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February 10, 2021

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Office of Proceedings
February 12, 2021
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Public Record

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
STATE OF IDAHO THROUGH THE DEPARTMENT OF TRANSPORTATION
IN ACCORDANCE WITH 49 C.F.R. 1152.29(h)**

Re: Abandonment of and Discontinuance of Service on Union Pacific Coeur D'Alene Industrial Lead from M.P. 1.09 to M.P. 2.25 near the City of Post Falls, Kootenai County, Idaho; STB Docket No. AB 33 (Sub-No. 346X)

Dear Ms. Brown:

Union Pacific Railroad Company ("Union Pacific") and State of Idaho through the Department of Transportation ("IDOT") have entered into a trail use/rail banking agreement ("Trail Use Agreement") covering the rail line from Milepost 1.09 to Milepost 2.25 near the City of Post Falls, Kootenai County, Idaho on Union Pacific's Coeur D'Alene Industrial Lead ("Line"). Attached to this Joint Notice as **Exhibit A** 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), Union Pacific and IDOT hereby certify that the Trail Use Agreement includes provisions requiring IDOT to fulfill the responsibilities described at 49 C.F.R. 1152.29(a)(3). A copy of IDOT's 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

By: _____

Printed Name: Chris D. Goble

Title: Assistant Vice President – Real Estate

Sincerely,

**STATE OF IDAHO THROUGH THE
DEPARTMENT OF TRANSPORTATION**

By: 
Printed Name: DAMON L ALLEN
Title: DE

Enclosures

cc: Aaron Galley (for Union Pacific via email to apgalley@up.com)
Bill Roberson (for IDOT via email to william.roberson@itd.idaho.gov)
Barbara Waite (for IDOT via email to barbara.waite@itd.idaho.gov)

EXHIBIT A

**PRINT/DEPICTION OF THE LINE
(TO BE ATTACHED)**

TOTAL SALE AREA = 13.966 AC +/-

PARCEL #71 = 10.450 AC ±

PARCEL #70 = 0.636 AC ±

PARCEL #72 = 2.880 AC ±

5
n.c.

6-A
UPLS 4840
4-1-71
WO 18268-1
0.54 ac S.I.S.

13-A
UPLS 4839
4-1-71
WO 18268-1
2.90 ac S.I.S. 599

CHARLES A. THOMPSON
JULY 21, 1937
JACKLIN SEED CO.
JULY 12, 1930.

FEELEY'S SPUR

CHAS W FEELEY

HERMAN KNUDSON

EDWARD R. NORTHRUP

PRAIRIE AVE.

MEYER RD.

T.S.N. R. 4 W.

T.S.N. R. 4 W.

CG 110
500+235

CG 112

CG 201

CG 202

No. 5

No. 4

No. 3

T. J. YOUNG



LEGEND:

SALE AREA 

UPRRCO. R/W OUTLINED 

CADD
FILENAME 0037375.DGN

SCAN
FILENAME 0037375_ID2V001.TIF

NOTE: BEFORE YOU BEGIN ANY WORK, SEE
AGREEMENT FOR FIBER OPTIC PROVISIONS.

EXHIBIT "A"

UNION PACIFIC RAILROAD COMPANY

COEUR D' ELENE, KOOTENAI COUNTY, ID

M.P. 1.09 TO 2.25 - COEUR D'ALENE SUB.

CDPD ID V-2 / 1

SCALE: 1" = 500'

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA DATE: 11/5/2019

RRM FILE: 373-75

EXHIBIT B

STATE OF IDAHO THROUGH THE DEPARTMENT OF TRANSPORTATION STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY UNDER THE TRAIL USE AGREEMENT

State of Idaho through the Department of Transportation ("IDOT") acquired the Line as defined below on 2/4, 2021 under a Purchase and Sale Agreement between Union Pacific Railroad Company ("UPRR") and IDOT dated April 30, 2020.

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 UPRR [see Discontinuance of Service AB 33 (Sub-No. 346X)], IDOT hereby represents to the Surface Transportation Board and UPRR that IDOT 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 UPRR 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 UPRR's Coeur D'Alene Industrial Lead from Milepost 1.09 to Milepost 2.25 near the City of Post Falls, Kootenai County, Idaho ("Line"). The right-of-way is part of a line of railroad proposed for abandonment by UPRR in Docket No. AB 33 (Sub No. 346X). A map of the property depicting the right-of-way is attached hereto as **Exhibit A** and is hereby made a part hereof.

IDOT acknowledges that use of the right-of-way is subject to IDOT'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 UPRR on the same date it is being served on the Surface Transportation Board.

STATE OF IDAHO THROUGH THE DEPARTMENT OF TRANSPORTATION

By: 
Printed Name: Damon L. Allen
Title: DE

Agreed to and acknowledged by UPRR this 4 day of February, 2021.

UNION PACIFIC RAILROAD COMPANY

By: 
Printed Name: Chris D. Goble Title: Assistant Vice
President – Real Estate

EXHIBIT A
TO STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY
UNDER THE TRAIL USE AGREEMENT

**MAP OF THE PROPERTY THAT DEPICTS THE LINE
(TO BE ATTACHED)**

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PARCEL #70 = 0.636 AC ±

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13-A
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2.90 ac S.I.L.S. 599

FEELY'S SPUR

No. 5

No. 4

No. 3

CHAS. W. FEELY

EDWARD R. NORTHROP

HERMAN KNUDSON

PRAIRIE AVE

MEYER RD

HWY 41

300+00 to 1/4 Mile Taper Calculating 20' to 66'

CG 110
500+235

1000

CG 201

CG 202

CHARLES A. THOMPSON
JULY 21, 1937

ACKLIN SEED CO.
MAY 12, 1950



LEGEND:

SALE AREA.....



UPRRCO. R/W OUTLINED.....



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UNION PACIFIC RAILROAD COMPANY

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M.P. 1.09 TO 2.25 - COEUR D'ALENE SUB.

CDPD ID V-2 / 1

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