

December 18, 2023

South Dakota One Call Notification Board
PO Box 187
Rapid City, SD 57709

Dear One Call Board,

Today I received complaint OC23-014. I was very surprised at the whole thing as I pride myself in playing by the rules.

The following will be several different incidents that have happened over the years that the board members, I think, should know about. Please believe me as I am not looking for a major disagreement.

In 2010 the contractor that was installing the Fall River water system, Duffield Construction, I hired them to bore under the Magellan pipeline. I was told that Mark Johring was involved as to the depth and so on that the waterline was to be placed. The major thing that I recall was that I wanted the hookups to be outside the pipe ROW which I've kept marked since 2010. Mark told me In November he has no record or memory of any of this. I recall the Duffield crew telling me that Johring was involved. Again, I thought this was all done by the rules. I also recall the bill was an attention getter!

In November Mark called me and asked what I was doing as the Magellan plane spotted activity. I told him I was burying our on -top-of-ground water pipe for our cattle watering system. He asked me to call 811, I explained that I was out of the pipeline ROW and no easements exist across where I'm going. The transmission is out of my trencher and is still on backorder. I told him I would call 811 when the trencher is back on line. Today's complaint totally caught us off guard. The trencher is still down and parts are on back order.

A little history and questions: Is Magellan supposed to operate and do maintenance in the ROW – they do not, and we have several times harrowed and reseeded ruts. Several years ago, at the pump station they had a major leak that flowed fuel into our water dam just to the East; we were never notified at all. Second, the fence around the pump station is substandard at best, never any maintenances; I've rolled some wire so my cows are not tangled in barb wire. Several times over the years Magellan maintenance has left gates open and resulting in cattle being let out or mixed. Most of the plastic post line markers are on the ground and never put back up. Back to the 811 call, so to maintain fences or farm a field, as a property tax paying Landowner, are we required to call 811? Or is 811 designed only to protect the utility?

In closing we are not looking for a major disagreement, but we know neighbors north and south have very legit concerns over Magellan's land abuse. As a Landowner and I've heard this many times, we pay the land taxes and pull all maintenance cost and I have never been compensated for anything from Magellan. I will meet or show any of the board members to prove what the issues are. I hope I've kept this respectful, as there is a lot more to this story. Do I need to do anything more to clear this up? My cell number is 605-381-1589.

Thank you, Bob Baker

