

**Formstack Submission For: [South Dakota One Call Reply Form](#)**

Submitted at 11/27/23 8:41 PM

**Complaint Docket Number:** OC23-004

**Reply filed on behalf of (company name):** Kenneth Osmotherly

**Contact Person:** Kenneth Osmotherly

**Phone Number:** (605) 890-6308

**Ext:**

**Name or Company Name:** Kenneth Osmotherly

**Street Address or PO Box:** 12760 Maitland rd  
Hot Springs, SD 57747

**Fax:**

**Email:** [kosmotherly@goldenwest.net](mailto:kosmotherly@goldenwest.net)

**Date:** Nov 27, 2023

**Were you previously aware of these allegations?:** No

**Provide detail including whom you spoke with.:**

**Do you believe the statutes listed (if any) by the complainant were violated?:** No

**Why or why not?:**

**Do you dispute the alleged violation of SD One Call statute or rule occurred?:**

No

**If yes, what specifically do you dispute?:**

**Do you dispute the complainant's statements regarding the intentional or unintentional nature of the alleged violation?:**

No

**If yes, please explain.:**

**Was a locate requested from SD One Call?:**

No

**Locate ticket #:**

**Start date on ticket:**

**Start time on ticket:**

**Copy of the locate ticket:**

**If no, please explain why no locate request was made.:**

at the time of excavation I was watering four hundred plus head of cattle of my water line that broke. I could not wait tow or more days for a locate. I also am vary aware of the petroleum pipeline is and there was a marker a short distance from where the excavation occurred

**Did excavation begin before the start date / time on the ticket?:**

N/A

**Was a minimum horizontal clearance of 18 inches maintained between a**

N/A

**marked facility and mechanical equipment? :**

**Were buried facilities exposed by hand or non-invasive equipment prior to excavation? :**

N/A

**Were facilities marked? :**

N/A

**Was the marking complete prior to the start time on the ticket?:**

Not Sure

**Was the excavation site pre-marked with white paint?:**

N/A

**Was the facility marked accurately (within 18 inches)?:**

N/A

**Was there reasonable care to maintain locate marks for the life of project?:**

N/A

**Did the complainant correctly describe the type of facility involved?:**

Yes

**Provide details:**

high pressured petroleum pipeline

**Did the complainant correctly describe the damages that resulted from the alleged violation?:**

No

**Provide details:**

there was no damages that resulted from excavation

**Was the one-call notification center immediately notified of the damage, dislocation, or disturbance?:** Yes

**File:**

**If No, why not?:**

**Was the operator of the facility immediately notified of the damage, dislocation, or disturbance?:** No

**If No, why not?:** there was no damage or dislocation or disturbance of their line

**Was there an escape of any flammable, toxic, or corrosive gas or liquid?:** No

**If Yes, but if 911 was not called, or if you don't know, explain why.:**

**Did the complainant correctly describe the damages that resulted from the alleged violation?:** Yes

**If no, provide details.:**

**Were damages on public right of way or private property?:** Private

**Did complainant correctly describe how operator service was affected?:** Yes

**Provide Details:** yes

**Was anyone injured as a result of facility damage?:** No

**If yes, provide details.:**

**Length of hospitalization:**

**Were there fatalities?:** No

**If yes, provide details.:**

**Other information regarding injuries or damages:** there was no damage

**Describe your plans and procedures to ensure compliance with SD One Call statutes and rules.:** one call will be notified.

**Has a complaint been filed against you in the past for SD One Call violations?:** No

**If yes, when was it filed?:**

**Please provide any additional information to support your position.:** i am a rancher and make my living raising cattle if my cattle do not have water i not only loose cattle i loose my lively hood

**Attachment Information:**  
File names should not include symbols. Example:( \$, &, \*, %, ) etc.:

