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1 March 2006
by fax

215893

Hon. Vernon Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20036

Re: Nebkota Railway, Inc. --
Abandonment Exemption --
in Sheridan and Cherry
Counties, NE, AB 988X

withdrawal of objections

ENTERED
Office of Proceedings
MAR 1 2006
U.S. DEPT. OF TRANSPORTATION

Dear Mr. Secretary:

On the basis of the attached exchange between myself and counsel for NEBKOTA, Nebraska Game and Parks Commission (NGPC) and Rails to Trails Conservancy (RTC) withdraw their objections and requests for relief in the above proceeding.

Since I am informed that staff is working on a decision, I request that this be circulated immediately.

Thank you for your assistance in this matter.

Very truly,


Charles H. Montange
for NGPC and RTC

Encls. (2)

cc. Mr. Kahn for NEBKOTA (w/encl.)
Mr. Amack (NGPC) (w/encl.)
Ms. Ferster (RTC) (w/encl.)

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Fritz Kahn, Esq.
1920 N Street, N.W., 8th Floor
Washington, D.C. 20036-1601

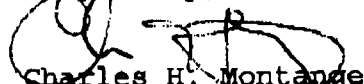
Re: NEBKOTA -- Abandonment Exemption -- in
Sheridan and Cherry Counties, NE, AB 988X

Dear Mr. Kahn:

In accordance with our telephone conversation this morning, in which you indicated that NEBKOTA agreed to convey the Merriman to Rushville segment (at issue in the above-captioned proceeding), excluding track, ties and other metallics, to Nebraska Game and Parks Commission (NGPC) for the payment of \$10 pursuant to a NITU, NGPC and RTC withdraw all requests for relief in the above captioned proceeding. NGPC and RTC concur that title shall remain with NEBKOTA pending completion of salvage (if this takes longer than 180 days, the NITU must be extended). NGPC and RTC request that NEBKOTA direct any salvager to leave the roadbed intact, remove salvage-related debris, and take care to avoid damage to the bridges, culverts, and similar structures.

If the above accurately reflects our understanding, then I will immediately fax this letter to the STB.

Very truly,


Charles H. Montange
for NGPC and RTC

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FACSIMILE TRANSMISSION SHEET

To: Charles H. Montange, Esq.
Fax no.: (206) 546-3739
From: Fritz R. Kahn
Fax No. (202) 331-8330
Date: March 1, 2006
Client: Nebkota
Number of pages: 1

29987-04983600004

Chuck:

Confirming our telephone conversation earlier today, NRI has agreed to the imposition of a trails condition and, upon the abandonment authorization being granted by the STB, will convey the right-of-way between Rushville and Merriman, including the bridges, trestles and culverts, to NGPC for \$10.00. It will ask the salvage company retrieving the tracks, ties and other track materials to leave the ballast in place and to take care not to damage the bridges, trestles and culverts.

Fritz