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THOMAS F. MCFARLAND

May 1, 2006

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

ENTERED
Office of Proceedings

MAY 08 2006

Part of
Public Record

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

Dear Mr. Williams:

Reference is made to an amended request for railbanking and interim trail use under 16 U.S.C. § 1247(d) to encompass a total of 8.65 miles of right-of-way in the rail line involved in the above proceeding, as contained in a letter to you dated April 22, 2006 from "Save Burney Falls".

This is to advise the Board and "Save Burney Falls" that Petitioner McCloud Railway Company is not willing to negotiate for trail use of the portion of right-of-way covered by the request of "Save Burney Falls".

As information, in a letter to you dated December 22, 2005, Petitioner stated that it was not willing to negotiate for a lesser length of right-of-way covered by an earlier request by "Save Burney Falls". In a decision served January 12, 2006, the Board denied that earlier request. The Board likewise should deny the current request.

Ten copies accompany the original of this notice.

Very truly yours,

Tom McFarland

Thomas F. McFarland
*Attorney for McCloud
Railway Company*

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cc: Mr. Joseph R. Studenicka
Fritz Kahn, Esq.
Mr. Jeff Forbis
Mr. Robert W. Larson