

COPY

1 David A. Buchler  
Madison County Attorney  
2 Kaylan A. Minor  
Deputy Madison County Attorney  
3 P.O. Box 73  
Virginia City, MT 59755  
4 Telephone: (406) 843-4233  
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7  
8 **IN THE JUSTICE COURT OF MADISON, STATE OF MONTANA**  
**BEFORE JORDAN ALLHANDS, JUSTICE OF THE PEACE**

9 THE STATE OF MONTANA,  
10

11 Plaintiff,

12 -vs-

13 JOHN PHILLIP MEYER,

14 Defendant.

Cause No. CR-565-2023-\_\_\_\_\_

**AMENDED COMPLAINT**

15 Kaylan A. Minor, Deputy Madison County Attorney for the State of Montana, having  
16 filed this Complaint based on the probable cause statement attached hereto, accusing the  
17 Defendant, JOHN PHILLIP MEYER, of having committed the following offense on property  
18 owned by Rich Barnhart at or near the location of the confluence of the Second Yellowmule  
19 Creek and the Gallatin River, Madison County, Montana:

20 **Criminal Trespass, a misdemeanor, in violation of Mont. Code Ann. § 45-6-**  
21 **203(1)(b):** On or about September 19, 2022, the Defendant knowingly entered or remained  
22 unlawfully in or upon the premises of another when Defendant accessed property owned by  
23 Rich Barnhart within the Yellowstone Club in Madison County, Montana in order to obtain  
24 water samples and gather video footage.  
25

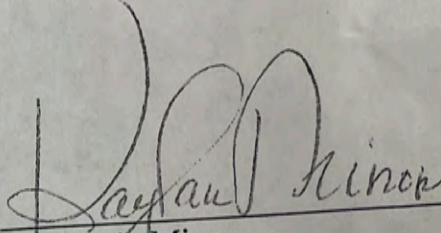


1 Pursuant to Mont. Code Ann. § 45-6-203(2) this offense is punishable by a fine not to  
2 exceed \$500 or be imprisoned in the county jail for any term not to exceed 6 months, or both.

3 Witnesses now known to the State are as follows (contact information can be provided  
4 upon request or the State will cooperate with defense counsel to set up interviews):

- 5 1. Peter Brown
- 6 2. Jim Ogburn
- 7 3. Tom Butler
- 8 4. Gallatin County Sheriff's Deputy Matthew Stubblefield
- 9 5. Fish, Wildlife & Parks Officer Aaron Kammann
- 10 6. Kyle Fortin
- 11 7. Mark Allen
- 12 8. Rich Barnhart
- 13 9. All witnesses listed by Defendant;
- 14 10. All witnesses in discovery; and
- 15 11. All witnesses needed for foundation, impeachment and/or rebuttal.

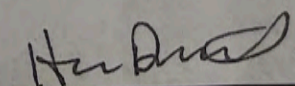
16 Dated this 7<sup>th</sup> day of March, 2023.

17   
18 Kaylan A. Minor  
19 Deputy County Attorney

20 **CERTIFICATE OF SERVICE**

21 I hereby certify that on this 7<sup>th</sup> day of March, 2023, I mailed a true and  
22 correct copy of the above and foregoing Amended Complaint to the Defendant or counsel of  
23 record namely:

24 JOHN PHILLIP MEYER  
25 14190 Cottonwood Canyon Rd  
Bozeman, MT 59715

By:   
Hanna Dietrich



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13 -vs-

14 JOHN PHILLIP MEYER,

15 Defendant.

Cause No. CR-565-2023-\_\_\_\_\_

**AMENDED AFFIDAVIT OF PROBABLE CAUSE**

16  
17 STATE OF MONTANA  
County of Madison

18 Kaylan A. Minor, Deputy Madison County Attorney, being first duly sworn, deposes and  
19 says:

20  
21 1. That she is the duly appointed, qualified, and acting Deputy County Attorney of  
22 Madison County and makes this Affidavit for the purpose of charging the Defendant with the  
23 crime of **Criminal Trespass, a misdemeanor, in violation of Mont. Code Ann. § 45-6-**  
24 **203(1)(b)**, punishable by a fine not to exceed \$500 or be imprisoned in the county jail for any  
25 term not to exceed 6 months, or both.

AFFIDAVIT OF PROBABLE CAUSE



1 2. This affidavit is based upon the investigation of the Gallatin County Sheriff's Office.

2 3. The facts constituting the offenses are as follows:

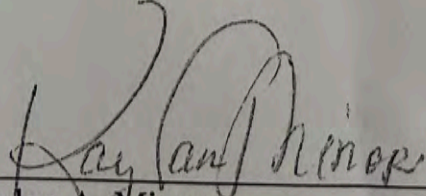
3 On September 19, 2022 at approximately 11:55 a.m., Gallatin County Deputy Sheriff  
4 Matthew Stubblefield (Deputy Stubblefield) was dispatched to the Yellowstone Club in Madison  
5 County, Montana to investigate a trespassing. The specific location of the violation was on a  
6 parcel of land owned by Rich Barnhart and located in Madison County Montana, approximately  
7 2.6 miles from the Ousel Falls Trail parking lot. Deputy Stubblefield received additional  
8 information from Fish Wildlife and Parks Officer Aaron Kammann while en route to the scene.

9 Deputy Stubblefield interviewed the original reporting party, Peter Brown (Brown), and  
10 learned that Brown observed the Defendant and another party, Isaac Cheek (Cheek), gathering  
11 video footage of themselves in the stream bed near a restoration project. Brown confronted the  
12 parties. The Defendant and Cheek informed Brown that they were "gathering water samples that  
13 would be used as evidence in an ongoing lawsuit against the YC." Brown noted that a fishing  
14 pole secured to the Defendant's backpack appeared to be unused for its intended purpose.

15  
16 Shortly after 2:00 p.m. on September 19, 2022, Deputy Stubblefield contacted the  
17 Defendant and Cheek. During this interaction, the Defendant and Cheek indicated that "their  
18 reason for being on said private property was to gather water samples for an active lawsuit." The  
19 Defendant nonchalantly indicated that the parties had "also done some fishing." Deputy  
20 Stubblefield noted the fishing rod was secured in Cheek's backpack and the parties lacked  
21 additional equipment typically used while fishing.

22  
23 Further affiant sayeth naught.

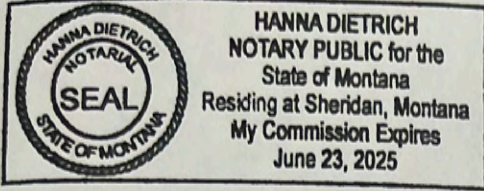
24 Dated this 7<sup>th</sup> day of March, 2023.

25   
\_\_\_\_\_  
Kaylan A. Minor  
Deputy Madison County Attorney

AFFIDAVIT OF PROBABLE CAUSE



Subscribed and sworn to before me this 7<sup>th</sup> day of March, 2023.



Hanna Dietrich  
NOTARY PUBLIC  
My commission expires June 23, 2025

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of March, 2023, I mailed a true and correct copy of the above and foregoing sworn Affidavit of Probable Cause to the Defendant or counsel of record namely:

JOHN PHILLIP MEYER  
14190 Cottonwood Canyon Rd  
Bozeman, MT 59715

By: Hanna Dietrich  
Hanna Dietrich