

BEFORE THE
SURFACE TRANSPORTATION BOARD

STB Finance Docket No. 35091

Pacific Unified Railroad Corporation
-Operation Exemption-
Kaiser Eagle Mountain Railroad

VERIFIED NOTICE OF EXEMPTION



220775

ENTERED
Office of Proceedings

NOV 23 2007

Part of
Public Record

FILED

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TRANSPORTATION BOARD

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SURFACE
TRANSPORTATION BOARD

Pacific Unified Railroad Corporation
By its Representative

Gerald Lee
3200 West End Avenue
Suite 500
Nashville, TN 37203-1330
615-469-0634

Dated: November 20, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD
WASHINGTON, DC 20423

STB Finance Docket No.35901



PACIFIC UNIFIED RAILROAD CORPORATION
-- OPERATION EXEMPTION --
KAISER EAGLE MOUNTAIN RAILROAD

VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 CFR § 1150.31

Pursuant to 49 CFR 1150.31(a) (4), the Pacific Unified Railroad Corporation ("PURC"), a non-carrier submits this Verified Notice of Exemption for operation and non-exclusive Trackage rights over the right-of-way owned by the Kaiser Eagle Mountain Railroad ("KEM") between MP 52.0 in the Eagle Mountain, CA, and MP 0.00 at the connection with the Union Pacific Railway Company at Ferrum Junction, (in Salton Sea State Recreation Park) a distance approximately 52 miles in Riverside County California.

Information required pursuant to 49 C.F.R. 1150.33

Full name and address of the applicant

Pacific Unified Railroad Corporation
3200 West End Avenue, Suite 500
Nashville, TN 37203
615-469-0634

Applicant's representative to receive correspondence:

Gerald Lee
3200 West End Avenue, Suite 500
Nashville, TN 37203
615-469-0634

Statement that an agreement has been reached or details about when an agreement will be reached.

An agreement between PURC and KEM will be signed for operation and non-exclusive Trackage Rights of the rail line.

The operator of the property

PURC will operate over the property pursuant to a non-exclusive Trackage rights agreement. Other operator over the property will include the owning railroad KEM.

A brief summary of the proposed transaction including:

The name and address of the railroad transferring the property

Kaiser Eagle Mountain Railroad
One Court Street
P.O. Box 37
Desert Center, CA 92239
will be transferring non-exclusive Trackage rights to the applicant

The proposed time schedule for consummation of the transaction

PURC proposes to consummate the proposed transaction no sooner than thirty days after the filing of this notice.

The mileposts of the subject property

PURC will operate between MP 52.0 in the Eagle Mountain, CA, and YP 0.00 at the connection with the Union Pacific Railway Company at Ferrum Junction, (in Salton Sea State Recreation Park).

The total route miles being acquired

A total of 52 miles will be operated.

Postal Zip Codes of Service

92239, 92275

A map that clearly indicates the area to be served including origins, termini, stations, cities, counties and states:

Attached as Exhibit A

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

Attached as Exhibit B

Environmental and historic reporting requirements.

By virtue of 49 C.F.R. § 1105.6(C) (2) (1) and § 1105.8(b) (1), no environmental or historic reporting is required for this proposed transaction.

Labor Protection

Pursuant to 49 USC 10901(c) no labor protection is required for the proposed transaction.

Caption Summary

Is attached to this Notice as a caption summary of the proposed transaction.

Conclusion

Please publish this Notice of Exemption in the Federal Register within 30 days.

Respectfully submitted

Pacific Unified Railroad
Corporation

By its Representative



Gerald Lee
3200 West End Avenue
Suite 500
Nashville, TN 37203
615-469-0634

Dated: December 20, 2007

CAPTION SUMMARY

SURFACE TRANSPORTATION BOARD

PACIFIC UNIFIED RAILROAD CORPORATION

-- OPERATION EXEMPTION --

KAISER EAGLE MOUNTAIN RAILROAD

VERIFIED NOTICE OF EXEMPTION

PURSUANT TO 49 CFR § 1150.31

STB Finance Docket No. 35901

Pacific Unified Railroad Corporation ("PURC") has filed a notice of exemption to operate pursuant to a agreement over a rail line owned by the Kaiser Eagle Mountain Railroad between MP 52.0 in Eagle Mountain, CA, and MP 0.00 at the connection with Union Pacific Railway Company at Ferrum Junction, a distance of approximately 52 miles. The transaction is proposed to be consummated not sooner than thirty days after the filing of the Notice of Exemption.

This notice is filed under 49 CFR 1150.31 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 stay the transaction.

Any comments must be marked STB Finance Docket No. 35901, must be filed with the Surface Transportation Board, 395 E Street, S.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Gerald Lee, Pacific Unified Railroad Corporation, 3200 West End Avenue, Suite 500, Nashville, TN 37203.

Dated:

By the Board

Vernon A. Williams, Secretary

(Seal)

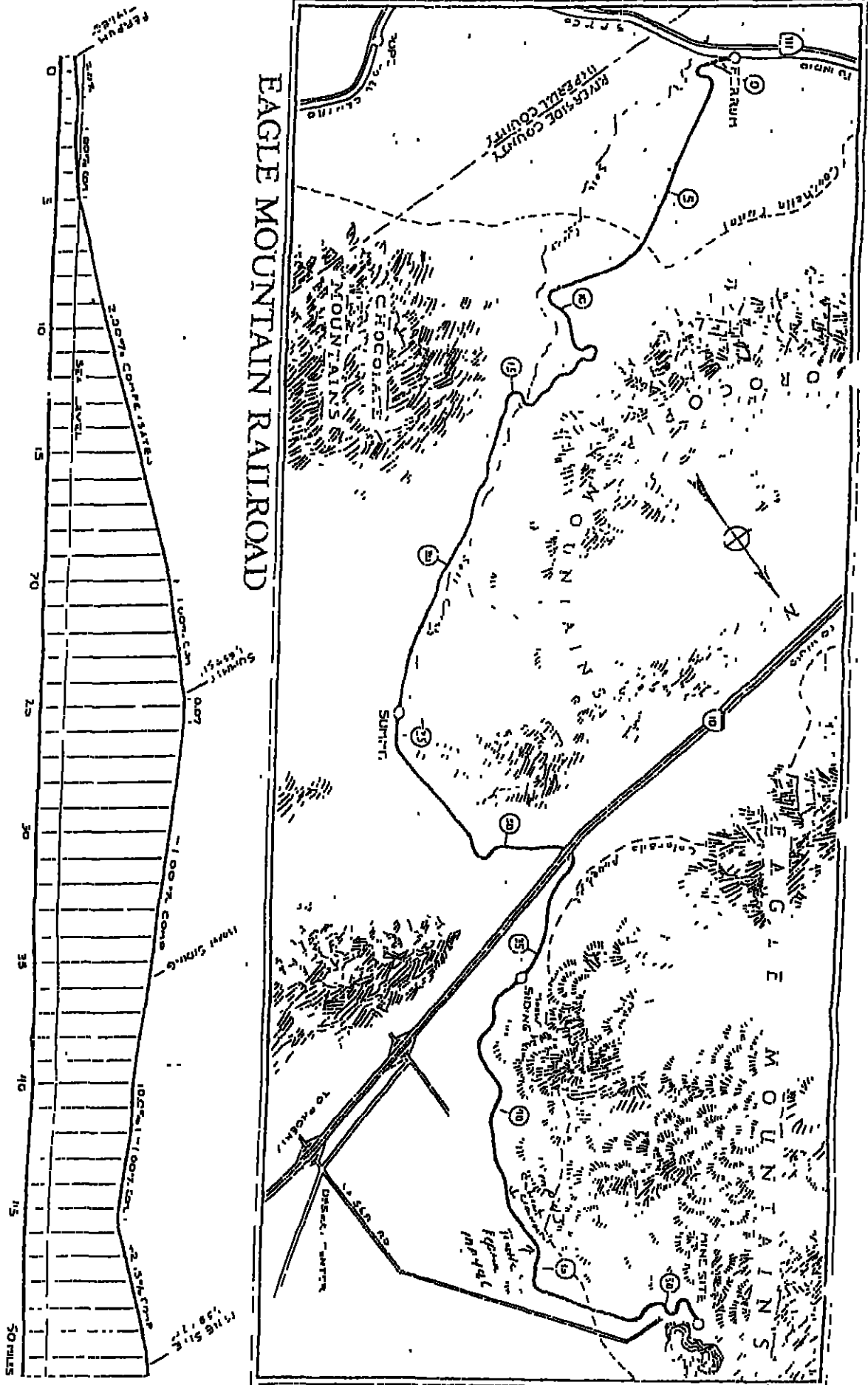
**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35091

**Pacific Unified Railroad Corporation
-Operation Exemption-
Kaiser Eagle Mountain Railroad**

EXHIBIT A

MAP OF SUBJECT LINE



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35091

**Pacific Unified Railroad Corporation
-Operation Exemption-
Kaiser Eagle Mountain Railroad**

EXHIBIT B

Certification

CERTIFICATION

AARON K. ECHOLS, on oath, states that the projected revenues of Pacific Unified Railroad Corporation as a result of the operation and trackage rights in this docket would not exceed those that would qualify it as a Class III rail carrier.

Aaron Echols

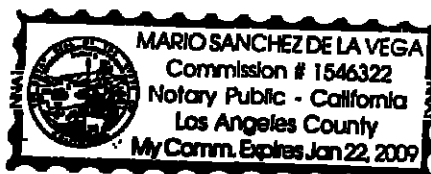
Subscribed and sworn to before me, a Notary Public, in and for the County of Los Angeles in the State of California, this 20th day of 2007.

Mario Sanchez de la Vega

Notary Public

My Commission Expires:

Jan 22, 2009.



**BEFORE THE
SURFACE TRANSPORTATION BOARD**

STB Finance Docket No. 35091

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Kaiser Eagle Mountain Railroad**

EXHIBIT C

VERIFICATION

VERIFICATION

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

Aaron K. Echols, being duly sworn according to law, hereby
deposes and states that he is authorized to make the
Verification, has read the foregoing document, and knows
the facts asserted therein are true and accurate as stated,
to the best of his knowledge, information and belief.

Aaron K. Echols

Subscribed and sworn to before me, a Notary Public, in and
for the City of Los Angeles in the State of California,
this 15th day of 2007.

Mario Sanchez de la Vega

Notary Public

My Commission Expires:

Jan 22, 2009.

