

January 14, 2015

NEBRASKA PUBLIC POWER DISTRICT
ATTN: DOUG BLATCHFORD
120 CHADRON AVE
CHADRAN, NE 69337

CLAIM NUMBER: 121-U-01632-01-Y
OCCURRENCE NUMBER: 600360
INSURED: DOUG O'BRYAN CONTRACTING, INC.
ACCIDENT DATE: 10/31/2014

Dear Mr. Blatchford:

We insure Doug O'Bryan Contracting. This letter is in reference to your statement #5000003378 dated November 30, 2014.

This is related to damage caused while Doug O'Bryan Contracting was installing a water line on the Pine Ridge Indian Reservation. It is agreed that a locate request was sent in via the South Dakota One Call system. It is further agreed that the line that was damaged was never located.

According to South Dakota Statute SDCL49-7A-9 in this circumstance the excavator causing damage must be negligent in causing the damage in order to be held responsible for the cost of repair. Our investigation has found no evidence of negligence on the part of Doug O'Bryan Contracting and therefore denies any payment to you in this matter.

If you have any evidence to the contrary, please provide it to the undersigned at your earliest opportunity.

Thank you for this opportunity to serve you.

Sincerely,



Mark Jordan, CPCU, AIM, ACLA/CCLA
Claims Representative, Sr