

SUPPLEMENT # 40
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: JANUARY 18, 2012

EFFECTIVE: JANUARY 19, 2012

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

SECTION 1	ITEM
<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>EXCEPTION: 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

SECTION 1	ITEM
<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

SECTION 1	ITEM
<p data-bbox="396 304 938 333" style="text-align: center;"><u>INTERMEDIATE APPLICATION - ORIGIN</u></p> <p data-bbox="115 338 1284 569">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 data-bbox="115 606 1256 701">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 data-bbox="115 705 1281 869">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 data-bbox="115 873 1256 968">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>	<p data-bbox="1393 304 1429 333">80</p>
<p data-bbox="350 999 984 1029" style="text-align: center;"><u>INTERMEDIATE APPLICATION - DESTINATION</u></p> <p data-bbox="115 1033 1289 1264">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 data-bbox="115 1302 1247 1396">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 data-bbox="115 1400 1289 1564">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 data-bbox="115 1568 1256 1663">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>	<p data-bbox="1393 999 1429 1029">85</p>

ISSUED: FEBRUARY 7, 2006

EFFECTIVE: APRIL 1, 2006

REVISION: 1

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SECTION 1	ITEM
<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

SECTION 2

ITEM

COMMODITY: CORN, DURUM, SOYBEANS, SUNFLOWERS, WHEAT, BARLEY, EDIBLE BEANS

200

ORIGIN: Stations on the Red River Valley & Western Railroad

DESTINATION: Receiving Stations on the RRVW as identified below

SHUTTLE FACILITIES:

AG PROCESSORS:

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

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
 Riverland Ag, Wahpeton, ND
 Colfax Farmers Elevator, Colfax, ND

Distance in Miles (Not Over)	Rate in Dollars Per Car			
	Single car	10-14 cars	15-24 cars	25 cars
10 miles or less	314	288	288	262
11-20	314	288	288	262
21-30	340	314	288	262
31-40	367	340	314	288
41-50	393	367	340	314
51-60	445	419	393	367
61-70	471	445	419	393
71-80	498	471	445	419
81-85	524	498	471	445
86-90	550	524	498	471
91-100	576	550	524	498
101-110	602	576	550	524
111-115	655	629	602	576
116-120	681	655	629	602
121-130	707	681	655	629
131-140	733	707	681	655
141-150	759	733	707	681
151-160	786	759	733	707
161-170	812	786	759	733
171-180	838	812	786	759
181-190	864	838	812	786
191-200	890	864	838	812
201-210	917	890	864	838
211-220	943	917	890	864
221-230	969	943	917	890
231-240	995	969	943	917
241-250	1021	995	969	943
251 or over	1048	1021	995	969

SECTION 2	ITEM
<p>Note 1: RR VW will not absorb CPRS or DMVW switch charges.</p> <p>Note 2: Cars with 4427 cu. ft or less capacity, 93% of the applicable rate will apply.</p> <p>Note 3: 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>Note 4: Rates are subject to equipment availability.</p> <p>Note 5: If BNSF cars are used on shipments to Horizon Milling, Fairmount, ND, a \$400/car surcharge will be assessed.</p> <p>Note 6: RR VW reserves the right to audit weights. See Item 620.</p> <p>Note 7: Demurrage - See Section 4.</p> <p>Note 8: Distance shall be computed via RR VW short-line mileage Item 660.</p> <p>Note 9: If a loaded car is rejected after being physically spotted, or is enroute for delivery and is returned to the originating RR VW station, the applicable mileage rate will apply.</p>	200

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 RRVW

Distance in Miles	Rate in Dollars per Car
10 miles or less	314
11-20	367
21-30	393
31-40	446
41-50	471
51-60	498
61-70	524
71-80	550
81-85	576
86-90	603
91-100	655
101-110	681
111-115	708
116-120	733
121-130	760
131-140	786
141-150	812
151-160	838
161-170	865
171-180	890
181-190	917
191-200	943
201-210	969
211-220	995
221-230	1022
231-240	1048
241-250	1074
251 or over	1100

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 RRVW-8000-B apply.

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

Note 4: RRVW will not absorb CPRS or DMVW switch charges.

Note 5: RRVW equipment is not available for fertilizer use.

SECTION 2

ITEM

COMMODITY RATES

210

COMMODITY: Empty railcar moving on own wheels.

ORIGIN: Stations on the Red River Valley & Western Railroad; Red River Valley & Western Railroad Car Repair Facility, Breckenridge, MN

DESTINATION: Stations on the Red River Valley & Western Railroad; Red River Valley & Western Railroad Car Repair Facility, Breckenridge, MN

Distance in Miles	Rate in Dollars per Car
20 miles or less	180
21 – 30	221
31 – 40	262
41 – 50	303
51 – 60	344
61 – 70	380
71 – 80	411
81 – 90	436
91 – 125	462

Note 1: Rates apply on local movement of Private or Shipper controlled equipment.

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

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

Note 4: RRVW will not absorb CPRS or DMVW switch charges.

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

ISSUED: JANUARY 12, 2011
EFFECTIVE: MARCH 1, 2011
REVISION: 10

SECTION 2

ITEM

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

216

Rate per Car

May 4, 2011 thru May 31, 2011

\$298

June 1, 2011 thru August 31, 2011

\$312

September 1, 2011 thru December 31, 2011

\$340

Note 1: RRVW reserves the right to audit weights at any time. Refer to Item 620.

SECTION 3	ITEM
<p data-bbox="420 300 914 331" style="text-align: center;"><u>APPLICATION AND DEFINITIONS</u></p> <p data-bbox="561 373 773 405" style="text-align: center;">APPLICATION</p> <p data-bbox="115 447 1268 552">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="566 594 768 625" style="text-align: center;">DEFINITIONS</p> <p data-bbox="155 667 951 699">The terms below, as used in this Tariff, are defined as follows:</p> <p data-bbox="115 741 1252 814">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="115 856 1284 961">INTRA-TERMINAL SWITCHING - A switching movement (other than intra-plant switching) from one point to another point on the RR_{VW} within the switching limits of one station or industrial switching district.</p> <p data-bbox="115 1003 1292 1108">RECIPROCAL SWITCHING - A switching movement between the track of a firm or industry served by the RR_{VW} and an interchange track of connecting carriers on line-haul traffic.</p>	<p data-bbox="1393 300 1450 331" style="text-align: center;">400</p>

SECTION 3	ITEM									
<p style="text-align: center;"><u>GENERAL RULES, REGULATIONS AND CHARGES</u></p> <p style="text-align: center;"><u>Charges Per Car</u></p> <p>Intra-Plant Switching (See Note 1) \$150.00</p> <p>Intra-Terminal Switching (See Note 1) \$200.00</p> <p>Reciprocal Switching (See Note 2) \$135.00</p> <p>Note 1: 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>Note 2: Item 450 will apply for Oakes, ND. Not applicable on traffic covered under BNSF and CPRS reciprocal switch agreement.</p>	430									
<p style="text-align: center;"><u>STATION: OAKES, NORTH DAKOTA</u></p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>BETWEEN</u></th> <th style="text-align: left;"><u>INTERCHANGE</u></th> <th style="text-align: left;"><u>CHARGE/CAR</u></th> </tr> </thead> <tbody> <tr> <td>James Valley Grain, LLC</td> <td>CPRS</td> <td>\$100.00</td> </tr> <tr> <td>S.D. Wheat Growers - Fertilizer</td> <td>CPRS</td> <td>\$371.00</td> </tr> </tbody> </table>	<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 style="text-align: center;"><u>TURNING OF CARS</u></p> <p>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 style="text-align: center;">NOTICE TO CARRIER</p> <p>Deliver car for loading or unloading from door or end specified by placard.</p> <p>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 style="text-align: center;">CHARGES (SEE NOTE)</p> <p>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 \$200.00 charge will be assessed.</p> <p>NOTE 1: If Bill of Lading carries notation that car has been placarded and placard has disappeared before placement, the charge herein will not apply.</p>	460
<p style="text-align: center;">INTERCHANGE ERROR - \$400 PER CAR</p> <p>When RRWV receives a car(s) at interchange, it should be safe, properly loaded and ready to move. Complete shipping instructions for the car must be received prior to or at the time the car(s) was delivered to the RRWV for interchange. The car(s) must also be received at the interchange indicated on the shipping instructions (Bill of Lading) for linehaul movement, the closest interchange to the customer for Reciprocal Switching, or as otherwise agreed through operating arrangements made prior to the interchange. Charges will be assessed to the delivering carrier BNSF, CPR, DMVW. This applies to single and multiple car shipments.</p> <p>Some examples of interchange error where this charge would apply:</p> <ul style="list-style-type: none">Receiving a car that is unsafely/improperly loadedReceiving a car without full shipping instructionsReceiving a car at a location other than the nearest interchange point to the customer or at a location agreed to in advance of the interchangeReceiving a car in error and forwarding the car to the correct railwayReceiving a car that for some other reason is not completely ready and accessible to continue moving or not intended to move on the RRWV	470

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.

Note 3: Any dispute of these charges must be made within 14 days of the invoice date.

* 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: 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.

Note 3: Any dispute of these charges must be made within 14 days of the invoice date.

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

SECTION 4

ITEM

OBSERVED HOLIDAYS

502

- 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

When these dates occur on a Saturday or Sunday, the designated day of observance will apply.

SECTION 5	ITEM
<p data-bbox="462 239 870 273" style="text-align: center;"><u>RETURN OF LOADED CARS</u></p> <p data-bbox="112 315 1247 457">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 \$200.00 per car. This does not apply to equipment loaded for local movement under Item 200. See Item 200, note 9 for applicable return rate.</p>	600
<p data-bbox="516 520 820 554" style="text-align: center;"><u>WEIGHING OF CARS</u></p> <p data-bbox="112 596 1252 739">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 data-bbox="112 779 1214 921">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 data-bbox="112 961 1179 1031">If an overloaded car is not reduced within the initial switch, an additional switch charge of \$100 per car will apply.</p> <p data-bbox="112 1071 1256 1178">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 data-bbox="112 1218 1260 1325">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 data-bbox="152 1365 696 1398">RRVW reserves the right to audit weights.</p> <p data-bbox="112 1438 1255 1581">DESTINATION OVERLOADS - 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 data-bbox="112 1621 1243 1799">NONCOMPLIANCE TO OVERLOADS - 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 RRVW:</u> Once billing instructions have been received by RRVW for movement of car(s) between origin and destination locations on the RRVW, and the car(s) have not been physically spotted at the destination, the following will apply:</p> <ul style="list-style-type: none"> - Orders for diversions will only be accepted from the Freight Payor. - Assessed charges of \$150 per car - In addition, car(s) will be subject to the higher freight rate charge <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 RRVW freight charges.</p> <p><u>RRVW as the delivering switch carrier:</u> Any car(s) destined to an RRVW location, and have not been physically spotted at the destination, the following will apply:</p> <ul style="list-style-type: none"> - Orders for diversions will only be accepted from: <ul style="list-style-type: none"> - The Freight Payor - The Consignor - The Consignee - 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. - If the car(s) have not been physically placed in a train for movement, a charge of \$50 per car will be assessed. <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 RRVW freight charges.</p> <p>RRVW reserves the right to accept or deny a diversion order for any reason.</p> <p>Contact RRVW 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>	625
<p style="text-align: center;">ADMINISTRATIVE FEE FOR PROCESSING MANUAL NON-LOCAL BILL OF LADING</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 RRVW 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>	630

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.

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

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