and near outskirts and is not in or near a national forest. Based on our telephone conversations, it appears that your department will not have any objection with the UP going forward with the exempt abandonment at this time. If this is not the case, please call me at: 312/777-2055. Thank you.

**15**

Transmitting From

Fax No. 312/777-2065

**IF YOU DO NOT RECEIVE ALL PAGES  
CALL US AS SOON AS POSSIBLE  
312/777-2043**

This facsimile message may be a privileged and confidential communication and is intended for the use of the person to whom it was sent. If you have received this message in error, please notify us immediately at 312/777-2043. This message should not be disseminated or copied if you are not the intended recipient, but should be returned to the above address by mail or destroyed. **THANK YOU.**

FILE COPY



November 5, 2004

Idaho Public Utilities Commission  
 PO Box 83720  
 472 West Washington Street  
 Boise, ID 83702

U. S. Department of Agriculture  
 Chief of Forest Service  
 4<sup>th</sup> Flr., N.W., Auditors Bldg.  
 1400 Independence Ave., S.W.  
 Washington, D.C. 20250

National Park Service  
 William D. Shaddox  
 Chief, Land Resources Division  
 1849 "C" St., N.W. #MS3540  
 Washington, D.C. 20240

Military Traffic Management Command  
 Transportation Engr. Agency  
 Railroads for National Defense  
 720 Thimble Shoals Blvd., Suite 130  
 Newport News, VA 23606-2574

**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company  
 - Abandonment Exemption - In Kootenai County, Idaho from M.P. 2.25 to  
 M.P. 7.50 (Coeur'd Alene Industrial Lead)**

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This is notice that Union Pacific Railroad Company intends to abandon the Coeur D' Alene Industrial Lead from Milepost 2.25 near the Feeley Spur to Milepost 7.50 near Gibbs, a distance of 5.25 miles in Kootenai County, Idaho, (the "Line"). The Line traverses U.S. Postal Service Zip Code 83840. The proceeding will be docketed as No. AB-33 (Sub-No. 218X).

The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and there is no overhead traffic on the rail Line. A Notice of Exemption will be filed with the Surface Transportation Board on or after November 15, 2004.

16

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

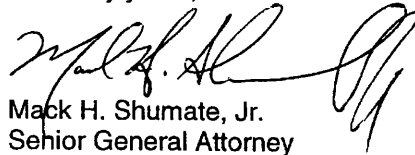
UNION PACIFIC RAILROAD  
 101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
 ph. (312) 777-2055 fx. (312) 777-2065



Based on information in our possession, the Line does contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

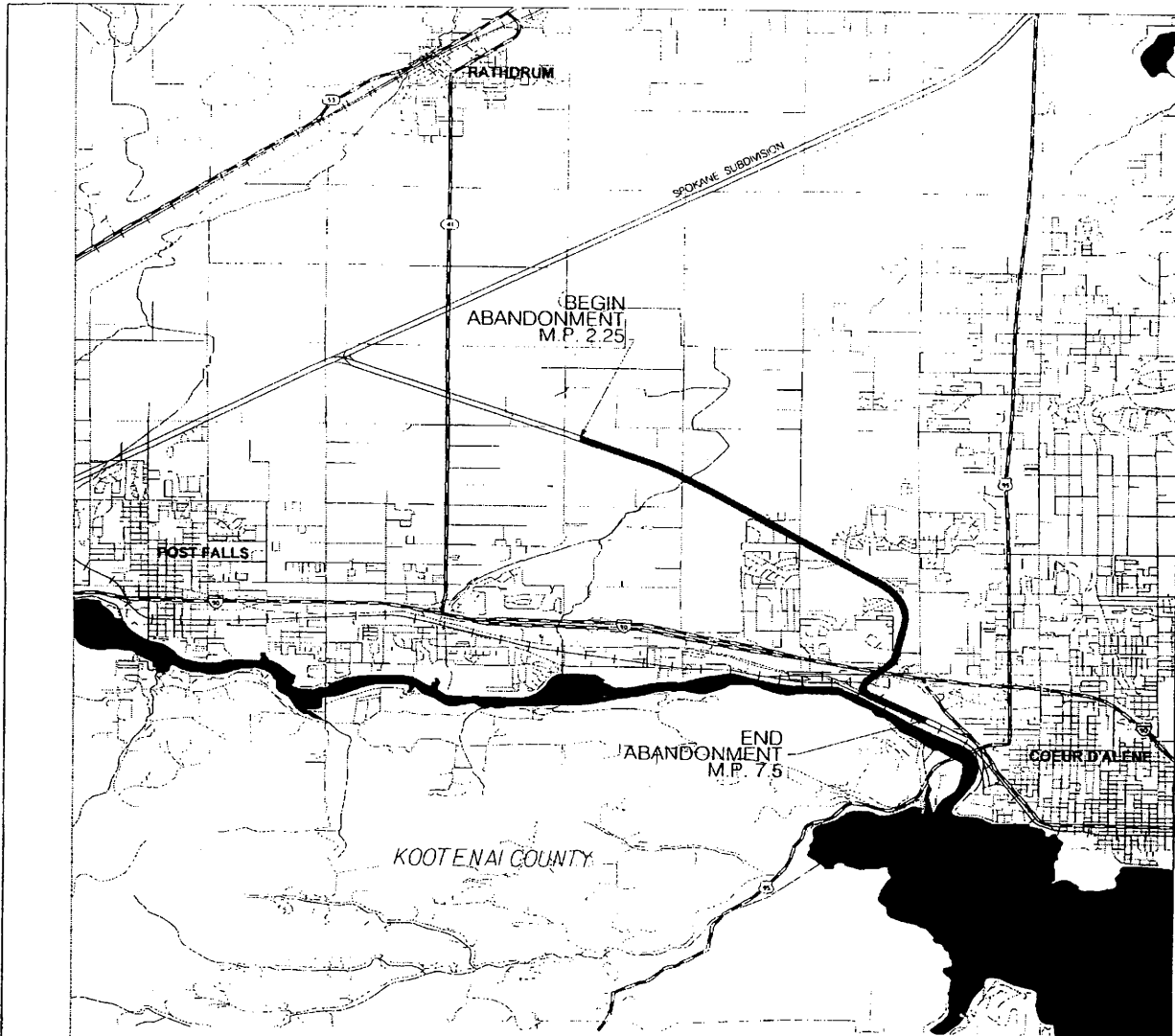
A map showing the Line to be abandoned is attached, for your information.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Mack H. Shumate, Jr.', written in a cursive style.


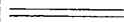
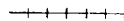



Mack H. Shumate, Jr.  
Senior General Attorney

Enclosures

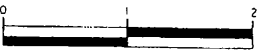


NOTE:  
THERE ARE NO STRUCTURES +50

A TOTAL OF 5.25 MILES  
IN KOOTENAI COUNTY, IDAHO

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

COEUR D'ALENE INDUSTRIAL LEAD  
UNION PACIFIC RAILROAD CO.  
COEUR D'ALENE INDUSTRIAL LEAD  
FEELEY SPUR TO GIBBS, IDAHO  
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES

FILE: q:\abandonment\st\0340.cad\j\uprr\ph.dgn

DATE: 09-Mar-04 08:51

\*\* TX STATUS REPORT \*\*

AS OF NOV 24 2004 10:36 PAGE 01

UPRR

DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMDR	STATUS
23	11/24	10:35 202 205 1604	EC--S	01'13"	004	184	OK

**UNION PACIFIC RAILROAD COMPANY  
FACSIMILE TRANSMISSION**



Law Department  
Chicago

101 N. Wacker Dr.  
Room 1920  
Chicago, IL 60606

<b>Deliver to:</b> Cynthia Swanson	<b>Co:</b> U.S. Dept. of Agriculture
<b>Fax:</b> 202/205-1604	
<b>From:</b> Mack H. Shumate, Jr.	<b>Tele:</b> 312/777-2055
<b>Date:</b> November 24, 2004	<b>Fax:</b> 312/777-2065

No. of Pages Transmitted - 4 - Including Cover

**RE:** Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company  
-- Abandonment Exemption -- In Kootenai County, Idaho from  
Milepost 2.25 to Milepost 7.50 (Coeur'd Alene Industrial Lead)

**Comments:** Attached is a copy of the Ten-Day letter and map with regard to the captioned abandonment. We apologize for any inconvenience this may have caused your department in not receiving a copy of UP's notice previously sent. This abandonment almost exclusively is in the town of Coeur'd Alene and near outskirts and is not in or near a national forest. Based on our telephone conversations, it appears that your department will not have any objection with the UP going forward with the exempt abandonment at this time. If this is not the case, please call me at: 312/777-2055. Thank you.

19

Transmitting From

Fax No. 312/777-2065

IF YOU DO NOT RECEIVE ALL PAGES  
CALL US AS SOON AS POSSIBLE  
312/777-2043

This facsimile message may be a privileged and confidential communication and is intended for the use of the person to whom it was sent. If you have received this message in error, please notify us immediately at 312/777-2043. This message should not be disseminated or copied if you are not the intended recipient, but should be returned to the above address by mail or destroyed. THANK YOU.

FILE COPY



November 5, 2004

Idaho Public Utilities Commission  
 PO Box 83720  
 472 West Washington Street  
 Boise, ID 83702

National Park Service  
 William D. Shaddox  
 Chief, Land Resources Division  
 1849 "C" St., N.W. #MS3540  
 Washington, D.C. 20240

U. S. Department of Agriculture  
 Chief of Forest Service  
 4<sup>th</sup> Flr., N.W., Auditors Bldg.  
 1400 Independence Ave., S.W.  
 Washington, D.C. 20250

Military Traffic Management Command  
 Transportation Engr. Agency  
 Railroads for National Defense  
 720 Thimble Shoals Blvd., Suite 130  
 Newport News, VA 23606-2574

**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company  
 - Abandonment Exemption - In Kootenai County, Idaho from M.P. 2.25 to  
 M.P. 7.50 (Coeur'd Alene Industrial Lead)**

Dear Sirs:

This is notice that Union Pacific Railroad Company intends to abandon the Coeur D' Alene Industrial Lead from Milepost 2.25 near the Feeley Spur to Milepost 7.50 near Gibbs, a distance of 5.25 miles in Kootenai County, Idaho, (the "Line"). The Line traverses U.S. Postal Service Zip Code 83840. The proceeding will be docketed as No. AB-33 (Sub-No. 218X).

The "no business" exemption procedure will be used to abandon the Line, pursuant to the abandonment regulations of the Surface Transportation Board at 49 C.F.R. Section 1152.50. No local traffic has moved over the Line in at least two years and there is no overhead traffic on the rail Line. A Notice of Exemption will be filed with the Surface Transportation Board on or after November 15, 2004.

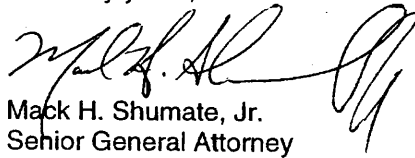
Mack H. Shumate, Jr.  
 Senior General Attorney, Law Department

UNION PACIFIC RAILROAD  
 101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
 ph. (312) 777-2055 fx. (312) 777-2065

Based on information in our possession, the Line does contain federally granted rights-of-way. Any documentation in the Railroad's possession will be made available promptly to those requesting it.

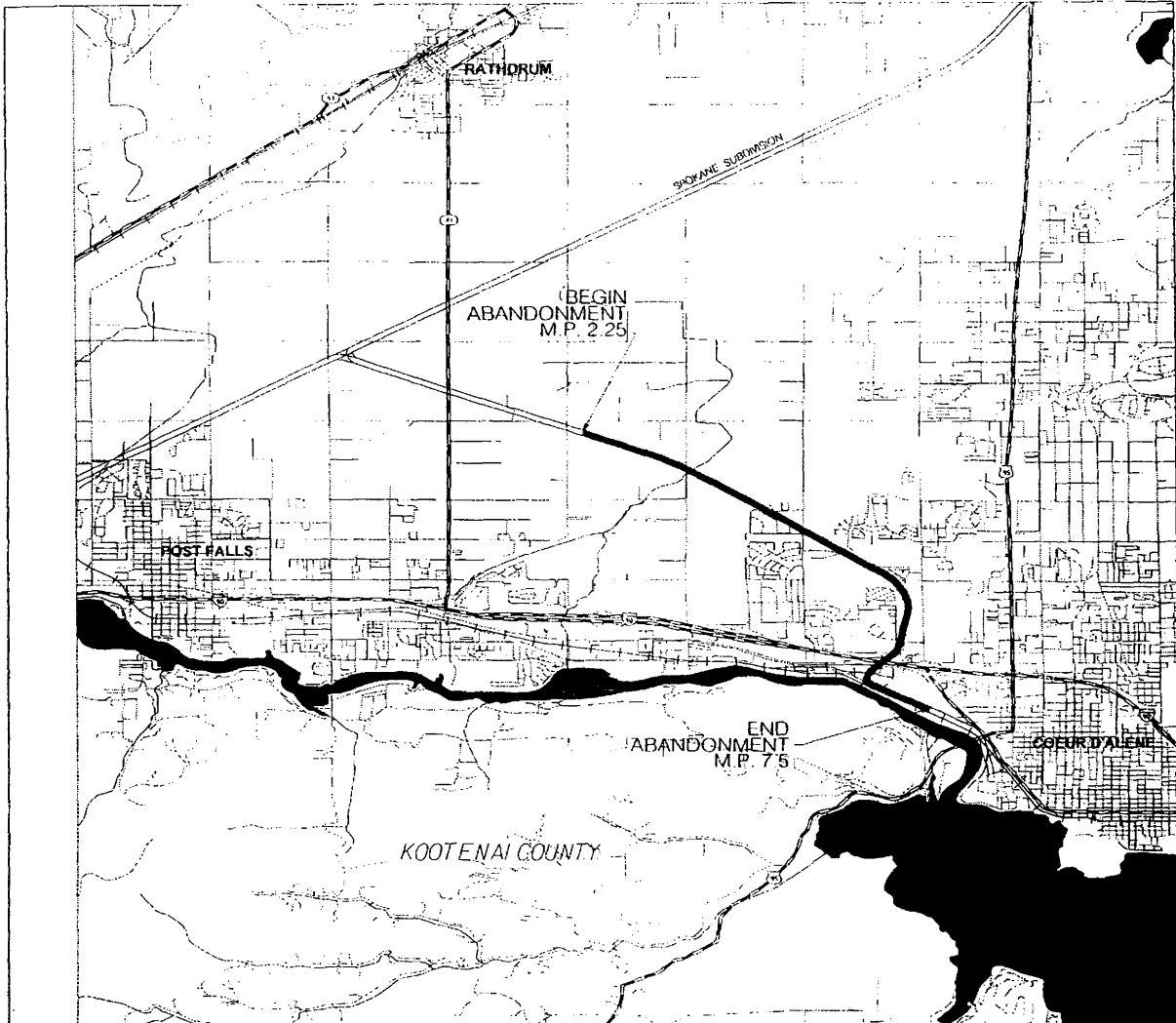
A map showing the Line to be abandoned is attached, for your information.

Sincerely yours,



Mack H. Shumate, Jr.  
Senior General Attorney




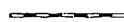
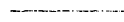

Enclosures



NOTE  
THERE ARE NO STRUCTURES + 50

A TOTAL OF 5.25 MILES  
IN KOOTENAI COUNTY, IDAHO

LEGEND

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

COEUR D'ALENE INDUSTRIAL LEAD  
UNION PACIFIC RAILROAD CO.  
COEUR D'ALENE INDUSTRIAL LEAD  
FEELEY SPUR TO GIBBS, IDAHO  
INCLUDING 50+ YEAR OLD STRUCTURES

SCALE  MILES

FILE: q:\abandonment\sub\0340.ctb\jst\ephd.gn

DATE: 09-Mar-04 08:51

CERTIFICATE OF SERVICE  
OF THE  
COMBINED ENVIRONMENTAL AND HISTORIC REPORT

The undersigned hereby certifies that a copy of the foregoing Combined Environmental and Historic Report in Docket No. AB-33 (Sub-No. 218X), the Coeur d' Alene Industrial Lead in Kootenai County, Idaho was served by first class mail on the 11<sup>th</sup> day of October, 2004 on the following:

**State Clearinghouse (or alternate):**

Commission Secretary  
Idaho Public Utilities Commission  
P. O. Box 83720  
472 West Washington St.  
Boise, ID 83702

**State Environmental Protection Agency:**

Idaho Division of Environmental Quality  
1410 N. Hilton  
Boise, ID 83706

**State Coastal Zone Management Agency**  
**(if applicable):**

None

**Head of each County:**

Kootenai County Supervisors  
County Courthouse  
451 Government Way  
Coeur D' Alene, ID 83814-2988

**Environmental Protection Agency**

**(Regional Office):**

U.S. Environmental Protection Agency  
Region 10  
1200 Sixth Avenue  
Seattle, WA 98101

**U.S. Fish and Wildlife:**

U.S. Fish & Wildlife Service, Region 1  
911 NE 11th Avenue  
Portland, OR 97232-4181

**U.S. Army Corps of Engineers:**

U.S. Army Engineer District  
Walla Walla  
201 North Third Avenue  
Walla Walla, WA 99362-1876

**National Park Service:**

National Park Service  
William D. Shaddox  
Chief, Land Resources Division  
1849 "C" St., N. W., #MS3540  
Washington, DC 20240

**U.S. Natural Resources Conservation Service:**

State Conservationist  
Natural Resource Conservation Service  
9173 W. Barnes Drive, Ste. C  
Boise, ID 83709-1573

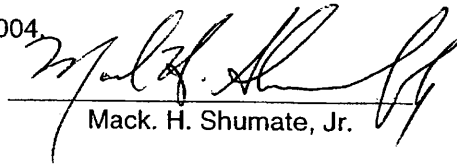
**National Geodetic Survey:**

National Geodetic Survey  
Edward J. McKay, Chief  
Spatial Reference System Division  
NOAA N/NGS2  
1315 E-W Highway  
Silver Spring, MD 20910-3282

**State Historic Preservation Office:**

State Historic Preservation Officer  
Idaho Historical Society  
1109 Main St., Suite 250  
Boise, ID 83702

Dated this 11<sup>th</sup> day of October, 2004,

  
Mack. H. Shumate, Jr.

**FILE COPY**



October 11, 2004

**VIA U.P.S. OVERNIGHT**

Surface Transportation Board  
Section of Environmental Analysis  
1925 "K" St., N.W., Room 504  
Washington, DC 20423-0001

**Attention:** Victoria Rutson

**RE: Docket No. AB-33(Sub-No.218X), Union Pacific Railroad Company**  
**- Abandonment Exemption - In Kootenai County, Idaho from M.P. 2.25 to**  
**M.P. 7.50 (Coeur'd Alene Industrial Lead)**

Dear Ms. Rutson:

Enclosed for filing in the above-referenced docket is the original and ten (10) copies of a Combined Environmental and Historic Report prepared pursuant to 49 C.F.R. §1105.7 and §1105.8, with a Certificate of Service, and a transmittal letter pursuant to 49 C.F.R. §1105.11.

Union Pacific anticipates filing a Petition for Exemption in this matter on or after November 1, 2004.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mack H. Shumate, Jr.".

Enclosures

O:\ABANDONMENTS\33-218X\STB-EHR.doc

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

**UNION PACIFIC RAILROAD**  
101 N. Wacker Dr., Rm. 1920, Chicago, IL 60606-1718  
ph. (312) 777-2055 fx. (312) 777-2065



CERTIFICATE OF SERVICE  
OF THE  
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Commission Secretary  
Idaho Public Utilities Commission  
P. O. Box 83720  
472 West Washington St.  
Boise, ID 83702

**State Environmental Protection Agency:**

Idaho Division of Environmental Quality  
1410 N. Hilton  
Boise, ID 83706

**State Coastal Zone Management Agency**  
**(if applicable):**

None

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Kootenai County Supervisors  
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Region 10  
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Seattle, WA 98101

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Portland, OR 97232-4181

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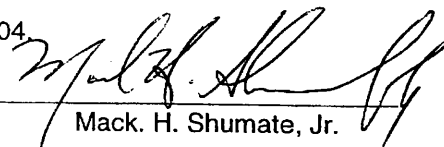
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State Historic Preservation Officer  
Idaho Historical Society  
1109 Main St., Suite 250  
Boise, ID 83702

Dated this 11<sup>th</sup> day of October, 2004.

  
Mack. H. Shumate, Jr.