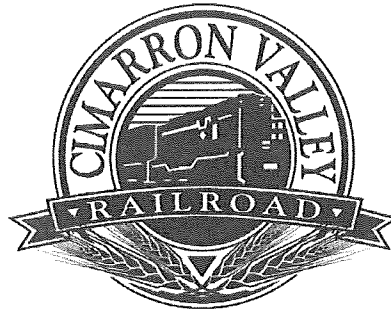


CIMARRON VALLEY RAILROAD, LLC



SUPPLEMENT 1 TO FREIGHT TARIFF 2019

**NAMING
GENERAL SWITCHING, DEMURRAGE, STORAGE, LOCAL RATES,
AND MISCELLANEOUS
RULES AND CHARGES**

**APPLYING FROM, TO, BETWEEN, AND AT POINTS ON
CIMARRON VALLEY RAILROAD, LLC**

APPLICABLE ON INTERSTATE AND INTRASTATE TRAFFIC

ISSUED: JANUARY 10, 2019

EFFECTIVE: FEBRUARY 1, 2019

ISSUED BY:

**Brett Wallace
General Manager
Cimarron Valley Railroad, LLC
P.O. Box 249
U.S. Highway 56
Satanta, KS 67870**

SUPPLEMENT 1 TO FREIGHT TARIFF 2019

SECTION 2 - SWITCHING

Item 200 – Loaded Cars from Customer without Billing

Any loaded car released to CVR without proper billing information submitted to CVR within 24 hours of release to CVR shall be charged \$265.00 per car per day, or fraction thereof, until such information is provided to the satisfaction of CVR.

Item 205 – Empty Cars Ordered but Not Loaded

Any empty car that is ordered for loading and has been placed on customer track, and the car is not loaded but returned to CVR empty, shall be charged \$370.00 per car. The charge for this service shall be assessed and collected from the person, firm, or corporation ordering such cars.

Item 210 – Intra-Plant Switching

All cars, loaded or empty, switched for any purpose, except as provided in Note 1, from one part of one industry track to another part of the same track in the same plant or industry, or from one track to another track of the same plant or industry. A charge of \$55.00 per car per switch will be made.

Note 1: If the switching of the loaded car requires handling the car beyond the confines of the plant or industry at which the car was initially placed, the charge will be the applicable local rate as shown in Item 250.

Item 220 – Overloaded Cars

Cars found to be overloaded will be subject to the following charges:

1. When an overloaded car is identified by CVR scale, a charge of \$210.00 per car will be assessed to each overloaded car. The overloaded car will be set out at the nearest operationally convenient siding immediately upon being identified as overloaded.
2. Overloaded cars will be subject to demurrage charges as defined in Item 340

Item 230 – Diversion or Reconsignment

When a change in name of consignee or consignor, a change in the destination, a change in the route at the request of the consignor, consignee, or owner, or any other instructions given by consignee, consignor, or owner altering delivery and requiring an addition to or change in billing and additional movement of a car, or both, the following charges will apply:

1. If a diversion or reconsignment order is received by CVR prior to the arrival of a car at destination, the charge will be \$240.00 per car.
2. If a diversion or reconsignment order is received by CVR within twenty-four (24) hours from the first 7:00 a.m. after arrival at destination, the charge will be \$315.00 per car.

Item 230 – Diversion or Reconsignment (continued)

3. If a diversion or reconsignment order is received by CVR after expiration of twenty-four (24) hours from the first 7:00 a.m. after arrival at destination, the charge will be \$400.00 per car. Shipper must provide a bill of lading before the CVR will move the car.

Item 235 – Setback Charges

Cars (s) loaded or empty, received by CVR in error, from a Connecting Railroad Carrier, that are not consigned to CVR or its customers, will be treated as mishandled cars received in error and a “Setback Charge” will be assessed against and billed to the interchanging carrier as follows:

Setback Charge: \$350 per car.

Item 240 – Weighing of Cars

When a customer request CVR to weigh cars, the following charges will apply:

1. \$210.00 per car when less than twenty-five (25) cars are requested to be weighed at one time.
2. \$160.00 per car when twenty-five (25) or more cars requested to be weighed at one time.

Item 260 – Storage of Private Cars on Railroad Track

Loaded or empty private cars held on CVR tracks will be stored pursuant to a written storage agreement between CVR and the customer. The charge for such storage shall be assessed at a rate of \$65 per Storage Day, except empty private cars held on railroad tracks will be assessed \$45 per Storage Day.

Storage charges will apply from the first 7:00 a.m. after notice of availability and constructive placement of private cars on railroad tracks until actual placement on private tracks.

Hazardous cars cannot be stored on CVR tracks.

Exception: When CVR’s track is leased by the customer under a written lease agreement.

Item 265 – Unit Trains Held for Loading and Unloading Calculation

A. Computation:

1. Demurrage will be computed from the time of constructive placement, and will remain on demurrage until train departs hold location. Industry time will be calculated from placement time (AP) until loading or unloading is complete, and the train is released for departure with proper billing in place (RI).
2. Free Time will be a maximum of 15 hours and hourly rate for each train are listed below in Item 270, including trains constructively placed in route.
3. Constructive placement, industry time and hold for billing will be added together and rounded up to the nearest hour, from which free time will be subtracted.
4. All days are chargeable.

Item 266 – Other Unit Train Hourly Rate

Upon the expiration of Free Time in Item 265, the hourly rate will be calculated as follows:

The daily rate of \$80.00 per railcar x the number of days exceeding the Free Time divided by a 24 hour day.

Item 270 – Special Freight Train Service

Special Freight Train Service is the movement of a train in other than normal freight train service at the specific request of the shipper or consignee, or as may be required due to other conditions outside normal train operations.

The charge for special freight train service will be \$3,950.00 per occurrence, and will be in addition to all other charges associated with the movement.

Charges to be calculated from the time the crew and locomotive report for special service until the return of crew and locomotive to starting point.

(This railroad reserves the right to restrict or modify any request for special freight train service.)