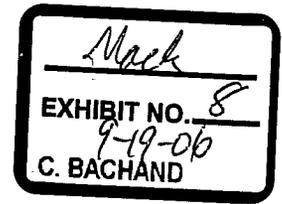


South Dakota One Call Mark speaking may I help you?



- Q. Yeah just a second **(inaudible)** let me get in out of the wind.
- A. Sure.
- Q. Okay that should be much better. Umm calling to find out what is classified as excavation?
- A. What is what what? I'm sorry.
- Q. What is classified as excavation?
- A. Okay **(inaudible)** call to have underground lines marked is that what you need or?
- Q. Well yeah I'm I'm trying to find out if I by law have to call.
- A. You would give.
- Q. **(inaudible)** level some dirt with a dozer.
- A. Okay you'd give us a call and then we'd send out to have the lines marked read off a list of the utilities in the area that we're notifying at the end there.
- Q. Yeah but to level dirt man made you know man piled dirt you know working all above natural grade do I have to call?
- A. Yeah anytime you're disturbing the area.
- Q. Well now this dirt has already been disturbed. This is piled up dirt by man.
- A. Okay yeah if you're not actually digging then you shouldn't need to have the lines marked out but if you're using heavy equipment it might be a good idea just...
- Q. by law...
- A. ...so we show that you're not being over a line that might you know collapse on ya.
- Q. Okay but by law I don't have to call as long as I'm not getting into you might say Mother Nature's grade.
- A. Yeah. If you're just like moving a pile a earth to another spot there's shouldn't be a problem there.
- Q. Okay. Is this phone call being recorded?
- A. Yes it is.
- Q. Okay umm please identify yourself?
- A. My name is Mark.
- Q. You're Mark with South Dakota One Call?
- A. Umm hmm.

- Q. Okay. I'm getting conflicting information from a telephone company saying that I did have to umm call South Dakota One Call to move man made you might say man made dirt.
- A. **(inaudible)**
- Q. **(inaudible)** put in by man.
- A. Yeah they might not have understood it but...
- Q. They've seen it present you know they've been present at the scene.
- A. Well you said you're using heavy equipment I would recommend...
- Q. Yep.
- A. ...that you have the lines marked out.
- Q. **(inaudible)** recommended that I do understand but not by law, okay. Well that was the question I had for ya Mark...
- A. Okay.
- Q. ...umm can you give me my 9 digit reference number and will that refer back to our recording?
- A. Yeah I can give you a ticket number we have to process...
- Q. Okay.
- A. ...to have the lines marked out.
- Q. Umm.
- A. Okay and your name?
- Q. My name is Bruce...
- A. Umm hmm.
- Q. Mack M-A-C-K.
- A. Okay and a phone number where you can be reached at?
- Q. 605.
- A. Umm hmm.
- Q. 439.
- A. Umm hmm.
- Q. 3611.
- A. Okay. All right and a address for ya there?
- Q. 11...

- A. Umm hmm.
- Q. 510...
- A. Umm hmm.
- Q. 362nd Avenue.
- A. Umm hmm.
- Q. Leola 57456.
- A. Okay. And if there's any questions I'll just reach you at that number or is there another number you want to leave also?
- Q. Oh I can also give you a cell phone number which would be 605.
- A. Umm hmm.
- Q. 216.
- A. Umm hmm.
- Q. 8891.
- A. Okay, all right and the county the work's gonna be in?
- Q. Umm I don't need to request ah ah how can I say this ah One Call you know flagging you might say because we know where the lines are.
- A. We can't (**inaudible**) locate you're not gonna get your confirmation number here so.
- Q. Oh okay well geez I don't know if I know the legals here, it's in McPherson county though.
- A. Okay what's the nearest town in McPhearson there?
- Q. Ah Leola.
- A. Okay. Is the work at that same address you gave me or a different address?
- Q. Ah no it's a different address it's actually in a field so I don't know if it really has an address but it has a legal and I don't know if I know the legal right off.
- A. Okay. Well what rural road is it on there I'll tell you if you're going to need that.
- Q. It's black top road going north to Leola. It used to be a (**inaudible**) I think I think it's McPherson county number 8 I believe.
- A. County road 8 okay well what would be the nearest road that intersects with 8 to your property there?
- Q. I mean it's all track roads you know there aren't even a gravel road so there isn't such thing as a road sign or anything. If you know if this would help you I mean it's it's the section that's 2 miles to 3 miles north of Leola along this road I mean if you have a county directory you might say.

- A. Umm okay I see County 8 here is running east and west.
- Q. Okay then we're on the wrong road this has to be north and south. Try County 10. 16. **(inaudible)** remember no this is definitely a north south road.
- A. **(inaudible)**.
- Q. If this is showing a map you might say it's the road on the very east side of Leola going north on blacktop.
- A. Okay.
- Q. Yeah county 8 is actually 8 miles north **(inaudible)** now that I think about it.
- A. Okay 19 **(inaudible)**.
- Q. **(inaudible)**19.
- A. You say about 2 miles north.
- Q. Starting at the 2 miles north line to the 3 mile north line is the section on the west side of the road.
- A. Okay working that entire area there?
- Q. Ah no it will actually be the south let me get this right here now.
- A. Umm hmm.
- Q. It will be the southeast quarter...
- A. Umm hmm.
- Q. ...of the section.
- A. Okay.
- Q. **(inaudible)** does that show up?
- A. **(inaudible)** need to give me so I can pull it up here.
- Q. Okay.
- A. Yeah but if you're more than a mile from the nearest intersection you're gonna need to have that township range and section for us there.
- Q. Yeah. No I'm only 3/8 of a mile from the closest intersection.
- A. Okay.
- Q. The intersection is actually 2 miles north of Leola.
- A. Okay but you're gonna need to give me what that intersecting street is and everything.

- Q. Okay umm let me look in this semi and see if there's a set of maps in here I don't believe there is. Yeah I just might have another set of maps here.
- A. Okay.
- Q. I don't know if I'll have a map I might have a soil map on it. **(inaudible)** down through it does not have any legals on it. It's did by name. You know...
- A. Yeah.
- Q. I'm looking at my soil maps. Umm I don't have a county directory or an actual ASCS map for it here.
- A. Okay I **(inaudible)** kinda we're gonna need that to be able to process your ticket here.
- Q. Okay, well...
- A. **(inaudible)**
- Q. **(inaudible)** document this phone call so we can refer back to our conversation umm to to the extent of as long as I'm doing dirt above natural mother nature grade working in only dirt that man has moved in here that I'm not liable to call South Dakota One Call.
- A. **(inaudible)** told you that I recommend for using any heavy equipment that lines be marked.
- Q. I I I umm acknowledge you said that.
- A. Okay.
- Q. So do is there any way we can refer back to this?
- A. Ah actually the only information I got was your name and address we didn't get that far.
- Q. Okay.
- A. So whenever your ready to get the road names and **(inaudible)** session just give us a call back there.
- Q. Okay well please bear with me here umm I'm I'm I was told by ah by a telephone company that by law I was doing some dirt work on this we did hit a line and they said you didn't call South Dakota One Call and I said I didn't need to I was working...
- A. Absolutely you're getting into legal questions there that I cannot answer.
- Q. Okay but you did answer my question earlier that.
- A. You're required to call if you're digging.
- Q. If I'm digging.
- A. Umm hmm.
- Q. And I asked what the explanation of excavating is and that is digging we later talked about being above grade in man man moved dirt versus natural mother nature laid dirt and this is all man laid dirt that I'm moving so umm will this phone call be saved?

- A. Yes.
- Q. Okay umm any way that I can reference to it besides 4:18 Friday the 21st of...
- A. That'd probably be your best way to access it.
- Q. Access it. Okay...
- A. Okay?
- Q. ...as long as we know we got it.
- A. All right?
- Q. Thank you Mark.
- A. Thanks a lot.
- Q. Bye bye.

I hereby certify that this is a true and accurate transcription of a recorded interview between Mark at SD One Call and Bruce Mack.

Date: 8/11/2006

Signed: Debbie Johnson