

KYLE RAILROAD COMPANY

Freight Tariff 3000 – D

(cancels ICC KYLE 3000 – C)

Containing

COMMODITY RATES
FOR LOCAL AND PROPORTIONAL FREIGHT MOVEMENTS
AND
GOVERNING RULES AND REGULATIONS AND SURCHARGES
ALSO
SHOWING OFFICIAL DISTANCES
BETWEEN STATIONS ON KYLE RAILROAD COMPANY

BETWEEN

AND

KYLE Stations in
Kansas and Colorado

KYLE Stations in
Kansas and Colorado

This Tariff is also applicable on Colorado and Kansas Intrastate traffic except where expressly provided to the contrary in connection with particular items or rates.

Governed, except as otherwise provided herein, by the Uniform Freight Classification (See Item 20).
(provisions formerly published and not brought forward are hereby cancelled account obsolete)

ISSUED : August 29, 2008

EFFECTIVE: October 1,2008

Issued by: Deb Alexander, Manager Marketing & Sales
38 Railroad Avenue
Phillipsburg, KS 67661

GENERAL:

	Page No.
Abbreviations, Explanation of.....	19
Junctions and Interchange Points, List of.....	4
Mileages, KYLE.....	5 & 6
Reference Marks, Explanation of.....	19
Stations, Alphabetical List of.....	3
Stations, Geographical List of.....	2

RULES and OTHER GOVERNING PROVISIONS --- GENERAL RULES and REGULATIONS:

	Item No.
Canceling Items, Method o.f.....	30
Claims.....	75
Classification Governing.....	5
Credit and Collection Terms.....	85
Demurrage.....	35
Deposits, Security, for Payment of Demurrage or other Accessorial Charges.....	90
Distances, Application of.....	60
Explosives, Dangerous Articles.....	15
Fractions, Dispositions of.....	65
Intermediate Application – Destination.....	55
Intermediate Application – Origin.....	50
Numbers, Consecutive.....	25
Payment of Rates and Charges.....	80
Reference to Tariffs, Items, Notes, Rules, etc.....	20
Station Lists and Conditions.....	10
Surcharge -- Covered Hopper Cars.....	180
Surcharge -- Farm Products.....	175
Terminal or Transit Privileges or Services.....	45
Terms, Definition of.....	70
Weighing of Cars.....	40

SECTION 1 – SPECIAL COMMODITY RATES:

Items 200 thru 410.

For explanation of abbreviations and reference marks, see last page of tariff.	
ISSUED : August 29, 2008	EFFECTIVE: October 1, 2008
Issued by: Deb Alexander , Manager Marketing & Sales	
38 Railroad Avenue	
Phillipsburg, KS 67661	

FT KYLE 3000-D KYLE RAILROAD COMPANY Page 2
 GEOGRAPHICAL LIST OF STATIONS IN KANSAS AND COLORADO
 FROM, TO AND AT WHICH RATES APPLY
 (NOTE A)

STATION	INDEX	STATION	INDEX	STATION	INDEX
BELLEVILLE, KS	50	SELDEN, KS	170	SCOTTSVILLE, KS	2090
RYDAL, KS	55	REXFORD, KS	175	GILBERT, KS	2095
SCANDIA, KS	60	BRETON, KS	180	BELOIT, KS	2100
NORWAY, KS	61	GEM, KS	185	SOLOMON RAPIDS, KS	2105
YUMA, KS	62	COLBY, KS	190	GLEN ELDER, KS	2110
CONCORDIA, KS	63	LEVANT, KS	195	CAWKER CITY, KS	2120
COURTLAND, KS	65	BREWSTER, KS	200	DOWNNS, KS	2125
FORMOSO, KS	70	EDSON, KS	205	PORTIS, KS	2130
MONTROSE, KS	75	GOODLAND, KS	210	OSBORNE, KS	2285
MANKATO, KS	80	CARUSO, KS	215	BLOOMINGTON, KS	2290
OTEGO, KS	85	RULETON, KS	220	ALTON, KS	2295
ESBON, KS	90	KANORADO, KS	225	WOODSTON, KS	2300
LEBANON, KS	95	PECONIC, CO	230	STOCKTON, KS	2305
BELLAIRE, KS	100	BURLINGTON, CO	235	SOLOMON, KS (NOTE B)	3185
SMITH CENTER, KS	105	BETHUNE, CO	240	NILES, KS	3200
ATHOL, KS	110	STRATTON, CO	245	BENNINGTON, KS	3210
KENSINGTON, KS	115	VONA, CO	250	LINDSEY, KS	3215
AGRA, KS	120	SEIBERT, CO	255	MINNEAPOLIS, KS	3220
GRETNA, KS	125	FLAGLER, CO	260	DELPHOS, KS	3235
PHILLIPSBURG, KS	130	ARRIBA, CO	265	GLASCO, KS	3240
STUTTGART, KS	135	GENOA, CO	270	SIMPSON, KS	3245
PRAIRIE VIEW, KS	140	LIMON, CO	275	ASHERVILLE, KS	3250
ALMENA, KS	145	AMES, KS	1935	SALINA, KS (NOTE C)	-----
NORTON, KS	150	RICE, KS	1940		
CLAYTON, KS	155	CONCORDIA, KS	1945		
JENNINGS, KS	160	YUMA, KS	1950		
DRESDEN, KS	165	JAMESTOWN, KS	2085		

For explanation of Notes A, B and C, see Page 3

For explanation of abbreviations and reference marks, see last page of tariff.
 ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008
 Issued by: Deb Alexander, Manager Marketing & Sales
 38 Railroad Avenue
 Phillipsburg, KS 67661

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D KYLE RAILROAD COMPANY Page 3
 ALPHABETICAL LIST OF STATIONS IN KANSAS AND COLORADO
 FROM, TO AND AT WHICH RATES APPLY
 (NOTE A)

STATION	INDEX	STATION	INDEX	STATION	INDEX
AGRA, KS	120	ESBON, KS	90	PHILLIPSBURG, KS	130
ALMENA, KS	145	FLAGLER, CO	260	PORTIS, KS	2130
ALTON, KS	2295	FORMOSO, KS	70	PRAIRIE VIEW, KS	140
AMES, KS	1935	GEM, KS	185	REXFORD, KS	175
ARRIBA, CO	265	GENOA, CO	270	RICE, KS	1940
ASHERVILLE, KS	3250	GILBERT, KS	2095	RULETON, KS	220
ATHOL, KS	110	GLASCO, KS	3240	RYDAL, KS	55
BELLAIRE, KS	100	GLEN ELDER, KS	2110	SALINA, KS (NOTE C)	-----
BELLEVILLE, KS	50	GOODLAND, KS	210	SCANDIA, KS	60
BELOIT, KS	2100	GRETNA, KS	125	SCOTTSVILLE, KS	2090
BENNINGTON, KS	3210	JAMESTOWN, KS	2085	SEIBERT, CO	255
BETHUNE, CO	240	JENNINGS, KS	160	SELDEN, KS	170
BLOOMINGTON, KS	2290	KANORADO, KS	225	SIMPSON, KS	3245
BRETON, KS	180	KENSINGTON, KS	115	SMITH CENTER, KS	105
BREWSTER, KS	200	LEBANON, KS	95	SOLOMON, KS (NOTE B)	3185
BURLINGTON, CO	235	LEVANT, KS	195	SOLOMON RAPIDS, KS	2105
CARUSO, KS	215	LIMON, CO	275	STOCKTON, KS	2305
CAWKER CITY, KS	2120	LINDSEY, KS	3215	STRATTON, CO	245
CLAYTON, KS	155	MANKATO, KS	80	STUTTGART, KS	135
COLBY, KS	190	MINNEAPOLIS, KS	3220	VONA, CO	250
CONCORDIA, KS	63	MONTROSE, KS	75	WOODSTON, KS	2300
CONCORDIA, KS	1945	NILES, KS	3200	YUMA, KS	62
COURTLAND, KS	65	NORTON, KS	150	YUMA, KS	1950
DELPHOS, KS	3235	NORWAY, KS	61		
DOWNNS, KS	2125	OSBORNE, KS	2285		
DRESDEN, KS	165	OTEGO, KS	85		
EDSON, KS	205	PECONIC, CO	230		

For explanation of Notes A, B and C, see Page 3

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales

38 Railroad Avenue
 Phillipsburg, KS 67661

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D		KYLE RAILROAD COMPANY		Page 4
LIST OF JUNCTIONS AND INTERCHANGE POINTS WITH CONNECTING LINES (NOTE D)				
INTERCHANGE STATION	KYLE STATION INDEX	JUNCTION WITH	ALPHA CODE	
CONCORDIA, KS (NOTE D)	1945	BNSF Railway	BNSF	
COURTLAND, KS	65	BNSF Railway	BNSF	
LIMON, CO	275	Union Pacific Railroad Company	UP	
NORTON, KS	150	Nebraska Kansas Colorado Railway, Inc.	NKCR	
OSBORNE, KS (NOTE D)	2285	Kansas & Oklahoma Railroad	K&O	
SALINA, KS (NOTE C)	-----	Union Pacific Railroad Company	UP	

NOTE A, PART I:

(Applicable only at stations Belleville, KS (50) thru Limon, CO (275)).

Through Missouri Pacific Railroad Company Adoption Notice Freight Tariff, ICC MP 9906, and authorization granted to UP by KYLE, line-haul traffic moving in connection with UP to or from stations Belleville, KS thru Limon, CO should be routed only via UP, KYLE will not apply in the route. These stations are shown in the Official Railroad Station List, Railinc OPSTTM 6000-Series as UP stations for the sole purpose of simplifying the routing and assessing of transportation charges when line-haul movement is via UP.

NOTE A, PART II:

(Applicable only at stations Ames, KS (1935) thru Asherville, KS (3250)).

Through lease agreement between the Kyle Railroad Company (KYLE) and Missouri Pacific and Union Pacific Railroad Companies (MP/UP), and Kyle Railroad Company Adoption Notice Freight Tariff ICC KYLE 9006, the KYLE physically serves Ames, KS (station index 1935) thru Asherville, KS (station index 3250). The KYLE assesses all switching, terminal and other charges applicable at these stations as contained in Tariffs KYLE 3000-Series, 6001-Series and 8000-Series, and the KYLE is responsible for, and will assess, all transportation charges on traffic that both originates and terminates at these stations. Except for Solomon, KS (3185) these stations are not physically served by the UP, but are continued as UP stations for the purpose of simplifying routing and assessing of transportation charges pursuant to authorization granted to the MP/UP by the KYLE. Traffic moving in connection with UP to or from Ames, KS (1935) thru Asherville, KS (3250) should be billed with the UP and routed only via UP.

NOTE B: The KYLE serves no industry tracks at stations referred hereto.

NOTE C: Interchange point only—no industries served by KYLE.

NOTE D: Applicable only on traffic from or to stations referred to in NOTE A, PART II.

For explanation of abbreviations and reference marks, see last page of tariff.
 ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008
 Issued by: Deb Alexander, Manager Marketing & Sales
 38 Railroad Avenue
 Phillipsburg, KS 67661

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D

KYLE RAILROAD COMPANY

Page 5

GEOGRAPHICAL LIST OF STATIONS AND MILEAGES
(ALL STATIONS ARE IN KANSAS EXCEPT AS NOTED)

<u>Index</u>	<u>Stations</u>	<u>Miles from Station</u>		<u>Index</u>	<u>Stations</u>	<u>Miles from Station</u>	
		<u>Belleville</u> <u>Index 50</u>	<u>Courtland</u> <u>Index 65</u>			<u>Norton</u> <u>Index 150</u>	<u>Colby</u> <u>Index 190</u>
50	Belleville	0	15.2	150	Norton	0	69.8
55	Rydal	5.0	10.2	155	Clayton	17.0	52.8
60	Scandia	9.3	5.9	160	Jennings	24.3	45.5
65	Courtland	15.2	0	165	Dresden	32.7	37.1
		<u>Scandia</u> <u>Index 60</u>	<u>Concordia</u> <u>Index 63</u>	170	Selden	42.2	27.6
60	Scandia	0	19.4	175	Rexford	52.8	17.0
61	Norway	6.9	12.5	180	Breton	57.2	12.6
62	Yuma	14.5	4.9	185	Gem	61.8	8.0
63	Concordia	19.4	0	190	Colby	69.8	0
		<u>Courtland</u> <u>Index 65</u>	<u>Norton</u> <u>Index 150</u>			<u>Colby</u> <u>Index 190</u>	<u>Limon, CO</u> <u>Index 275</u>
65	Courtland	0	113.3	190	Colby	0	143.0
70	Formoso	5.3	108.0	195	Levant	8.2	134.8
75	Montrose	10.4	102.9	200	Brewster	18.0	125.0
80	Mankato	17.4	95.9	205	Edson	27.3	115.7
85	Otego	25.5	87.8	210	Goodland	36.1	106.9
90	Esbon	30.2	83.1	215	Caruso	41.6	101.4
95	Lebanon	36.9	76.4	220	Ruleton	45.6	97.4
100	Bellaire	43.3	70.0	225	Kanorado	53.5	89.5
105	Smith Center	49.5	63.8	230	Peconic, CO	59.4	83.6
110	Athol	57.5	55.8	235	Burlington, CO	66.0	77.0
115	Kensington	63.4	49.9	240	Bethune, CO	74.7	68.3
120	Agra	68.0	45.3	245	Stratton, CO	84.5	58.5
125	Gretna	73.0	40.3	250	Vona, CO	91.8	51.2
130	Phillipsburg	79.2	34.1	255	Seibert, CO	98.8	44.2
135	Stuttgart	86.8	26.5	260	Flagler, CO	109.8	33.2
140	Prairie View	93.6	19.7	265	Arriba, CO	121.0	22.0
145	Almena	101.9	11.4	270	Genoa, CO	132.8	10.2
150	Norton	113.3	0	275	Limon, CO	143.0	0

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales

38 Railroad Avenue
Phillipsburg, KS 67661

GEOGRAPHICAL LIST OF STATIONS AND MILEAGES
(ALL STATIONS ARE IN KANSAS EXCEPT AS NOTED)

<u>Miles to Salina</u>	<u>Index</u>	<u>Stations</u>	<u>Miles From/To Station</u>	<u>Miles From/To Station</u>
			<u>Ames</u>	<u>Beloit</u>
110.7	1935	Ames	0	40.6
104.1	1940	Rice	6.6	34.0
99.1	1945	Concordia	11.6	29.0
94.2	1950	Yuma	16.5	24.1
88.1	2085	Jamestown	22.6	18.0
81.7	2090	Scottsville	29.0	11.6
75.0	2095	Gilbert	35.7	4.9
70.1	2100	Beloit	40.6	0
			<u>Beloit</u>	<u>Downs</u>
70.1	2100	Beloit	0	24.2
75.0	2105	Solomon Rapids	4.9	19.3
81.3	2110	Glen Elder	11.2	13.0
88.6	2120	Cawker City	18.5	5.7
94.3	2125	Downs	24.2	0
			<u>Downs</u>	<u>Portis</u>
94.3	2125	Downs	0	9
103.3	2130	Portis	9	0
			<u>Downs</u>	<u>Stockton</u>
94.3	2125	Downs	0	41.8
104.2	2285	Osborne	9.9	31.9
109.4	2290	Bloomington	15.1	26.7
117.8	2295	Alton	23.5	18.3
126.1	2300	Woodston	31.8	10.0
136.1	2305	Stockton	41.8	0
			<u>Solomon</u>	<u>Beloit</u>
-----	3185	Solomon	0	56.6
19.2	3200	Niles	5.7	50.9
27.4	3210	Bennington	13.9	42.7
33.6	3215	Lindsey	20.1	36.5
36	3220	Minneapolis	22.5	34.1
47.4	3235	Delphos	33.9	22.7
54.3	3240	Glasco	40.8	15.8
59.5	3245	Simpson	46.0	10.6
62.5	3250	Asherville	49.0	7.6
70.1	2100	Beloit	56.6	0

DISTANCE TO SALINA, KANSAS

When computing the shortest distance from MP/UP adopted KYLE origins to destination via Salina, Kansas or to Salina, Kansas, in order to determine the applicable rate as provided in UP Tariffs, first determine the KYLE's miles, as published in this tariff, from origin to Yuma, Kansas and then add 94 miles which is the mileage from Yuma, Kansas to Salina, Kansas. If applicable, this sum should then be added to the MP/UP miles from Salina, Kansas to destination.

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales
38 Railroad Avenue
Phillipsburg, KS 67661

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D Page 7 KYLE RAILROAD COMPANY RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		
APPLICATION	SUBJECT	ITEM
The term "Uniform Freight Classification" when used herein means: Uniform Freight Classification Tariff ICC UFC 6000-Series	CLASSIFICATION GOVERNING	5
This tariff is governed by Official Railroad Station List Tariff OPSL 6000-Series.	STATION LIST AND CONDITIONS	10
For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Bureau of Explosives Tariff BOE 6000-Series.	EXPLOSIVES, DANGEROUS ARTICLES	15
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.	REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.	20
Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown. If the first number only bears a reference mark such reference mark also applies to the last number shown and to all numbers between the first and last numbers.	CONSECUTIVE NUMBERS	25
As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement or revised page. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445A cancels Item 455, and Item 365B cancels Item 365A in a prior supplement, which in turn, canceled Item 365.	METHOD OF CANCELING ITEMS	30
Cars handled under the provisions of this tariff are subject to the demurrage provisions of FT KYLE 6001-Series, and see Item 90 of this tariff.	DEMURRAGE	35
The KYLE will not be responsible for any charges that may be assessed for the weighing of cars, whether or not said weighing is done on or off the rails of KYLE. This provision also includes the weighting of cars for revenue billing purposes and said charges for same will be in addition to any freight charges due hereunder. The KYLE does not have rail scales, but may be able to utilize private rail scales subject to charges of the private rail scale owner.	WEIGHING OF CARS	40
For explanation of abbreviations and reference marks, see last page of tariff. ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008 Issued by: Deb Alexander, Manager Marketing & Sales 38 Railroad Avenue Phillipsburg, KS 67661		

FT KYLE 3000-D		KYLE RAILROAD COMPANY		Page 8
RULES AND OTHER GOVERNING PROVISIONS				
GENERAL RULES AND REGULATIONS				
APPLICATION		SUBJECT		ITEM
<p>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, corresponding or conflicting provisions in such separate tariffs do not apply.</p>		<p>TERMINAL OR TRANSIT PRIVILEGES OR SERVICE</p>		<p>45</p>
<p>Subject to the provisions of Notes 1, 2, 3 and 4 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 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 point beyond 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 rate from the next point beyond 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 commodity rates on the same article via the same route are 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 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 – If the class rate on the same article via the same route from the intermediate point produces a lower charge than would result from applying the commodity rate under this Rule, such commodity rate will not apply.</p> <p>NOTE 4 – If there is in any other tariff a commodity rate on the same article from the intermediate origin point applicable over the same route to the same destination, the provisions of this Rule are not applicable from such intermediate origin point.</p>		<p>INTERMEDIATE APPLICATION - ORIGIN</p>		<p>50</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p> <p>ISSUED : August 29, 2008</p> <p>EFFECTIVE: October 1, 2008</p> <p>Issued by: Deb Alexander, Manager Marketing & Sales</p> <p>38 Railroad Avenue</p> <p>Phillipsburg, KS 67661</p>				

FT KYLE 3000-D		KYLE RAILROAD COMPANY		Page 9
RULES AND OTHER GOVERNING PROVISIONS				
GENERAL RULES AND REGULATIONS				
APPLICATION		SUBJECT		ITEM
<p>Subject to the provisions of Notes 1, 2, 3 and 4 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 beyond 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 point beyond, 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 – If the class rate on the same article via the same route to the intermediate point produces a lower charge that would result from applying the commodity rate under this Rule, such commodity rate will not apply.</p> <p>NOTE 4 – If there is in any other tariff a commodity rate on the same article to the intermediate destination point applicable over the same route from the same point of origin, the provisions of this Rule are not applicable to such intermediate destination point.</p>		INTERMEDIATE APPLICATION - DESTINATION		55
<p>For explanation of abbreviations and reference marks, see last page of tariff.</p> <p>ISSUED : August 29, 2008</p> <p>Issued by: Deb Alexander, Manager Marketing & Sales</p> <p>38 Railroad Avenue</p> <p>Phillipsburg, KS 67661</p> <p>EFFECTIVE: October 1, 2008</p>				

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D KYLE RAILROAD COMPANY Page 10 RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		
APPLICATION	SUBJECT	ITEM
The distances in this tariff are in miles and tenths of miles, and are to be used as the official distances of Kyle Railroad.	APPLICATION OF DISTANCES	60
In computing mileages, all fractions should be retained until final results are obtained, then fractions of less than five-tenths (.5) should be dropped, fractions of five-tenths (.5) or more will be treated as one mile.	DISPOSITION OF FRACTIONS	65
“Interchange point” – A point located on the lines of two or more carriers at which carload traffic is interchanged between said carriers without transfer of lading. For list of interchange points, see page 3.	DEFINITION OF TERMS	70
For explanation of abbreviations and reference marks, see last page of tariff. ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008 Issued by: Deb Alexander, Manager Marketing & Sales 38 Railroad Avenue Phillipsburg, KS 67661		

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D Page 11 KYLE RAILROAD COMPANY RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		
APPLICATION	SUBJECT	ITEM
<p>Shipments moving under the provisions of this tariff will be governed by the Uniform Bill of Lading and any loss and damage claims must be filed in accordance therewith. However, each claim or suit, if any, for the physical loss of or damage to commodities transported pursuant to this tariff shall be subject to a One Hundred and No/100 Dollars (\$100.00) deductible per shipment.</p> <p>No claims will be paid for loss or damage when commodities shipped under the terms of this tariff are loaded in LO type hopper cars as defined in The Official Railway Equipment Register, unless verifiable proof exists of said loss and it is further documented through certified weights at both origin and destination. In the event car or cars are derailed and certified weights are unattainable, settlement will be based upon a weight of 190,000 pounds per car.</p>	CLAIMS	75
<p>Freight charges may be prepaid or collect: All rates in this tariff published in dollars per car must be prepaid. If customer desires to ship on a collect basis using items published in dollars per car, an additional charge of \$50.00 per car will be assessed. This charge will be in addition to other applicable freight charges and will be payable by the party paying the freight charges and designated on the Bill of Lading. Payment will be subject to the credit and collection terms as set forth in Item 135 of this tariff.</p>	PAYMENT OF RATES AND CHARGES	80
<p>The Kyle Railroad Company will allow fifteen days (360 hours) for the payment of freight charges. Time will be computed from the postmark date of mailing from Kyle Railroad Company's accounting office, with payment due in the Accounting Department of Kyle Railroad Company no later than the fifteenth day.</p> <p>All charges will be subject to a late penalty if payment is not received within the prescribed time.</p> <p>The penalty for late payment will be eighteen (18) per cent per annum, computed from the sixteenth day until receipt of payment by the Kyle Railroad Company.</p> <p>Provisions in this Item may be overceded by specific terms found on invoice issued by KYLE.</p>	CREDIT AND COLLECTION TERMS	85
<p style="text-align: center;">For explanation of abbreviations and reference marks, see last page of tariff. ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008 Issued by: Deb Alexander, Manager Marketing & Sales 38 Railroad Avenue Phillipsburg, KS 67661</p>		

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D	KYLE RAILROAD COMPANY RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		Page 12
APPLICATION	SUBJECT	ITEM	
<p>A security deposit to insure payment of any demurrage, storage or other accessorial charges that may accrue will be required from any consignor, consignee, beneficial owner, or other responsible party, hereafter referred to as customer, who:</p> <ol style="list-style-type: none"> 1. Is not on the carrier's authorized credit list, and 2. Fails to pay demurrage, storage or other accessorial charges. <p>The deposit must be paid in cash, cashier's check or money order before any car is delivered to such customer for loading or unloading.</p> <p>The deposit for each freight car must be in the minimum amount of \$150.00 or up to the maximum amount of demurrage, storage or other accessorial charges that accrued on any one freight car during the preceding 12 months.</p> <p>The carrier will refund the balance of the deposit to the customer within 30 days after the equipment is released to the carrier after deducting all unpaid charges on that equipment.</p>	<p>SECURITY DEPOSITS FOR PAYMENT OF DEMURRAGE OR OTHER ACCESSORIAL CHARGES</p>	<p>90</p>	
<p>For explanation of abbreviations and reference marks, see last page of tariff. ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008 Issued by: Deb Alexander, Manager Marketing & Sales 38 Railroad Avenue Phillipsburg, KS 67661</p>			

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D KYLE RAILROAD COMPANY Page 13 RULES AND OTHER GOVERNING PROVISIONS GENERAL RULES AND REGULATIONS		
APPLICATION	SUBJECT	ITEM
<p>A surcharge of \$200.00 per carload will be assessed by KYLE against the party paying the line-haul transportation charges to the billing carrier on all carloads of Farm Products, (see Exceptions 1 thru 4), Standard Transportation Commodity code numbers 01 thru 01-999-15, originating:</p> <p>(1) at KYLE stations Belleville, KS. (KYLE 50) thru Limon, CO (KYLE 275); or,</p> <p>(2) at KYLE served UP stations Belleville, KS (54592) thru Genoa, CO (54678) and Colby, KS (3495); Limon, CO (3835); and, Yuma, KS (51236).</p> <p>Destined to:</p> <p>(1) stations west of the Continental Divide</p> <p>(2) any station east of the Mississippi River (including stations on the east bank of the Mississippi River). (See Exception 4)</p> <p>Such surcharges shall be in addition to all other charges, including other surcharges and line-haul transportation charges, and shall accrue solely to the KYLE.</p> <p>Exception 1: Not applicable when shipments are made in: (A) privately owned or leased covered hopper cars except those controlled by railroads; or (B) BNSF or UP system cars including privately marked cars which the BNSF or UP control.</p> <p>Exception 2: Not applicable when shipments are made in box cars.</p> <p>Exception 3: Not applicable on reciprocal switch movements originating at KYLE served industries.</p> <p>Exception 4: Surcharge provided herein shall not apply beginning October 11, 2003 until further notice.</p>	<p>SURCHARGE – FARM PRODUCTS</p>	<p>175</p>
<p>A surcharge of \$40.00 per carload will be assessed by KYLE against the party paying the line-haul transportation charges to the billing carrier on all covered hopper carload shipments (see Exceptions 1 and 2) of Farm Products, Standard Transportation Commodity Code numbers 01 thru 01-999-15, originating:</p> <p>(1) at KYLE served UP stations Belleville, KS (54592) thru Genoa, Co (54678) and Colby, KS (3495); Limon, CO (3835); and, Yuma, KS (51236); or,</p> <p>(2) at KYLE stations Belleville, KS. (KYLE 50) thru Limon, CO. (KYLE 275)</p> <p>Unless otherwise specifically stated, the surcharge in this item is in addition to other applicable charges, including surcharges, published in this tariff and will be in addition to the line-haul transportation charges, and shall accrue solely to the KYLE.</p> <p>Exception 1: Not applicable when shipments are made in privately owned or leased covered hoppers cars except those controlled by railroads.</p> <p>Exception 2: Not applicable on reciprocal switch movements originating at KYLE served industries.</p>	<p>SURCHARGE ON COVERED HOPPERS CARS</p>	<p>180</p>
<p>For explanation of abbreviations and reference marks, see last page of tariff. ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008 Issued by: Deb Alexander, Manager Marketing & Sales 38 Railroad Avenue Phillipsburg, KS 67661</p>		

The provisions herein will, if effective, not have a negative impact on the quality of the human environment or energy consumption.

FT KYLE 3000-D

KYLE RAILROAD COMPANY

Page 14

SECTION 1 – SPECIAL COMMODITY RATES

The number prefixed to a station name is its Index Number.
 When rates are published in this Section on a given shipment, such rates will apply to the exclusion of the rates in any other section.
 Rates named in this Section, except as noted in individual items, are subject to the provisions of Items 50 and 55.

ITEM 200

Corn, STCC 01-132 (x).

Sorghum Grains, STCC 01-136 (x).

Soybeans, STCC 01-144 (x).

Wheat, STCC 01-137 (x).

In bulk, in covered hopper cars, one or more cars at a time.

Rates in Column 1 apply to Courtland, KS

Rates in Column 2 apply to Norton, KS

Rates in Column 3 apply to Limon, CO

FROM INDEX	ORIGIN (KANSAS)	# RATES (RATES ARE IN DOLLARS PER CARLOAD)		
		COLUMN 1 COURTLAND	COLUMN 2 NORTON	COLUMN 3 LIMON
50	BELLEVILLE	550	650	800
61	NORWAY	550	650	800
65	COURTLAND	-----	600	800
85	OTEGO	650	600	800
100	BELLAIRE	750	600	800
130	PHILLIPSBURG	800	600	800
135	STUTTGART	800	550	775
150	NORTON	800	-----	750
160	JENNINGS	800	520	740
165	DRESDEN	800	540	730
170	SELDEN	850	560	720
175	REXFORD	850	600	710
180	BRETON	850	640	700
185	GEM	850	680	700
195	LEVANT	850	700	675
225	KANORADO (COLORADO)	850	700	675
230	PECONIC	900	725	650
275	LIMON	900	725	-----

Further application of rates:

Rates apply only on commodities listed.

When from facilities not switched directly by the KYLE, switching charge of connecting line will be in addition.

Rates apply as proportional rates only and only on thru continuous shipments from origins shown (or from intermediate origins per Item 50) to destinations beyond Courtland or Norton, KS or Limon, CO, as the case may be, and routed into Courtland or Norton, KS or Limon, CO via KYLE-thence connection(s) of KYLE.

Rates apply only on AAR Accounting Rule 11 shipments.

(x) The Standard Transportation Commodity Code (STCC) number referred to shall embrace all articles assigned additional digits listed in the Standard Transportation Commodity Code STCC 6001-Series, Railinc Business Service Department, Agent.

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales

38 Railroad Avenue
 Phillipsburg, KS 67661

SECTION 1 – SPECIAL COMMODITY RATES

(A) ITEM 205

Corn, STCC 01-132-15,
Sorghum Grains, STCC 01-136(x),
in bulk, in covered hopper cars.

	&TO: GOODLAND, KS		SEIBERT, CO		LIMON, CO	
	<u>SINGLE CAR</u>	<u>@ 25-CAR</u>	<u>SINGLE CAR</u>	<u>@ 25-CAR</u>	<u>SINGLE CAR</u>	<u>@ 25-CAR</u>
& FROM						
(KANSAS)	#	#	#	#	#	#
NORWAY	685	-----	770	-----	805	-----
BELLEVILLE	635	585	720	670	755	705
COURTLAND	635	585	720	670	755	705
MANKATO	635	-----	720	-----	755	-----
LEBANON	635	-----	720	-----	755	-----
BELLAIRE	585	-----	670	-----	705	-----
SMITH CENTER	585	-----	670	-----	705	-----
ATHOL	560	-----	595	-----	630	-----
KENSINGTON	525	-----	560	-----	595	-----
AGRA	525	-----	560	-----	595	-----
GRETNA	490	-----	525	-----	560	-----
PHILLIPSBURG	490	-----	525	-----	560	-----
STUTTGART	455	-----	490	-----	525	-----
PRAIRIE VIEW	455	-----	490	-----	525	-----
ALMENA	420	-----	455	-----	490	-----
NORTON	420	-----	455	-----	490	-----

Rates are in dollars per car and apply on shipments of corn (STCC 01-132-15) or sorghum grains (STCC 01-136(x)) in KYLE supplied covered hopper cars; surcharges as published in this tariff shall not apply on shipments moving under the rates herein.

& Rates apply only from/to facilities switched direct by the KYLE; and apply from/to stations intermediate to origins/destinations shown (See Items 50 and 55); and apply via KYLE.

@ Applies when twenty-five (25) or more cars are billed on one day on one bill of lading from one consignor at one origin to one consignee at one destination. Loading station and unloading station must be capable of handling 25 cars in one spot.

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales

38 Railroad Avenue
Phillipsburg, KS 67661

SECTION 1 – SPECIAL COMMODITY RATES

ITEM 210

RATES: - Applicable from all industries located on the Kyle Railroad Company at Limon, Colorado when to industries located on the Kyle Railroad Company, Union Pacific Railroad Company or interchanged with the Union Pacific Railroad Company at Limon, Colorado.

COMMOITIES: All

<u>MINIMUM NUMBER OF CARLOADS</u>	<u>RATE PER CAR</u>
1 – 9	\$400.00
10 – 14	\$375.00
15 – 24	\$350.00
25 – over	\$325.00

(A) ITEM 300

Charge in Dollars per car between stations on Kyle Railroad Company, subject to the following provisions:

1. Applies on Freight All Kinds for which rates are not otherwise provided for in this tariff.
2. Per car charges are based on the distance from origin to destination of each car used and mileages shown on pages 5 and 6 herein will govern.
3. Per car charges in this Item will only apply as follows:
 - (a) As a local charge on shipments originating and destined from and to points on Kyle Railroad Company; or
 - (b) As a proportional charge on a shipment interchanged with another railroad.
4. Per car charges in this item will not apply on shipments of articles shipped on heavy capacity and special type flat cars. For a list of such heavy capacity and special type flat cars, see the "Heavy Capacity and Special Type Flat Cars" section of The Official Railway Equipment Register® issued by R.E.R. Publishing Corporation, Agent; nor on shipments of articles on any type car which requires high/wide clearances, speed restrictions, special train service, buffer or idler cars, and/or exceeds gross weight on rail of 272,000 pounds.

<u>MILEAGE</u>		<u>CHARGE IN DOLLARS PER CAR</u>
<u>OVER</u>	<u>BUT NOT OVER</u>	
0	49	1150
49	99	1350
99	199	1650
199	299	1950
299	399	2250
399	----	2550

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales

38 Railroad Avenue
Phillipsburg, KS 67661

SECTION 1 – SPECIAL COMMODITY RATES

(A) ITEM 400

Charges in Dollars per car between stations on Kyle Railroad Company, subject to the following provisions:

1. Applies ONLY on Sunflower Seeds, in bulk, in covered hopper cars, STCC 01-149-40
2. Applies only on a shipment moving between a station on KYLE and an interchange point with a connecting railroad at Courtland, KS, Norton, KS or Limon CO.
3. Per car charges are based on the distance from origin to interchange point or from interchange point to destination as the case may be of each car used. Mileages shown on pages 4 and 5 herein will govern.
4. Reciprocal switching charges of connecting carriers will not be absorbed by Kyle Railroad and will be in addition to the line haul rate.

MILEAGE		<u>RATES</u> IN DOLLARS PER CAR	
<u>OVER</u>	<u>BUT NOT OVER</u>	<u>Column 1</u>	<u>Column 2</u>
0	25	540	580
25	50	565	610
50	75	590	635
75	150	615	660
150	200	645	695
200	250	670	720
250	300	720	775
300	350	800	860
350	400	825	885
400	-	850	915

Column 1: Applies when shipments are loaded in covered hopper cars having a capacity of 4,750 cubic feet or less.

Column 2: Applies, except when Column 1 applies.

For explanation of abbreviations and reference marks, see last page of tariff.
 ISSUED : August 29, 2008 EFFECTIVE: October 1, 2008
 Issued by: Deb Alexander, Manager Marketing & Sales
 38 Railroad Avenue
 Phillipsburg, KS 67661

SECTION 1 – SPECIAL COMMODITY RATES

(A) ITEM 410

SUBJECT: SUNFLOWER SEEDS TO CARUSO AND GOODLAND, KS.

APPLICATION:

1. Applies only on Sunflower Seeds, in bulk, in covered hopper cars, STCC 01-149-40.
2. Applies only on shipments originating at KYLE stations Belleville, KS thru Limon, CO (OPSL numbers 50 thru 275) or Ames, KS thru Asherville, KS (OPSL number 1935 thru 3250).
3. Charges are in dollars per car.
4. Rates will not apply on shipments accorded transit privileges nor diversion or reconsignment privileges. Rates do not apply in combination with any other rates.
5. Rates will be determined by using the following distances:
 - a). When originating at Kyle stations Belleville, KS thru Limon, CO (OPSL numbers 50 thru 275) actual distance from origin to Caruso or Goodland, KS, as the case may be, as published in this tariff will apply.
 - b). When originating at Kyle stations Ames, KS thru Asherville, KS (OPSL numbers 1935 thru 3250) actual distance as published in this tariff from origin to Caruso or Goodland, KS, as the case may be, will apply. (See EXCEPTION).
6. Reciprocal switching charges of connecting carriers will not be absorbed by KYLE and will be in addition to the line haul rate.

EXCEPTION: When from KYLE stations Solomon Rapids, KS, OPSL 2105 thru Stockton, KS, OPSL 2305, distance to use shall be the distance from Beloit, KS, OPSL 2100, formulated using paragraph 5b.

MILEAGE		RATES IN DOLLARS PER CAR	
<u>OVER</u>	<u>BUT NOT OVER</u>	<u>Column 1</u>	<u>Column 2</u>
0	25	460	480
25	50	485	505
50	75	510	530
75	150	530	555
150	200	555	580
200	250	585	610
250	325	630	660
325	400	700	735
400	475	725	760
475	550	745	785

Column 1: Applies when shipments are loaded in covered hoppers cars having a capacity of 4,750 cubic feet or less.

Column 2: Applies, except when Column 1 applies.

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

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales
 38 Railroad Avenue
 Phillipsburg, KS 67661

EXPLANATION OF ABBREVIATIONS

ABBREVIATION	EXPLANATION
BOE CFR CL CO Col FT KS KYLE Lbs Min wt MP NSO OPSL RER UFC UP	Bureau of Explosives Code of Federal Regulations Carload(s) Colorado Column or Columns Freight Tariff Kansas The Kyle Railroad Company Pound or Pounds Minimum Weight(s) Missouri Pacific Railroad Company National Service Order Tariff Official List of Open and Prepay Stations Railway Equipment Register Uniform Freight Classification Union Pacific Railroad Company

EXPLANATION OF REFERENCE MARKS

REFERENCE MARKS	EXPLANATION
(R) (A) (C) (*) (Can) (+) (^) (R35)	Reduction Increase Change in wording resulting in neither increase nor reduction in changes Addition Canceled Applies only on intrastate traffic Applies only on interstate traffic Subject to Rule 35 of UFC

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

THE END

ISSUED : August 29, 2008

EFFECTIVE: October 1, 2008

Issued by: Deb Alexander, Manager Marketing & Sales
 38 Railroad Avenue
 Phillipsburg, KS 67661