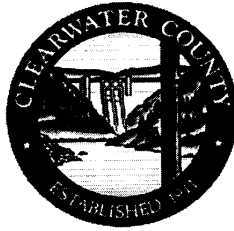


P.O. Box 586
Orofino, ID 83544
Phone: (208) 476-3615
Fax: (208) 476-3127

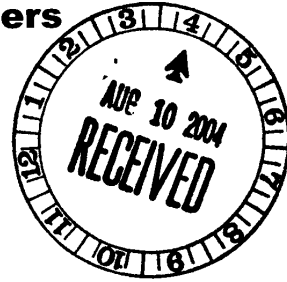


Commissioners
Stan Leach, Chairman
J. P. "Pete" Curfman
Don Ebert

211784

Clearwater County Commissioners

August 3, 2004



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW, Room 711
Washington, DC 20423

Re: STB Docket #AB-872X, Great Northwest Railroad, Inc.-Abandonment
Exemption-In Clearwater County, Idaho

Dear Mr. Williams:

This letter is a request to STB from Clearwater County, Idaho, a political subdivision of the State of Idaho to waive the filing fee which was submitted with the Public Use Condition request.

We ask that you waive the filing fee, because we are a governmental entity.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Don Ebert".

Don Ebert, Commissioner
Board of County Commissioners
Clearwater County, Idaho

ENTERED
Office of Proceedings

AUG 11 2004

Part of
Public Record

FILING FEE WAIVED FILED

AUG 10 2004

SURFACE
TRANSPORTATION BOARD

ENTERED
Office of Proceedings

AUG 11 2004

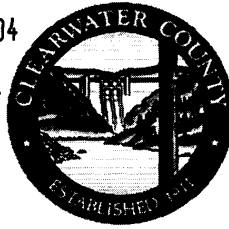
P.O. Box 586

Orofino, ID 83544

Phone: (208) 476-3615

Fax: (208) 476-3127

Part of
Public Record



Commissioners
Stan Leach, Chairman
J. P. "Pete" Curfman
Don Ebert

Clearwater County Commissioners

August 2, 2004



Mr. Vernon A. Williams, Secretary
Surface Transportation Board
1925 K Street NW, Room 711
Washington, DC 20423

FILING FEE WAIVED

Re: Great Northwest Railroad, Inc.-Abandonment-In Clearwater County, Idaho
AB-872X

Dear Mr. Williams:

The Board of Clearwater County Commissioners, which is a political subdivision of the State of Idaho, is interested in public use condition and/or trail use, which is hereinafter referred to as 'Commenter'.

While not taking a position on the merits of this abandonment, Commenter requests issuance of a Public Use Condition as well as a Certificate or Notice of Interim Trail Use rather than an outright abandonment authorization between milepost 3.5 at Orofino to railroad milepost 31.0 near Jaype, a distance of 27.5 miles in Clearwater County, Idaho

A. Public Use Condition

Commenter requests the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except of -public use on reasonable terms. The justification for this condition is that there is a significant possibility that this rail corridor could be connected to a successful trail system while preserving the right of way for future opportunities. The time period sought is 180 days from the effective date of the abandonment authorization. Commenter needs this much time because we have not had an opportunity to assemble or to review title information, complete a trail plan or commence negotiations with the carrier.
2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes.

The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for rail banking. In addition to the public use conditions sought above, Commenter also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

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, Clearwater County 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 Great Northwest Railroad, Inc. and operated by WATCO.

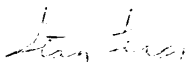
The property, known as the Great Northwest Railroad, Inc., Jaype line, extends from railroad milepost 3.5 at Orofino to railroad milepost 31.0 near Jaype, a distance of 27.5 miles in Clearwater County, Idaho. The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB-872X.

A map depicting the right-of-way is attached.

Clearwater County acknowledges that 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.

By my signature below, I certify service upon Great Northwest Railroad in c/o Karl Morell of Counsel, Ball Janik LLP- Attorneys, 1455 F Street, NW, Suite 225, Washington, D.C. 20005, by U.S. Mail, postage prepaid, first class, this 2nd day of August, 2004.

Respectfully submitted by the Board of County Commissioners, Clearwater County, Idaho.



Stan Leach
Chairman



J.P. "Pete" Gurfman
Commissioner



Don Ebert
Commissioner

EXHIBIT A

