

WEINER BRODSKY SIDMAN KIDER PC

1300 NINETEENTH STREET NW
FIFTH FLOOR
WASHINGTON DC 20036 1609
TEL 202 628 2000
FAX 202 628 2011

2/0291

March 12, 2004



BY HAND

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

ENTERED
Office of Proceedings

MAR 12 2004

Part of
Public Record

Re: STB Finance Docket No. 34472, Columbia Basin Railroad Company, Inc. –
Lease and Operation Exemption – Clark County, WA

Dear Secretary Williams:

Enclosed for filing in the above-referenced proceeding are an original and 10 copies of a Certification of Service of Notice. Please acknowledge receipt of this letter by date-stamping the enclosed acknowledgment copy and returning it to our messenger.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Rose-Michele Weinryb'.

Rose-Michele Weinryb

Enclosure

CERTIFICATION OF SERVICE OF NOTICE

Pursuant to the directive of the Surface Transportation Board, I, Rose-Michele Weinryb, hereby certify that on March 12, 2004, I caused a copy of the attached Federal Register notice to be sent by first-class mail, postage prepaid to:

Jack Dunn, President
Andersen Dairy, Inc.
PO Box 310
Battle Ground, WA 98604

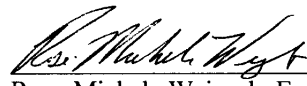
Jackie Sparks, Traffic Management Specialist
Bonneville Power Administration
JD Ross Warehouse
TLOT - Warehouse
5411 NE Highway 99
Vancouver, WA 98663

Tony Gulickson, Plant Supervisor
State Pipe and Supply Company
3508 NE 68th Street
Vancouver, WA 98661

Scott Wherley, Manager
GTS Drywall Supply Co.
1109 SE Grace Ave.
Battle Ground, WA 98604

Edward M. Berntsen, President & General Manager
Lewis & Clark Railway Company
215 South Grace Ave.
P.O. Box 604
Battle Ground, WA 98604




Rose-Michele Weinryb, Esq.

34482

SERVICE DATE - MARCH 11, 2004

DO

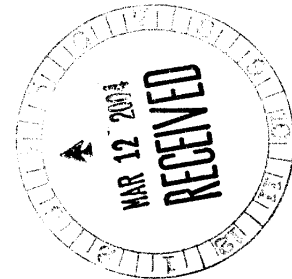
FR-4915-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34472]

Columbia Basin Railroad Company, Inc.–Lease and Operation Exemption–Clark County,
WA



Columbia Basin Railroad Company, Inc. (CBRC), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire by lease and to operate approximately 14 miles of rail line owned by Clark County, WA (the County), between milepost 0.0 at Vancouver Junction, WA, and milepost 14.1 at Battle Ground, WA.¹

CBRC certifies that its projected revenues as a result of this transaction will not result in the creation of a Class II or a Class I rail carrier. The transaction was scheduled to be consummated on or after February 20, 2004, the effective date of the exemption.

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

¹ Lewis & Clark Railway Company (Lewis & Clark), a Class III rail carrier, was authorized to conduct operations over the line pursuant to a lease agreement. See Lewis & Clark Railway Company–Exemption Operation–Chelatchie Prairie Railroad, Inc., Finance Docket No. 31042 (ICC served May 22, 1987), and Lewis & Clark Railway Company–Lease and Operation Exemption–in Clark County, WA, STB Finance Docket No. 33325 (STB served Jan. 15, 1997). By letter dated January 30, 2004, the County notified Lewis & Clark that CBRC will be the new operator. By letter filed February 18, 2004, the County notified the Board that Lewis & Clark's lease agreement expired on January 31, 2004, that the County was in the process of changing operators, and that CBRC will be the new operator.

STB Finance Docket No. 34472

time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34472, must be filed with the Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423-0001. Also, a copy of each pleading must be served on Rose-Michele Weinryb, 1300 19th Street, N.W., 5th Floor, Washington, DC 20036.

CBRC is directed to serve a copy of this notice on all shippers on the line and on Lewis & Clark Railway Company within 10 days after publication in the Federal Register and to certify to the Board that it has done so.

Board decisions and notices are available on our website at
“WWW.STB.DOT.GOV.”

Decided: March 3, 2004.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams

Secretary