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THOMAS F. MCFARLAND

October 20, 2017

*By UPS overnight mail
(Monday delivery)*

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

244595

ENTERED
Office of Proceedings
October 23, 2017
Part of
Public Record

Re: Finance Docket No. 36153, *IHR Holdings, LLC -- Acquisition Exemption -- Santa Teresa Capital, Inc. at Santa Teresa, Doña Ana County, NM*

Dear Ms. Brown:

Hereby transmitted is the original and 10 copies of a Verified Notice Of Exemption Under 49 C.F.R. § 1150.41 for filing with the Board in the above referenced matter.

Also enclosed is a check in the amount of \$2,000 for the filing fee.

Very truly yours,



Thomas F. McFarland
Attorney for Applicant

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FEE RECEIVED
October 23, 2017
SURFACE
TRANSPORTATION BOARD

FILED
October 23, 2017
SURFACE
TRANSPORTATION BOARD



BEFORE THE
SURFACE TRANSPORTATION BOARD

IHR HOLDINGS, LLC -- ACQUISITION)
EXEMPTION -- SANTA TERESA) FINANCE DOCKET
CAPITAL, INC. AT SANTA TERESA,) NO. 36153
DOÑA ANA COUNTY, NM)



**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.41**

IHR HOLDINGS, LLC
1575 North Green Mount Road, Suite 300
P.O. Box 99
O'Fallon, IL 62269

Applicant

THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street, Suite 1666
Chicago, IL 60604-1112
(312) 236-0204 (office)
mcfarland@aol.com

Attorney for Applicant

Date Filed: October 23, 2017

BEFORE THE
SURFACE TRANSPORTATION BOARD

IHR HOLDINGS, LLC -- ACQUISITION	)	
EXEMPTION -- SANTA TERESA	)	FINANCE DOCKET
CAPITAL, INC. AT SANTA TERESA,	)	NO. 36153
DOÑA ANA COUNTY, NM	)	

**VERIFIED NOTICE OF EXEMPTION
UNDER 49 C.F.R. § 1150.41**

Pursuant to the class exemption at 49 C.F.R. § 1150.41, et seq., IHR HOLDINGS, LLC (IHR), a Class III rail carrier, hereby provides notice of its class exemption from 49 U.S.C. § 10902 for its acquisition from Santa Teresa Capital, Inc. (STC), a noncarrier, of a rail line at and near Santa Teresa Industrial Park, Santa Teresa, Doña Ana County, New Mexico, that extends from point of connection to Union Pacific Railroad Company (UP) at or near Milepost No. 1280 on UP's Lordsburg Subdivision to holding tracks adjacent to the Industrial Park and to three tracks that extend from the holding tracks into the Industrial Park that terminate at Strauss Road and at Industrial Drive (The Rail Line). The Rail Line does not have milepost numbers. The Rail Line is depicted in yellow shading on a print that is attached to this Notice as Appendix 1. The Rail Line totals approximately 10.9 miles.

IHR's name has been changed from Mississippi Tennessee Holdings, LLC (MTH) to IHR. IHR is a Class III rail carrier as a result of MTH's acquisition of a rail line in *Mississippi Tennessee Holdings, LLC -- Acquisition Exemption -- Rail Line of Mississippi & Tennessee Rail Net between Middleton, IN and Houston, MS*, 2003 WL 21360004 (F.D. 34355, decision served June 5, 2003).

IHR affiliate, Santa Teresa Southern Railroad, LLC operates over a portion of the Rail Line; see *Santa Teresa Southern Railroad, LLC -- Operation Exemption -- Rail Line of Verde Logistics Railroad, LLC at Santa Teresa, Doña Ana County, NM*, decision served March 8, 2012.

INFORMATION REQUIRED BY 49 C.F.R. § 1150.43

(a) The full name and address of the applicant;

Applicant is IHR HOLDINGS, LLC (IHR), 1575 North Green Mount Road, Suite 300, P.O. Box 99, O'Fallon, IL 62269.

(b) The name, address, and telephone number of the representative of the applicant who should receive correspondence;

Applicant's representative is Thomas F. McFarland, Thomas F. McFarland, P.C. 208 South LaSalle Street, Suite 1666, Chicago, IL 60604-1228, ph (312) 236-0204, mcfarland@aol.com.

(c) A statement that an agreement has been reached or details about when an agreement will be reached;

An agreement has been reached between IHR and STC for IHR to acquire the Rail Line.

(d) The operator of the property;

The operator of the property will be Santa Teresa Southern Railroad, LLC (STSR).

(e) A brief summary of the proposed transaction, including:

(1) The name and address of the railroad transferring the subject operating authority,

The entity transferring the rail line to IHR is Santa Teresa Capital, Inc., 1720 Magoffin Avenue, El Paso, TX 79990, a noncarrier.

(2) The proposed time schedule for consummation of the transaction,

The transaction will be consummated no sooner than the effective date of this notice.

(3) The mile-posts of the subject property, including any branch lines, and

The Rail Line does not have milepost numbers. The Rail Line extends from point of connection to Union Pacific Railroad Company (UP) at or near Milepost No. 1280 on UP's Lordsburg Subdivision to holding tracks adjacent to Santa Teresa Industrial Park and three tracks that extend from the holding tracks into the Industrial Park that terminate at Strauss Road and at Industrial Drive at or near Santa Teresa, Doña Ana County, New Mexico.

(4) The total route miles being acquired;

A total of approximately 10.9 miles of rail line will be acquired.

(f) A map that clearly indicates the area to be served, including origins, termini, stations, cities, counties, and States; and

Attached to this notice as Appendix 1 is a print on which the Rail Line is shaded in yellow.

(g) A certificate that applicant's projected revenues do not exceed those that would qualify it as a Class III carrier.

Attached to this notice as Appendix 2 is a verification that IHR's projected revenues do not exceed those that would qualify it as a Class III rail carrier.

VERIFICATION

The verification attached to this notice as Appendix 2 includes a verification of all facts contained in this notice.

REVENUES LESS THAN \$5 MILLION PER YEAR

The verification attached as Appendix 2 includes a verification that the projected revenues of IHR will not exceed \$5 million per year.

ENVIRONMENTAL AND HISTORIC CONSIDERATIONS

Pursuant to 49 C.F.R. § 1105.6(c)(2), no environmental documentation or report is required for the proposed transaction. Pursuant to 49 C.F.R. § 1105.8(b)(2), no historic documentation or report is required for the proposed transaction.

LABOR PROTECTION

Pursuant to 49 U.S.C. § 10902(d), no labor protection is required for the proposed transaction.

CAPTION SUMMARY

Attached to this notice as Appendix 3 is a caption summary required by 49 C.F.R. § 1150.44.

LAND GRANT RIGHT-OF-WAY

Applicant is not aware of any land grant right-of-way in the Rail Line.

NO INTERCHANGE COMMITMENTS

The proposed transaction does not involve any interchange commitments.

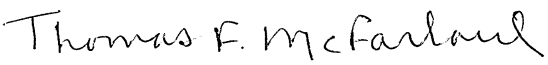
CONCLUSION

WHEREFORE, the Board should publish notice of the exemption in the *Federal Register* within 16 days of its filing.

Respectfully submitted,

IHR HOLDINGS, LLC
1575 North Green Mount Road, Suite 300
P.O. Box 99
O'Fallon, IL 62269

Applicant


THOMAS F. McFARLAND
THOMAS F. McFARLAND, P.C.
208 South LaSalle Street, Suite 1666
Chicago, IL 60604-1112
(312) 236-0204 (ph)
mcfarland@aol.com

Attorney for Applicant

Date Filed: October 23, 2017

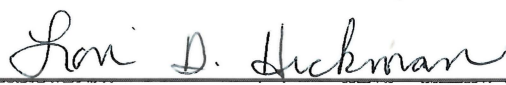
VERIFICATION

BARRY McCLURE, being duly sworn, states that he is an authorized representative of IHR Holdings, LLC (IHR); that he has read the foregoing Notice of Exemption; that the projected annual revenue of the rail line being acquired by IHR, together with IHR's annual revenues, do not exceed \$5 million; that IHR's projected revenues as a result of the proposed acquisition will not result in the creation of a Class I or Class II rail carrier; that the proposed acquisition does not involve any interchange commitment as defined in 49 C.F.R. § 1150.43(h); and that all allegations of fact contained in IHR's Notice of Exemption are true and correct.


BARRY McCLURE

STATE OF ILLINOIS)
) SS:
COUNTY OF ST. CLAIR)

SUBSCRIBED and SWORN to before me
this 18 day of October, 2017.


Notary Public



My Commission expires: 6/13/2021

Appendix 3

CAPTION SUMMARY

**SURFACE TRANSPORTATION BOARD
NOTICE OF EXEMPTION**

(Finance Docket No. 36153)

**IHR HOLDINGS, LLC -- ACQUISITION EXEMPTION -- SANTA
TERESA CAPITAL, INC. AT SANTA TERESA, DOÑA ANA COUNTY, NM**

IHR HOLDINGS, LLC (IHR) a Class III rail carrier, has filed a notice of its exemption from 49 U.S.C. § 10902 for its acquisition from Santa Teresa Capital, LLC (STC), of approximately 10.9 miles of rail line at or near Santa Teresa, Doña Ana County, New Mexico, that extends from point of connection to Union Pacific Railroad Company (UP) at or near Milepost No. 1280 on UP's Lordsburg Subdivision to holding tracks adjacent to Santa Teresa Industrial Park and three tracks that extend from those holdings tracks into the Industrial Park that terminate at Strauss Road and Industrial Drive.

Any comments must be filed with the Board and must be served on applicant's representative, Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1666, Chicago, IL 60604-1228, ph (312) 236-0204, mcfarland@aol.com.

This notice of exemption is filed under 49 C.F.R. § 1150.41. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

(SEAL)

By the Board