

216477

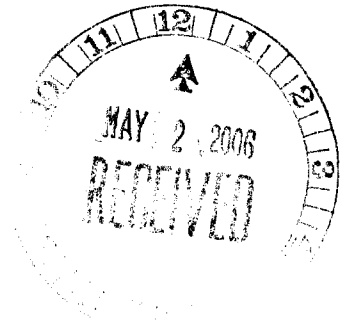
37985 Clark Creek Road
Burney, CA 96013
530-335-3978

SAVE BURNEY FALLS

April 22, 2006

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, NW
Washington, DC 20423-0001

ENTERED
Office of Proceedings
MAY 2 - 2006
Part of
Public Record



Re: McCloud Railway Company – Abandonment and Discontinuance of Service
Exemption – Entire Rail Line in Siskiyou, Shasta, and Modoc Counties, CA. STB
Docket No. AB-914-0-X

Dear Mr. Williams:

Please use this original letter and ten copies enclosed as an amendment to our prior petition dated November 17, 2005, for reconsideration in the above-captioned proceeding.

Surface Transportation Board's decision, decided on January 5, 2006, for issuance of the public use condition, was delayed until the Offer of Financial Assistance process has been completed. If no agreement is reached on the Offer of Financial Assistance, and before a decision is issued, **SAVE BURNEY FALLS** would like to request an additional portion of the rail corridor be included in our original request.

The initial request by **SAVE BURNEY FALLS** included approximately 5-miles of track starting .75 miles east of milepost B-60. Our amendment would increase the portion of the corridor to include approximately 3.25 additional miles, starting .25 miles west of milepost B-54 and heading east and north to milepost B-51. In particular, the request by **SAVE BURNEY FALLS** now covers a continuous 8.25-mile section of track between a point at .75 miles east of milepost B-60 and a point at milepost B-51.

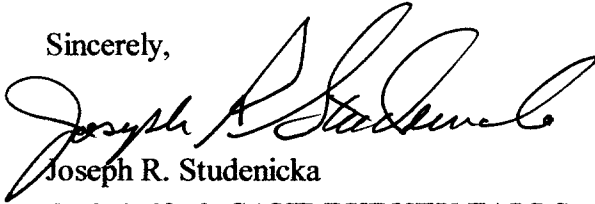
In addition to the above, **SAVE BURNEY FALLS** would also like to add .4-miles which includes the portion of the Berry Wye at or near milepost B-58 that heads west to Sierra. This would combine the Berry Wye and .1-mile of track heading west to the point where the rail crosses Black Ranch Road, prior to milepost S-1. A map is attached depicting the portion of the rail corridor to be used as a recreational trail and a sketch of the Berry Wye.

April 22, 2006
Page 2

If the Offer of Financial Assistance process terminates, **SAVE BURNEY FALLS** requests that the Surface Transportation Board find this property suitable for other public use, specifically trail use, and approve issuance of a public use condition.

By my signature below, I certify service upon McCloud Railway Company, 801 Industrial Way, P. O. Box 1500, McCloud, CA 96057, by US Mail, postage pre-paid, first class, this 24th day of April 2006.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph R. Studenicka". The signature is fluid and cursive, with the first name "Joseph" being more prominent.

Joseph R. Studenicka

On behalf of: **SAVE BURNEY FALLS**

cc: Jeffery J. Swanson, Attorney at Law
2515 Park Marina Drive, Suite 102
Redding, CA 96001

cc: Thomas F. McFarland, Attorney for McCloud Railway Company
208 South LaSalle Street, Suite 1890
Chicago, IL 60604-1112

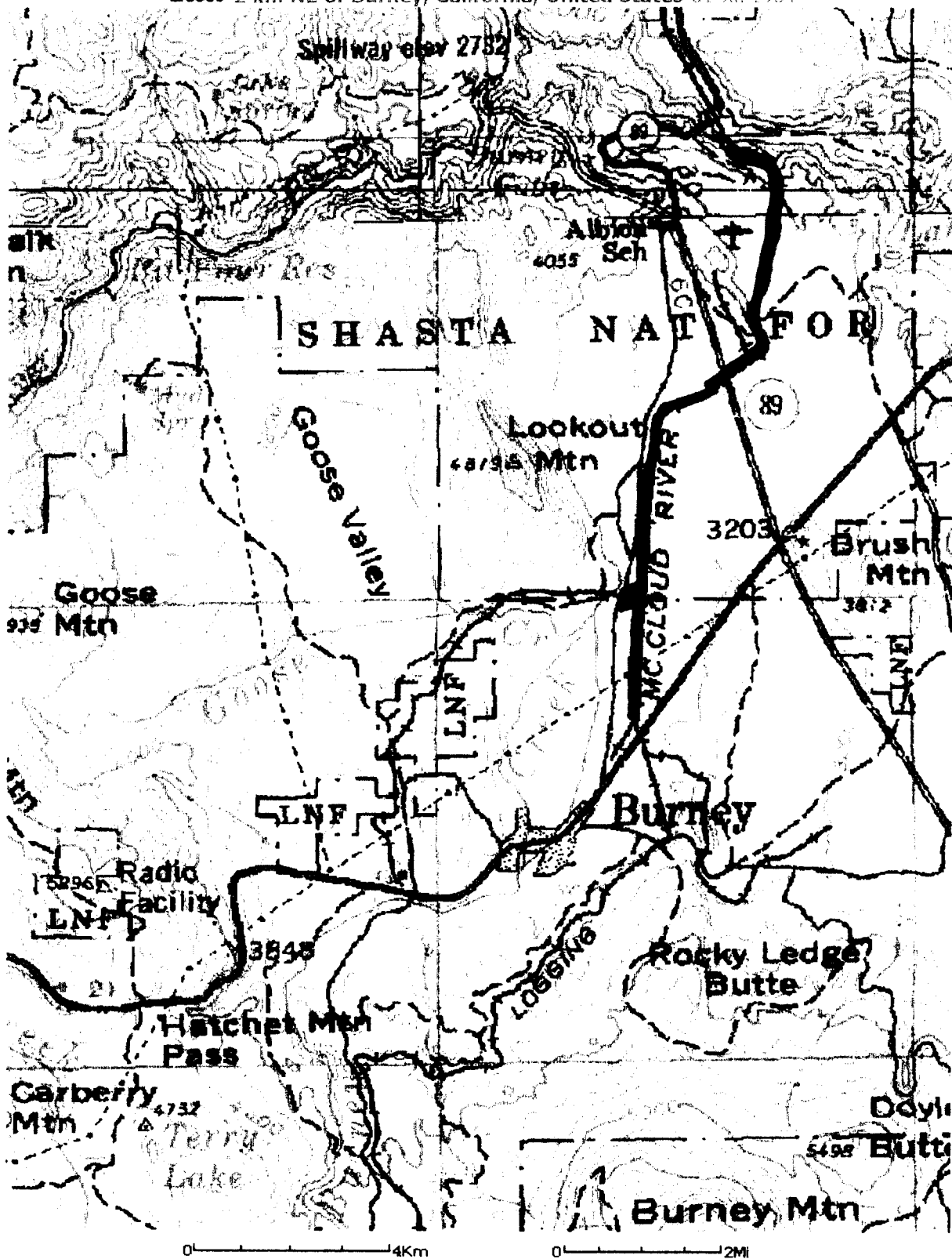
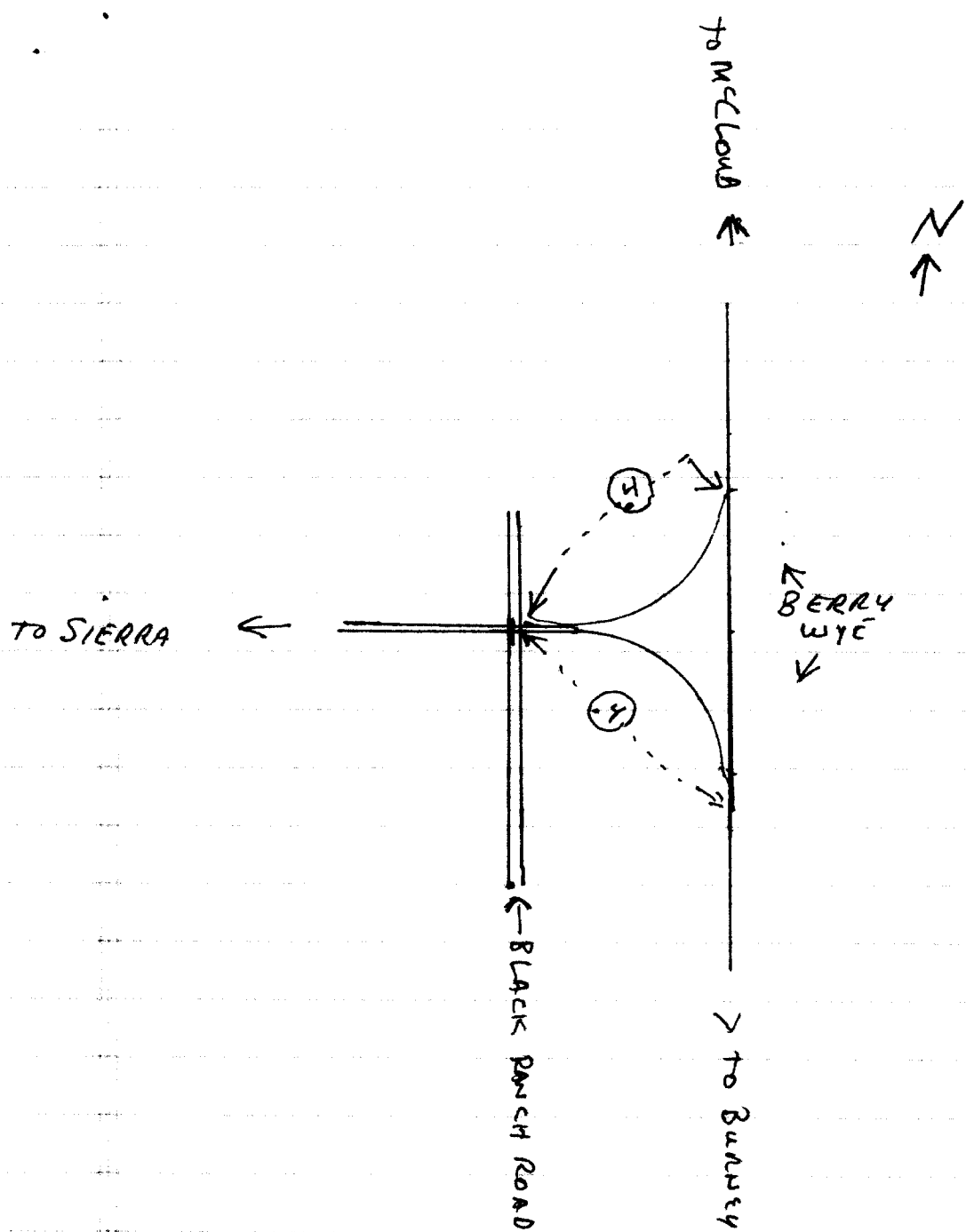


Image courtesy of the U.S. Geological Survey
 © 2004 Microsoft Corporation. [Terms of Use](#) [Privacy Statement](#)

— = Proposed Rail Trail



NOTE: (.4) = 4/10 of a mile