

SUPPLEMENT # 36  
TO  
ICC RRVW 8000-B

RED RIVER VALLEY & WESTERN RAILROAD

FREIGHT TARIFF RRVW 8000-B

Naming

LOCAL AND PROPORTIONAL RATES

Applying On

COMMODITIES

(Described Herein)

BETWEEN

STATIONS ON  
RED RIVER VALLEY & WESTERN RAILROAD

and

RUTLAND LINE, INC.  
(Shown Herein)

-----  
SWITCHING, DEMURRAGE, MISCELLANEOUS SERVICES  
AT  
STATIONS ON THE RED RIVER VALLEY & WESTERN RAILROAD  
and  
RUTLAND LINE, INC.

This tariff is applicable also on Intrastate Traffic in the State of:  
NORTH DAKOTA

For reference to Governing Classification, See Item 5 Herein.

ISSUED: APRIL 28, 2010

EFFECTIVE: JUNE 1, 2010

Issued By:  
SHARON L. TRUDELL  
VICE PRESIDENT-MARKETING

116 South 4th Street  
Wahpeton, North Dakota 58075

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\* Denotes revision change in this issue

<b>SECTION 1</b>	<b>ITEM</b>
<p><u>DESCRIPTION OF GOVERNING CLASSIFICATION AND RULES TARIFF</u> The term "Uniform Classification" when used herein means: Uniform Freight Classification, ICC UFC 6000 Series.</p>	5
<p><u>STATION LISTS AND CONDITIONS</u> This Tariff is governed by the Official List of Open and Prepay Stations Tariff ICC OPSL 6000 Series to the extent shown below:</p> <p><u>PREPAY REQUIREMENTS AND STATION CONDITIONS</u> For additions and abandonments of stations and, except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight, and changes in station facilities. When a station is abandoned as of a date specified in the above-named Tariff, the rates from and to such stations as published in this Tariff are inapplicable on and after that date.</p> <p><u>GEOGRAPHICAL LIST OF STATIONS</u> For geographical locations of stations referred to in this Tariff by station numbers.</p> <p><u>STATION NUMBERS</u> For the identification of stations when stations are shown or referred to by numbers in this Tariff.</p>	10
<p><u>EXPLOSIVES, DANGEROUS ARTICLES</u> For rules and regulations governing the transportation of explosives and other dangerous articles by freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Agent T. A. Phemister's Tariff ICC BOE 6000 Series.</p>	15
<p><u>REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</u> Where reference is made in this Tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs and reissues of such items, notes, rules, etc.</p>	20
<p><u>TERMINAL OR TRANSIT PRIVILEGES OR SERVICES</u> Shipments made under the rates contained in this Tariff are entitled also to terminal and transit services and privileges and are subject to the charges, allowances, rules and regulations legally applicable thereto, as provided in separately published, lawfully filed tariffs.</p> <p><u>EXCEPTION:</u> When provisions of this Tariff specifically cover any such charge, allowance, rule or regulation, conflicting provisions in such separate tariffs will not apply..</p>	25

<b>SECTION 1</b>	<b>ITEM</b>
<p style="text-align: center;"><u>TRANSFER BETWEEN CONNECTING CARRIERS</u></p> <p>The rates published herein include all charges for switching, drayage or other transfer services at intermediate interchange points on shipments handled through and not stopped for special services at such intermediate interchange points.</p>	35
<p style="text-align: center;"><u>CONSECUTIVE NUMBERS</u></p> <p>Where consecutive numbers are represented in this Tariff by the first and last number connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown.</p>	40
<p style="text-align: center;"><u>CAPACITIES AND DIMENSIONS OF CARS</u></p> <p>For marked capacities, lengths, dimensions and cubical capacities of cars, see the Official Railway Equipment Register, ICC RER 6410 Series, issued by the R.E.R. Publication Corporation, Agent.</p>	45
<p style="text-align: center;"><u>SHIPMENTS EXEMPT FROM REGULATION</u></p> <p>The rates, charges, rules and regulations herein will not apply on shipments that are exempt from economic regulation.</p>	55
<p style="text-align: center;"><u>NATIONAL SERVICE ORDER TARIFF</u></p> <p>This Tariff is subject to provisions of various Surface Transportation Board Orders and General Permits as shown in National Service Order Tariff 6100 Series, ICC NSO 6100 Series.</p>	60

<b>SECTION 1</b>	<b>ITEM</b>
<p style="text-align: center;"><u>INTERMEDIATE APPLICATION - ORIGIN</u></p> <p>Subject to the provisions of Notes 1 through 3 below, from any point of origin from which a commodity rate on a given article to a given destination and via a given route is not named in this Tariff, which point is intermediate to a point from which a commodity rate on said article is published in this Tariff via a route through the intermediate point over which such commodity rate applies to the same destination, apply from such intermediate point to such destination, and via such route the commodity rate in this Tariff on said article from the next beyond point from which a commodity rate is published herein on that article to the same destination via the same route.</p> <p>Note 1 - When, by reason of branch or diverging lines, there are two or more "next beyond" points, apply the rates from the next beyond point (in this Tariff) which on that article to the same destination via the same route results in the lowest charge.</p> <p>Note 2 - If the intermediate point is located between two points from which a commodity rate on the same article via the same route is published in this Tariff, apply via that route from the intermediate point the rate from the next point in either direction which results in the higher charge. In applying this note, if there are two or more next beyond points due to branch or diverging lines, eliminate all such next beyond points except the point from which the lowest charge is applicable.</p> <p>Note 3 - This rule will not apply in connection with proportional rates which by their terms are limited in their application to traffic destined beyond the point or points to which the proportional rate applies.</p>	80
<p style="text-align: center;"><u>INTERMEDIATE APPLICATION - DESTINATION</u></p> <p>Subject to the provisions of Notes 1 through 3 below, to any point of destination to which a commodity rate on a given article from a given point of origin and via a given route is not named in this Tariff which point is intermediate to a point to which a commodity rate on said article is published in this Tariff via a route through the intermediate point over which such commodity rate applies from the same point of origin, apply to such intermediate point from such point of origin and via such route the commodity rate in this Tariff on said article to the next beyond point to which a commodity rate is published herein on that article from the same point of origin via the same route.</p> <p>Note 1 - When by reason of branch or diverging lines there are two or more "next beyond" points, apply the rate to the next beyond point (in this Tariff) which on that article from the same point of origin via the same route results in the lowest charge.</p> <p>Note 2 - If the intermediate point is located between two points to which commodity rates on the same article via the same route are published in this Tariff, apply via that route to the intermediate point the rate to the next point in either direction which results in the higher charge. In applying this note, if there are two or more next beyond points due to branch or diverging lines, eliminate all such next beyond points except the point to which the lowest charge is applicable.</p> <p>Note 3 - This rule will not apply in connection with proportional rates which by their terms are limited in their application to traffic destined beyond the point or points to which the proportional rate applies.</p>	85

<b>SECTION 1</b>	<b>ITEM</b>
<p><u>METHOD OF DENOTING REISSUED MATTER IN SUPPLEMENTS</u></p> <p>Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number, the number being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective.</p>	100
<p><u>STRAIGHT OR MIXED CARLOADS APPLICATION</u></p> <p>The rates published in this Tariff apply on straight or mixed carloads unless otherwise specifically indicated.</p>	105
<p><u>DEMURRAGE AND STORAGE RULES AND CHARGES</u></p> <p>Except as otherwise provided herein, demurrage and storage rules and charges provided in tariffs lawfully on file with the Surface Transportation Board and state regulatory agencies will apply in addition to the rates and charges shown herein.</p>	120
<p><u>CLAIMS, LOSS OR DAMAGE</u></p> <p>Claims for loss, damage, injury or delay to property transported or accepted for transportation will be processed according to the regulations set forth in 49 CFR Part 1005.</p>	130
<p><u>RULES, REGULATIONS AND PACKING REQUIREMENTS</u></p> <p>The commodities for which rates are provided for in this Tariff will be subject to all rules, regulations and packing requirements of the Governing Classification and Exceptions thereto, as named in Item 5, unless otherwise specifically provided in individual items herein.</p>	140
<p><u>PAYMENT OF FREIGHT TERMS</u></p> <p>All payments for services billed by this Railroad are due and payable within fifteen (15) calendar days following presentation of freight bill. Time of mailing shall be deemed as the time of presentation of the freight bill. Payments received after the expiration of the credit period shall be subject to a service charge of 1.0% per month, of the outstanding balance.</p> <p>If there is a discrepancy or disagreement of charges, Railroad must be notified before the fifteen (15) day grace period expires or service charges will apply.</p>	150

ISSUED: APRIL 28, 2010  
 EFFECTIVE: JUNE 1, 2010  
 REVISION: 18

**SECTION 2**

**ITEM**

**COMMODITY:** CORN, DURUM, SOYBEANS, SUNFLOWERS, WHEAT, BARLEY

**ORIGIN:** Stations on the Red River Valley & Western Railroad

**DESTINATION:** Receiving Stations on the RRVW as identified below

**SHUTTLE FACILITIES:**

Minn Kota Ag Products, Breckenridge, MN  
 CHS Dakota Ag Cooperative, Kindred, ND  
 Maple River Grain, Casselton, ND  
 Crete Grain – Westgate, Bernard, ND  
 CHS Dakota Prairie Ag, Edgeley, ND  
 Red River Grain, Breckenridge, MN  
 James Valley Grain, Oakes, ND

**AG PROCESSORS:**

Cargill, Inc., Wahpeton, ND  
 Horizon Milling, Fairmount, ND  
 Dakota Growers Pasta, Carrington, ND  
 Hankinson Renewable Energy LLC, Hankinson, ND  
 Tharaldson Ethanol, Casselton, ND  
 ADM, Enderlin, ND  
 SunOpta, Breckenridge, MN  
 Richland Organics, Dwight, ND  
 WhiteBox Commodities, Wahpeton, ND

200

Distance in Miles (Not Over)	Rate in Dollars Per Car			
	Single car	10-14 cars	15-24 cars	25 cars
10 miles or less	306	281	281	255
11-20	306	281	281	255
21-30	332	306	281	255
31-40	357	332	306	281
41-50	383	357	332	306
51-60	434	408	383	357
61-70	459	434	408	383
71-80	485	459	434	408
81-85	510	485	459	434
86-90	536	510	485	459
91-100	561	536	510	485
101-110	587	561	526	510
111-115	638	612	587	561
116-120	663	638	612	587
121-130	689	663	638	612
131-140	714	689	663	638
141-150	740	714	689	663
151-160	765	740	714	689
161-170	791	765	740	714
171-180	816	791	765	740
181-190	842	816	791	765
191-200	867	842	816	791
201-210	893	867	842	816
211-220	918	893	867	842
221-230	944	918	893	867
231-240	969	944	918	893
241-250	995	969	944	918
251 or over	1020	995	969	944

For explanation of abbreviations and reference marks, see last page of Tariff.

SECTION 2	ITEM
<p><b>Note 1:</b> RRVW will not absorb CPRS or DMVW switch charges. This includes, but not limited to ADM, Enderlin, ND, Central City Grain, Carrington, ND and James Valley Grain, Facility #220, Oakes, ND.</p> <p><b>Note 2:</b> The rate for the Oakes station applies on RRVW industries only. CPRS or DMVW stations may be allowed by permit only.</p> <p><b>Note 3:</b> The number of cars loaded at one station will be limited to the number of cars received in the first initial switch and in no case shall exceed 25 cars unless written permission is given by RRVW.</p> <p><b>Note 4:</b> Cars with 4427 cu. ft or less capacity, 93% of the applicable rate will apply.</p> <p><b>Note 5:</b> Cars with 286,000 lb. capacity and originating from a station that has a 286,000 lb. capacity loading 107% of the applicable rate will apply.</p> <p><b>Note 6:</b> Rates are subject to equipment availability.</p> <p><b>Note 7:</b> If BNSF cars are used on shipments to Horizon Milling, Fairmount, ND, a \$400/car surcharge will be assessed.</p> <p><b>Note 8:</b> RRVW reserves the right to audit weights. For the calculation of overloads, the gross weight limitation of 268,000 # will apply. If a car is determined to be overloaded, there will be no "free time" and the car will be subject to demurrage. Any car that is 1,000 # or less overloaded, will be subject to a \$50.00 per car overload penalty. If a car is more than 1,000 # overloaded, a \$5.00 per CWT for each CWT over the maximum load limit may be assessed.</p> <p><b>Note 9:</b> Demurrage - See Section 4.</p> <p><b>Note 10:</b> Distance shall be computed via RRVW short-line mileage Item 660.</p>	<p>200</p>

ISSUED: APRIL 28, 2010  
 EFFECTIVE: JUNE 1, 2010  
 REVISION: 13

**SECTION 2**

**ITEM**

**COMMODITY RATES**

205

**COMMODITY:** Does not apply on farm Products STCC 01-XX  
**ORIGIN:** Stations on the Red River Valley & Western Railroad  
**DESTINATION:** Receiving Stations on the RRWV

Distance in Miles	Rate in Dollars per Car
10 miles or less	306
11-20	357
21-30	383
31-40	434
41-50	459
51-60	485
61-70	510
71-80	536
81-85	561
86-90	587
91-100	638
101-110	663
111-115	689
116-120	714
121-130	740
131-140	765
141-150	791
151-160	816
161-170	842
171-180	867
181-190	893
191-200	918
201-210	944
211-220	969
221-230	995
231-240	1020
241-250	1046
251 or over	1071

**Note 1:** Rates apply on local traffic only. Cars must be unloaded. Does not apply on farm Products STCC 01-XX .

**Note 2:** All assessorial charges as described in RRWV-8000-B apply.

**Note 3:** Distance shall be computed by Item 660 or RRWV timetable and operating discretion.

**Note 4:** RRWV will not absorb CPRS or DMVW switch charges. This applies to ADM, Enderlin, ND, Central City Grain, Carrington, ND and James Valley Grain, Facility #220, Oakes, ND.

**Note 5:** All RRWV cars loaded with fertilizer will be assessed a \$200/car cleaning fee.

ISSUED: MARCH 24, 2010  
EFFECTIVE: APRIL 30, 2010  
REVISION: 9

**SECTION 2**

**ITEM**

COMMODITY: Aggregate  
ORIGIN: Lisbon, ND  
DESTINATION: Durbin, ND & Casselton, ND

216

Rate per Car

May 4, 2010 thru May 31, 2010

\$292

June 1, 2010 thru August 31, 2010

\$305

September 1, 2010 thru December 31, 2010

\$331

**Note 1:** Cars must not exceed gross weight of 268,000 lbs. RRWV reserves the right to audit weights at any time. If cars are found to be overloaded, a \$5.00 / cwt penalty of the overload weight may be assessed in addition to switching, weighing, and demurrage charges.

<b>SECTION 3</b>	<b>ITEM</b>
<p data-bbox="413 387 900 421" style="text-align: center;"><u>APPLICATION AND DEFINITIONS</u></p> <p data-bbox="555 459 759 490" style="text-align: center;">APPLICATION</p> <p data-bbox="113 530 1246 633">Switching charges named (unless otherwise specified) will apply for handling loaded cars one way and empty the other. If cars move empty in both directions, charges for one-way movement will apply.</p> <p data-bbox="555 672 759 703" style="text-align: center;">DEFINITIONS</p> <p data-bbox="153 743 935 775">The terms below, as used in this Tariff, are defined as follows:</p> <p data-bbox="113 815 1230 882">INTRA-PLANT SWITCHING - A switching movement from one point to another point within the trackage limits of the same plant or industry.</p> <p data-bbox="113 922 1262 1025">INTRA-TERMINAL SWITCHING - A switching movement (other than intra-plant switching) from one point to another point on the RRVW within the switching limits of one station or industrial switching district.</p> <p data-bbox="113 1066 1270 1169">RECIPROCAL SWITCHING - A switching movement between the track of a firm or industry served by the RRVW and an interchange track of connecting carriers on line-haul traffic.</p>	<p data-bbox="1370 387 1422 418" style="text-align: center;">400</p>

<b>SECTION 3</b>	<b>ITEM</b>									
<p style="text-align: center;"><u>GENERAL RULES, REGULATIONS AND CHARGES</u></p> <p style="text-align: center;"><u>Charges Per Car</u></p> <table border="0"> <tr> <td>Intra-Plant Switching (See Note 1)</td> <td style="text-align: right;">\$150.00</td> </tr> <tr> <td>Intra-Terminal Switching (See Note 1)</td> <td style="text-align: right;">\$200.00</td> </tr> <tr> <td>Reciprocal Switching (See Note 2)</td> <td style="text-align: right;">\$135.00</td> </tr> </table> <p><b>Note 1:</b> A maximum of 4 cars will be charged for any one switch movement within a switching terminal. This does not apply to unit trains of Grain 01-13.</p> <p><b>Note 2:</b> Item 450 will apply for Oakes, ND. Not applicable on traffic covered under BNSF and CPRS reciprocal switch agreement.</p>	Intra-Plant Switching (See Note 1)	\$150.00	Intra-Terminal Switching (See Note 1)	\$200.00	Reciprocal Switching (See Note 2)	\$135.00	430			
Intra-Plant Switching (See Note 1)	\$150.00									
Intra-Terminal Switching (See Note 1)	\$200.00									
Reciprocal Switching (See Note 2)	\$135.00									
<p style="text-align: center;"><u>STATION: OAKES, NORTH DAKOTA</u></p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><u>BETWEEN</u></th> <th style="text-align: center;"><u>INTERCHANGE</u></th> <th style="text-align: right;"><u>CHARGE/CAR</u></th> </tr> </thead> <tbody> <tr> <td>James Valley Grain, LLC</td> <td style="text-align: center;">CPRS</td> <td style="text-align: right;">\$100.00</td> </tr> <tr> <td>S.D. Wheat Growers - Fertilizer</td> <td style="text-align: center;">CPRS</td> <td style="text-align: right;">\$371.00</td> </tr> </tbody> </table> <p><b>Note 1:</b> A surcharge of <b>\$100.00</b> per car will be assessed the industry in addition to any designated charge, except on cars destined to Cargill, Wahpeton in multiples of ten or more.</p> <p><b>Note 2:</b> A surcharge of <b>\$150.00</b> per car will be assessed the industry in addition to any designated charge.</p>	<u>BETWEEN</u>	<u>INTERCHANGE</u>	<u>CHARGE/CAR</u>	James Valley Grain, LLC	CPRS	\$100.00	S.D. Wheat Growers - Fertilizer	CPRS	\$371.00	450
<u>BETWEEN</u>	<u>INTERCHANGE</u>	<u>CHARGE/CAR</u>								
James Valley Grain, LLC	CPRS	\$100.00								
S.D. Wheat Growers - Fertilizer	CPRS	\$371.00								

SECTION 3	ITEM
<p data-bbox="517 389 794 421" style="text-align: center;"><u>TURNING OF CARS</u></p> <p data-bbox="110 463 1209 564">Where it is desired that carloads be placed for unloading at destination from one particular side or end of car, cars must be properly placarded on both sides and notation made on Bill of Lading and Waybill substantially as follows:</p> <p data-bbox="501 607 810 638" style="text-align: center;">NOTICE TO CARRIER</p> <p data-bbox="189 678 1129 710">Deliver car for loading or unloading from door or end specified by placard.</p> <p data-bbox="110 750 1267 889">On freight in carloads, not properly placarded on both sides of car to load or unload from one particular side or end of car, which shipper or consignee, after initial placement of car, directs carrier to turn and return to the same track for loading or unloading from opposite side or end of car, the following shall apply:</p> <p data-bbox="496 929 815 960" style="text-align: center;">CHARGES (SEE NOTE)</p> <p data-bbox="110 1001 1246 1102">If the car is turned inside the confines of the industry, apply intra-terminal switching charge. If the car is turned outside the confines of the industry, a <b>\$200.00</b> charge will be assessed.</p> <p data-bbox="110 1142 1219 1211"><b>Note 1:</b> If Bill of Lading carries notation that car has been placarded and placard has disappeared before placement, the charge herein will not apply.</p>	<p data-bbox="1369 389 1422 421">460</p>

**SECTION 4**

**ITEM**

ORIGIN DEMURRAGE

500

The free time at origin for loading will be computed from the first 7:00 a.m. after actual or constructive placement of empty car(s). Sunday and Holidays are excluded for computing the beginning of free time.

Car(s), not including unit trains, must be released for movement by 5:00 p.m. the same day as free time begins. Unit trains must be released for movement by 7:00 a.m. the following day, except when free time begins at 7:00 a.m. Saturday, then cars must be released for movement by 7:00 a.m. the following Monday.

In addition, complete billing to final destination must be furnished by 4:00 p.m. the day following the beginning of the free time. Complete billing must be received the following Monday by 4:00 p.m. when free time begins at 7:00 a.m. Friday or Saturday.

If both of these requirements are not fulfilled, a **\$35.00** per car demurrage fee will be assessed beginning with the second 7:00 a.m. and each subsequent 24-hour period or fraction thereof for the first three (3) days. Subsequent days would be charged at the rate of **\$50.00** per day or fraction thereof until the above requirements have been fulfilled.

Sundays and Holidays are not excluded for the calculation of demurrage charges. Cars whose free time begins 7:00 a.m. Friday or Saturday that are not released for movement in accordance with the above can be granted one additional day of free time at the discretion of the RRVW if due to RRVW operation the cars were not going to be moved. This does not apply to multiple car shipments of more than 25 cars.

Average agreement does not apply. Release and billing instructions will be by telephone or fax to RRVW Operations Office, Breckenridge, MN.

In the event a car cannot be loaded as a result of severe weather conditions, mechanical failure, loss of electrical power, or other circumstances beyond the customer's control, relief from demurrage can be granted at the sole discretion of the RRVW. To receive a waiver from demurrage, the RRVW must be advised by telephone at the time of the disability followed by a letter within seven (7) days stating fully the conditions which prevented the loading or unloading.

Private or leased cars on private or leased track of the same ownership are not subject to demurrage. If ownership of track and cars are different, documentation for right of control will be required from car owner or demurrage will be assessed.

**Note 1:** Local grain car\* loading free time will be computed from the first 7am after placement . Cars must be released and billed by 5pm of the same day or demurrage will be assessed at the rate of \$35 per car for each 24 hour period or fraction thereof for the first three (3) days. Subsequent days will be charged at the rate of \$50 per car for each 24-hour period or fraction thereof. Sundays and holidays are excluded for the computing of free time.

**Note 2:** For the account of Minn-Dak Farmers Cooperative, Wahpeton, ND, the free time for loading of sugar cars will be computed from the first 7:00 a.m. after the "in shed" time or constructive placement of car(s). Sundays and Holidays are excluded for computing of free time.

\* Local grain cars are defined as cars originating and terminating at stations on the Red River Valley & Western Railroad.

**SECTION 4**

**ITEM**

DESTINATION DEMURRAGE

501

The free time at destination for unloading cars will be computed from the first 7:00 a.m. after actual or constructive placement. Cars must be released 48 hours after placement or demurrage will be assessed at the rate of **\$35.00** per car for each 24-hour period or fraction thereof for the first three (3) days. Subsequent days would be charged at the rate of **\$50.00** per day or fraction thereof. Sundays and Holidays are excluded for computing the free time but not excluded for calculation of demurrage charges. Free time will be computed at 72 hours for 5 to 9 cars; an additional 24 hours (96 hours of free time) will be allowed for all cars in excess of nine which are actually or constructively placed on the same day. This will not apply to cars moving on multiple car rates. Average agreement does not apply. Release instructions will be by telephone or fax to RRVW Operations Office, Breckenridge, MN.

In the event a car cannot be unloaded as a result of severe weather conditions, mechanical failure, loss of electrical power, or other circumstances beyond the customer's control, relief from demurrage can be granted at the sole discretion of the RRVW. To receive a waiver from demurrage, the RRVW must be advised by telephone at the time of the disability followed by a letter within seven (7) days stating fully the conditions which prevented the loading or unloading.

Private or leased cars on private or leased track of the same ownership are not subject to demurrage. If ownership of track and cars are different, documentation for right of control will be required from car owner or demurrage will be assessed.

**Note 1:** Local grain cars\* must be unloaded within 24 hours after actual or constructive placement or demurrage will be assessed at the rate of \$35 per car for each 24-hour period or fraction thereof for the first three (3) days. Subsequent days will be charged at the rate of \$50 per car for each 24-hour period or fraction thereof. Sundays and holidays are excluded for computing of free time.

**Note 2:** For the account of Imation, constructive placement will be computed from the first 7am after notification of availability of loads in private or leased cars. Customer must request placement of car(s) within 5 days after constructive placement or demurrage will be assessed at the rate of \$35.00 per cars for each 24-hour period or fraction thereof for the first four days. Subsequent days will be charged at the rate of \$50.00 per day or fraction thereof. Average agreement does not apply. Holidays will be excluded for the computing of free time, but not for the calculation of demurrage charges. Placement instructions will be by telephone, email, or fax to RRVW Operations Office, Breckenridge, MN.

\*Local grain cars are defined as cars originating and terminating at stations on Red River Valley & Western Railroad.

<b>SECTION 4</b>	<b>ITEM</b>
<p style="text-align: center;"><b>OBSERVED HOLIDAYS</b></p> <p>New Year's Day - January 1 Martin Luther King Day - Third Monday of January President's Day - Third Monday of February Good Friday Memorial Day - Last Monday of May Independence Day - July 4th Labor Day - First Monday of September Columbus Day - Second Monday of October Veterans Day - Second Monday of November Thanksgiving Day - Fourth Thursday of November Friday after Thanksgiving - Fourth Friday of November Christmas Eve - December 24th Christmas Day - December 25th New Year's Eve - December 31st</p> <p>When these dates occur on a Saturday or Sunday, the designated day of observance will apply.</p>	<p>502</p>

<b>SECTION 5</b>	<b>ITEM</b>
<p style="text-align: center;"><u>RETURN OF LOADED CARS</u></p> <p>Any loaded car which has been released for advancement and actually moved by the RRVW will be returned to the origin at a charge of <b>\$200.00</b> per car.</p>	600
<p style="text-align: center;"><u>WEIGHING OF CARS</u></p> <p>Loaded cars requested to be weighed will be assessed a switch charge of \$100 per car. Empty cars requested to be weighed will be assessed a switch charge of \$50 per car. A separate charge for the use of the scale will be assessed by the scale owner. If scale is located (out of route) an addition charge of \$100 per car will apply.</p> <p>For the calculation of overloads, BNSF's gross weight limitations for shipments on BNSF lines will apply. Any car that is overloaded 1,000# or less may be subject to a \$50.00 per car overload penalty. If a car is more than 1,000# overloaded, a \$5.00 per CWT for each CWT over the maximum load limit may be assessed.</p> <p>If an overloaded car is not reduced within the initial switch, an additional switch charge of \$100 per car will apply.</p> <p>When a car is determined to be overloaded, there will be 24 hours of "free time" allowed for reducing the car calculated from the first 7:00 a.m. after notification. The car will then be subject to demurrage charges in accordance with Item 500.</p> <p>If the car(s) must be taken out of route or back-hauled to weigh, a charge of \$1.25 per mile or a minimum of \$200 will be assessed in addition to all other charges. Mileage will be round trip from the station where car is located to scale location and the return.</p> <p>RRVW reserves the right to audit weights.</p> <p><b>DESTINATION OVERLOADS</b> - When a car is discovered to be overloaded at destination, a charge of \$500 per car will be assessed to the shipper responsible for the loading of the car at origin, plus the cost of any property or personal injury that may have occurred as a result of the overload.</p> <p><b>NONCOMPLIANCE TO OVERLOADS</b> - If within 48 hours of notification of the overload, the shipper fails or refuses to give instructions for disposal of the over load, RRVW will adjust the load so that it may be safely moved. Charges for, unloading, reloading, storage, demurrage, switching, etc. will be assessed to the shipper responsible for the origin loading.</p>	620

SECTION 5	ITEM
<p style="text-align: center;"><u>DIVERSION</u></p> <p><u>Local movement on RRWV:</u>                      Once billing instructions have been received by RRWV for movement of car(s) between origin and destination locations on the RRWV, and the car(s) have not been physically spotted at the destination, the following will apply:</p> <ul style="list-style-type: none"> <li>- Orders for diversions will only be accepted from the Freight Payor.</li> <li>- Assessed charges of \$150 per car</li> <li>- In addition, car(s) will be subject to the higher freight rate charge</li> </ul> <p>If the car(s) have been physically spotted, or are enroute for delivery and the new destination requires a back haul or out-of-line haul; they will be considered as a re-bill and will be subject to RRWV freight charges.</p> <p><u>RRWV as the delivering switch carrier:</u>                      Any car(s) destined to an RRWV location, and have not been physically spotted at the destination, the following will apply:</p> <ul style="list-style-type: none"> <li>- Orders for diversions will only be accepted from:                             <ul style="list-style-type: none"> <li>- The Freight Payor</li> <li>- The Consignor</li> <li>- The Consignee</li> </ul> </li> <li>- If the car(s) have been physically placed in a train for movement and the new destination requires the car(s) to be switched to a different train for delivery a charge of \$150 per car will be assessed.</li> <li>- If the car(s) have not been physically placed in a train for movement, a charge of \$50 per car will be assessed.</li> </ul> <p>If the car(s) have been physically spotted, or are enroute for delivery and the new destination requires a back haul or out-of-line haul; they will be considered as a re-bill and will be subject to RRWV freight charges.</p> <p>RRWV reserves the right to accept or deny a diversion order for any reason.</p> <p>Contact RRWV Breckenridge Yard Office (218-643-4994) for a copy of the Diversion Order form to be utilized.</p> <p>Diversion orders will be accepted by FAX to the Breckenridge Office: 218-643-4980.</p>	<p style="text-align: center;">625</p>
<p style="text-align: center;"><b>ADMINISTRATIVE FEE FOR PROCESSING                      MANUAL NON-LOCAL BILL OF LADING</b></p> <p>A \$30.00 fee will be assessed to the responsible billing party when a manual bill of lading is submitted via fax, email or any other means and it has not been electronically submitted. This would require a RRWV representative to manually process the bill of lading and electronically submit it to the BNSF. This pertains to <i>non-local</i> cars only.</p>	<p style="text-align: center;">630</p>

**SECTION 5**

**ITEM**

SPECIAL TRAIN HANDLING

640

- A. Special freight is the movement of a train in other than the normal freight service.
- B. Special freight train service will be provided when requested by consignor or consignee and subject to RRVW convenience.
- C. Requests for special freight train service must be made in writing (or by telephone and must contain all pertinent information necessary to facilitate movement of the train. Requests must be made in time to permit assembly of equipment and personnel.
- D. RRVW may restrict or modify any request for service.
- E. Charges for special freight train service will be \$50 per rail mile subject to a minimum of 50 miles. Mileage will be determined by using tariff, subject to actual movement over existing trackage in joint-line movements, charges named herein apply to RRVW's portion of the movement only.
- F. Charges for special freight train service will be in addition to the applicable line-haul charge.
- G. If a shipment cannot be handled in regular switching service because of excess weight, height, width or length, special switching will be provided by RRVW at the request of the consignor or consignee, subject to RRVW's convenience, at charges as follows:
  - \$200 per hour or fraction thereof.
  - \$1600 minimum charge
- H. Charges for special switching service will be in addition to all other applicable charges.

**SECTION 5**

**ITEM**

CANCELLED CAR ORDERS

650

A car order which remains unfilled 5 days after the want date may be cancelled without penalty.

A reduction to an existing car order will be considered a "cancellation". When a car order is reduced prior to 5 days after the want date, a charge of **\$50.00** per car reduced will be assessed. A change such as from 54 cars to 52 cars or from 27 cars to 26 cars resulting from a change in commodity will not be considered a reduction. The division of a multiple car order into single and/or smaller multiple car orders with the same want date will not be considered a reduction.

A change in the destination or commodity on the original car order is not subject to a penalty.

A change in the "date wanted for loading" on the car order will be permitted only if car demand and operating conditions allow such changes. A written confirmation from RRVW must accompany the change to eliminate any charges.

If RRVW has not applied cars to a car order, a shipper may change the origin on a car order without a charge. If cars have been placed in a train & additional switching is required a switch fee of **\$30.00** per car will apply.

When an order is canceled or reduced after cars have been placed in train for placement, **\$50.00** per car charge will be assessed.

When an order is canceled or reduced after actual placement of cars, a **\$50.00** per car charge will be applied, and demurrage will be assessed at **\$35.00** per car for each subsequent 24-hour period or fraction thereof for the first four days. Subsequent days would be charged at the rate of **\$50.00** per day or fraction thereof until notification is received. No free time will be allowed in the calculation of demurrage on canceled or reduced car orders.

<b>SECTION 5</b>												<b>ITEM</b>
<b>RRVW MILEAGE</b>												660
<b>DESTINATION</b>												
<b>ORIGIN</b>	<b>Bernard</b>	<b>Breckenridge</b>	<b>Carrington</b>	<b>Casselton</b>	<b>Dwight</b>	<b>Edgeley</b>	<b>Enderlin</b>	<b>Fairmount</b>	<b>Hankinson</b>	<b>Kindred</b>	<b>Wahpeton</b>	
<b>Adrian</b>	231	155	68	100	147	272	140	184	197	120	163	
<b>Barlow</b>	256	180	8	125	172	297	165	209	222	145	188	
<b>Barney</b>	56	20	192	75	28	97	90	49	62	55	28	
<b>Berlin</b>	30	106	278	161	114	11	176	135	148	144	114	
<b>Bernard</b>	0	76	248	131	84	41	146	108	121	111	84	
<b>Breckenridge</b>	76	0	172	55	8	117	70	29	42	35	8	
<b>Buchanan</b>	218	142	30	87	134	259	127	171	184	107	150	
<b>Carrington</b>	248	172	0	117	164	289	158	200	213	137	180	
<b>Casselton</b>	131	55	116	0	45	172	40	84	97	20	63	
<b>Colfax</b>	97	21	151	34	13	138	49	50	63	14	29	
<b>Crete</b>	9	67	239	122	75	50	137	96	109	102	75	
<b>Davenport</b>	116	40	132	15	32	157	30	69	82	5	48	
<b>Durbin</b>	124	48	124	7	40	165	32	77	90	13	56	
<b>Dwight</b>	84	8	164	45	0	125	62	37	50	27	16	
<b>Edgeley</b>	41	117	289	172	125	0	187	146	159	152	125	
<b>Elliott</b>	34	109	176	164	117	45	27*	138	151	144	117	
<b>Englevale</b>	29	104	181	159	112	40	31*	133	146	139	112	
<b>Fairmount</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	37	
<b>Galchutt</b>	90	14	157	41	6	131	56	43	56	21	22	
<b>Gwinner</b>	24	52	225	107	60	65	122	81	94	87	60	
<b>Hankinson</b>	121	42	213	97	50	159	112	13	0	77	50	
<b>Horace</b>	125	49	141	24	41	166	37	78	91	14	57	
<b>Hoving</b>	29	47	220	102	55	70	30	76	89	82	55	
<b>Kindred</b>	111	35	137	20	27	152	29	64	77	0	43	

\* - Indicates routed 4th sub

For explanation of abbreviations and reference marks, see last page of Tariff.

<b>SECTION 5</b>												<b>ITEM</b>
<b>RRVW MILEAGE</b>												660
<b>DESTINATION</b>												
<b>ORIGIN</b>	<b>Bernard</b>	<b>Breckenridge</b>	<b>Carrington</b>	<b>Casselton</b>	<b>Dwight</b>	<b>Edgeley</b>	<b>Enderlin</b>	<b>Fairmount</b>	<b>Hankinson</b>	<b>Kindred</b>	<b>Wahpeton</b>	
<b>LaMoure</b>	20	96	268	151	104	21	111*	125	138	131	104	
<b>Leonard</b>	125	49	141	25	41	166	15	78	91	14	57	
<b>Lidgerwood</b>	131	55	227	110	63	172	125	26	15	90	63	
<b>Lynchburg</b>	127	51	142	19	43	168	36	80	93	16	59	
<b>Maddock</b>	299	223	51	168	215	340	213	252	265	188	231	
<b>Milnor</b>	34	42	214	97	50	75	112	71	84	77	50	
<b>Mooreton</b>	62	14	186	69	22	103	84	43	56	49	22	
<b>Oakes</b>	1	75	247	130	83	42	54*	104	117	110	83	
<b>Oberon</b>	284	208	35	153	200	325	193	237	250	173	216	
<b>Oswald</b>	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	43	
<b>Pingree</b>	226	150	22	95	142	267	140	179	192	115	158	
<b>Sheldon</b>	138	62	154	38	54	179	4	91	104	27	70	
<b>Sheyenne</b>	275	199	27	144	191	316	183	228	241	164	207	
<b>Verona</b>	22	96	269	151	104	33	36*	125	138	131	104	
<b>Wahpeton</b>	84	8	171	63	16	125	62	37	50	43	0	
<b>Walcott</b>	103	27	145	29	19	144	43	56	69	8	35	
<b>Woods</b>	122	46	138	22	38	163	22	75	88	11	54	
<b>Woodworth</b>	246	170	42	115	162	287	160	199	212	135	178	
<b>Wyndmere</b>	50	26	198	81	34	91	96	55	68	61	34	
<b>Ypsilanti</b>	218	142	55	87	134	259	132	171	184	107	150	

\* - Indicates routed 4th sub

For explanation of abbreviations and reference marks, see last page of Tariff.

**EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS**

ABBREVIATION OR REFERENCE MARK	EXPLANATION
RRVW	Red River Valley & Western Railroad
BNSF	Burlington Northern Sante Fe
BOE	Bureau of Explosives (T. A. Phemister, Agent)
CFR	Code of Federal Regulations
CPRS	Canadian Pacific Railway Service
DMVW	Dakota, Missouri Valley & Western Railroad, Inc.
ICC	Interstate Commerce Commission
NSO	National Service Order Tariff (Traffic Executive Association- Eastern Railroads, Agent)
OPL	Open and Prepay Station List (Station List Publishing Company, Agent)
PPT	Perishable Protective Tariff
RL	Rutland Line, Inc.
RER	Rail Equipment Register
STB	Surface Transportation Board
UFC	Uniform Freight Classification (Uniform Classification Committee, Agent)
(A)	Increase
(C)	Change in wording resulting in neither increases or reductions
(N)	New item or provision published in the first instance
(R)	Reduction
\$	United States Dollar or Dollars

**THE END**