

Fabian Salazar
Air Safety Investigator
Western Pacific Region

Date: May 16, 2024

Subject: WPR24FA150 / Record of Conversation

Contact: [REDACTED] on / Rosebud County Sheriff

In conversations with the Sheriff, he explained the circumstances that led to the discovery of the airplane. He stated the dispatch log would be the best source for the events.

He stated that there was a ranch hand who was returning to his home after he went to a medical appointment. The home was located on the Cross Four ranch. The ranch hand told the Sheriff that he left the home around 1400 and did not see the airplane when he left. When he returned around 1630, he saw something white about a mile from his location. Using binoculars, he saw that it was a white airplane on the ground. He travelled to the site and discovered that there were two occupants inside the airplane and that they were deceased. He didn't touch anything and backed away from the site and called his boss and then called the Sheriff's department to report the accident.

The Sheriff explained to the IIC that he spoke with the county predator control officer who was upset about the accident. The control officer told the Sheriff that he was talking to the pilot who had told the control officer that they had killed two coyotes and had seen a third. The control officer told the Sheriff that he could hear gunshots over the phone and then the call dropped.

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Contact: [REDACTED] / Pilot

In a telephone conversation with [REDACTED], he stated that he owned an airplane that was very similar to the accident airplane and that he has hunted coyotes for the ranchers. He agreed that he was the county's main airplane asset for hunting coyotes. He stated that he provided his own equipment (airplane, shotguns, shells, etc.) when he supports the county.

When asked about providing predator control in an airplane he stated that there were two processes, one where he took along a gunner and one where he went out alone. He stated that when a gunner is brought along, the gunner would use a semi-automatic shotgun and most of the time it is a Benelli [brand] because of how it works. He said that he and the accident pilot used an H&R single-shot shotgun when they were hunting alone, as they were never comfortable using a semi-automatic from the front seat.

He stated that when they had gunners in the back seat, he and the accident pilot were "kind of opposite" in that he liked to turn to the left and shoot out of the left side of the airplane, while the accident pilot liked to turn right and shoot out of the right side.

He said that he and the accident pilot taught the gunners to have no shell in the chamber and to have the trigger pulled when the shotgun was in the airplane. When they point the shotgun out the window, they then put a shell in the chamber. He stated that they have an automatic magazine cutout, so that the shotgun will not automatically put another shell in the chamber after one is shot. He said they taught gunners to expel the spent shell, then in an obvious way, pull the trigger to show the pilot that the trigger was pulled, then bring the gun back inside the airplane. He said

that the result is the shotgun will be inside the airplane, with shells in the magazine, but not one in the chamber and the trigger already pulled.

When told of the news that there was a round found in the chamber of the Benelli shotgun, he concluded that the gunner was doing the shooting. He stated that if the gun was found in between them, then there was a good chance the gunner was shooting out of the left side, and if the gun was stuck out the door or ended up out of the airplane, then they would have been shooting out of the right side. He stated that the accident pilot predominantly turned right but could have turned either way.

He said that his airplane was almost identical to the accident pilot's airplane and that he did not have the belly tank nor the special flaps. He made his airplane as light as possible, and the accident pilot used his for other stuff. He said that the belly tank was partly for fuel and partly for cargo. He stated that he had seen the accident pilot use the belly tank for fuel and that when the airplane was heavy you had to fly it differently than when it was lighter. He indicated that the lighter the airplane the more maneuverable you could be. He stated that sometimes the accident pilot would shoot if the gunner was having problems hitting the target. In that case the pilot would shoot out of the right side. He said that "the H&R single shot was always left loaded in and out, and just because it was loaded it did not mean that he was using it." He said that you must pull back the hammer and then pull the trigger. He indicated that the accident pilot was right-handed and if he was taking a shot at a coyote, then he would shoot out of the right side, using his right hand to shoot and his left hand to control the airplane.

He said that, for the Benelli shotgun, they had an extended magazine and if they were using 2 ¾ inch shells it could hold between 7 and 8 shells. But 7 was the common number. He said that after a pass they taught the gunner to re-load all the shells, but the number of shells in the magazine could be because they just completed a pass or the gunner might have forgotten to reload.

He added that one thing that we may never know was if a shotgun shell may have lodged in the flight controls. He indicated that the shells always ejected inside the cabin. He stated that in the years that he has hunted, there have been occasions when a shotgun shell lodged in the flight controls and limited the control movement left or right. He said that his airplane did not have rear seat controls, but the accident pilot still had rear seat controls.

When asked about altitudes and airspeeds for hunting coyotes, he stated a couple of hundred feet above ground level (agl), then stated "high enough that you can come around and get a little speed when you shoot, and you don't want to be so close to the ground that you are dragging yourself around when you trying to get back to the

coyote. He stated that 200 feet might be guessing, but that it was close, maybe 300 feet. When asked, while you are on the hunt, would the airplane be below 500 ft, his reply was yes. He stated that when he spotted a coyote, he liked to start a climb and turn around while keeping track of the coyote, then he comes back to the coyote in a little bit of a dive. He said that if you come in low and slow, the gunner has a better chance of hitting the target. He said that there were times when they were steep and slow and used full power.

When asked about the accident pilot, he stated that he didn't think that he would be the guy to have that kind of accident. He said that he taught the accident pilot how to fly years ago and that not long after that the accident pilot taught him some things about flying. He said that they had hunted 35 to 40 years ago and that they were very familiar with each other. He stated that the accident pilot had never damaged an airplane until now. He said that the accident pilot was not a full-time predator hunter. He used his airplane to do other things like spraying or looking for cattle.

He agreed that the accident pilot was a competent coyote hunter and stated that they went south a few times to go hunting and that the terrain and the trees made hunting in the south challenging. He stated that the accident pilot was more competent than he was.

When asked about hunting for Rosebud County, he stated that he never signed a specific contract but that he did have a permit. He stated that the county predator control officer would go around and get written permission from the ranch owners so that they could hunt on their land. He stated that they charge the county by the hour for hunting. When asked, he stated that the county predator control officer had not flown with him since the first year that he was hired as the predator control officer. He said that the county predator control officer was left-handed, and he didn't care to work with left-handed gunners because they like to shoot from the right. He said that it was common to have a ground crew when there was a predator problem.

He stated that he didn't know much about the accident gunner. He had never met him. He knew that the accident pilot was teaching him how to spray, and he was sure that he was going to teach him how to hunt.

He said that, as far as he knew, the accident airplane's registration had expired, and that the accident pilot was in the process of getting it registered.

When asked, he stated that he did not know if there was a requirement from the county to have a contract signed between the pilot and the county to hunt.

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Western Pacific Region

Date: May 16, 2024, 0850MDT

Subject: WPR24FA150 / Record of Conversation

Contact: [REDACTED], Rosebud County Predator Control Officer

In an interview, the control officer stated that his job is to protect the lambs from coyotes and that they use "quite a bit of aerial hunting." He said that most of the time he was in the plane doing the hunting, but this time he was on the ground doing groundwork. He said that while on the ground he locates the coyotes and relays that information to the pilot. He stated that on this occasion, the day of the accident, once he located the coyotes, he left the area about 20 minutes after the hunt started. He stated that the pilot had called him and reported that he had got a pair of coyotes and had seen another one and then stated that he would call him back, so he returned to the private property where the hunt was occurring. The control officer explained that, once killed, the coyotes are not picked up and are left for the birds.

[REDACTED] explained that in this area owners pay fifty cents per cattle, and sixty cents a head on their sheep, and that money goes toward the aerial work. He stated that there was no additional information about the job that would benefit the investigation.

He stated that his main pilot for hunting was another pilot and a lot of times the guy on the ground will not talk to the pilot until he gets back on the ground. He stated that he wasn't worried about the accident pilot until the pilot's wife called him.

He stated that he had known the accident pilot since he was a little kid, and that he would get the accident pilot to come in and fly when his main pilot couldn't fly. He said that he was left-handed and had to shoot out of the door, and the accident pilot was OK with that because he liked to turn to the right. He said that the main pilot liked to turn the other way, and the guys would have to shoot out of the window. The

control officer stated that the main pilot told him that he was as safe with the accident pilot as he was with him.

It was explained to the control officer that two shotguns were removed from the airplane and that one had a longer barrel and that one had a short barrel. He explained that the passenger would have used the automatic [longer barrel]. He said that he was not sure what the other one was used for and speculated that it might be for when you must walk up to shoot the coyote because it's lighter. He restated that the Benelli was used by the backseat "gunner" passenger. He thought that the accident pilot owned the shotguns, and that the county did not own them.

When asked if the pilot ever did the shooting, he stated that it was possible, but he had not seen that occur before. He stated that the accident pilot never did any shooting with him.

He estimated that he flew with the accident pilot about 15 times. When asked to tell the investigation about the accident pilot's flying style, altitudes, and airspeeds he stated he flew like the main pilot and that he never flew with him while he was being reckless, and that he was always comfortable with the accident pilot. As an example, he mentioned that the accident pilot always yelled "clear" when starting his airplane even though no one was around. As another example he said that the accident pilot always said to make sure the gun was empty when you brought it inside the airplane.

He said that they never got low unless they were on a coyote. He estimated that they were about 65 to 70 yards above the coyote. He explained that the county bought the red shotgun shells and that they were BB's, and it made the gun kick hard. He stated that clear shotgun shells were the best for the job.

He explained that he called the accident pilot to do the job. He stated that the accident pilot told him that he could do the morning but could not "do a lot". He added that the accident pilot told him that they would come out light on fuel. The control officer said that he would be on site in daylight and for the accident pilot to call when he arrived. He said that the accident pilot called him a little before seven and said, "we're in the air where do you want us to go?" He said that after he returned, he heard two shots after the accident pilot had said that he'd seen another coyote.

He said that the accident pilot flies for the owner of the Cross Four ranch exclusively.

When asked about the communication he had with the accident pilot while they were hunting, he stated that he didn't have any communication with the accident pilot while they were hunting, only in between their hunting. He said that when the pilot first came in, he said that he was about a mile and a half from that spot. He explained

to the pilot where to go, and he watched the pilot fly everywhere that he asked him to go. The control officer stated that right before he was ready to leave, he got a call and the accident pilot told him "They had got two and, wait a minute, we see another one." He said that it was about 0715 when he called him and he heard him shoot about 2 minutes after the accident pilot had called him.

When asked if the call was dropped or the pilot said goodbye, the control officer stated that the pilot stated, "I'll call you back". He stated that the accident pilot had a blue-tooth thing that allowed the phone call to go through his headset. He stated that he does not text or call the pilots while they are in the air. He said that he waited until about 10:00 because he thought that they would be back. He called and didn't get an answer, so he texted and stated, "it sounds like you guys had a rough morning."

He stated that he was nervous because he didn't feel right when he left. He said that he would have liked the pilot to have told him that he was done and that they got this many coyotes, because normally that is what they do. He stated that the pilot's wife called him that night crying asking what she should do.

When asked, he stated that he only met the back seat passenger/hunter one time when he was present when the control officer dropped off some shells. He did not know if he was working for the accident pilot.

When asked by the representative for the Federal Aviation Administration (FAA) if he had ever witnessed the pilot refuel his airplane, the control officer stated "no, it's always ready when he gets there." He stated that he was based out of Moon Creek.

When asked if the accident pilot was hired by the county, he stated "no, the pilot was a private contractor." He said that we should ask the commissioners about this.

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Contact: [REDACTED] / [REDACTED] Field Airport (MLS) Manager, Miles City,
MT

In a telephone conversation with the airport manager, he stated that [REDACTED] (the passenger) of the accident airplane, began his employment at MLS about one year ago. He said that the passenger's job was to conduct maintenance on the airport equipment, like the tractor and the plow, and fuel aircraft. He stated that he ended his employment with the airport about one month ago.

He stated that on the evening before the accident, he, the accident pilot, the passenger, and others had dinner together. He recalled there being talk of the pilot and passenger starting around 0600 or 0630 the following morning. He recalled that no one at the table had any alcohol to drink as everyone had work in the morning.

He recalled that the passenger wanted to learn aerial spraying and that he was going to work with the accident pilot. When asked about coyote hunting with the accident pilot, the airport manager knew that the passenger had done it before but did not know the number of times the passenger had gone aerial hunting with the accident pilot.

He recalled that the passenger had gone to Riggins, South Dakota for additional flight training, but did not get spray training as the cold weather prevented it.



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Date: May 16, 2024

Subject: WPR24FA150 / Record of Conversation

Contact: [REDACTED] / Cattle Forman

In a telephone interview with the foreman, he stated that he was driving on a road and saw something white. Using his binoculars, he saw that it was an airplane on the ground. He drove to the site and found that there were two occupants in the airplane who were deceased. He called the Sheriff's department and reported it.