

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**  
JUL 11 2018  
Clerk, U.S. District Court  
District Of Montana  
Billings

WBI Energy Transmission, Inc.,

Plaintiff,

vs.

Subsurface Easements for the Storage of  
Natural Gas in the Judith River  
Subterranean Geological Formation, et  
al.,

Defendants.

Case No. CV-18-88-BLG-SPW-TJC

**ORDER**

Upon the Plaintiff's Motion for Substitution as to Certain Properties (Doc. 6), and for good cause appearing,

**IT IS HEREBY ORDERED** that Plaintiff WBI Energy Transmission, Inc.'s Motion for Substitution as to Certain Properties is **GRANTED**. Pursuant to Federal Rule of Civil Procedure 71.1(g), it is ORDERED that the following Defendants are DISMISSED: Wells Fargo Bank, N.A., Faron Taylor, Alice J. Heiser, Toeko M. Clark, Arnold Hoenke, and LaVonne Hoenke.

Pursuant to Federal Rule of Civil Procedure 71.1(g),

**IT IS FURTHER ORDERED** that, as to the following properties, the following additional Defendants are substituted:

1. **Chace J. Randy Wyrick:** Fallon County, Township 7N, Range 59E, Section 13, Lot 7, Block 8, Morris Addition to the City of Baker, Fallon County, Montana, according to the Official Plat thereof, on file in the office of the Fallon County Clerk and Recorder.

2. **Jade D. Boggs and Jessica Kay Boggs:** Fallon County, Township 7N, Range 59E, Section 13, Lots 3 and 4, Block 3, Savage Addition to the City of Baker, Fallon County, Montana, according to the Official Plat thereof, on file in the office of the Fallon County Clerk and Recorder.

3. **Guy Weimer:**

- a. Fallon County, A tract of land in the NE1/4SW1/4 of Section 12, Township 7 North, Range 59 East, M.P.M., more particularly described as follows: Beginning at a point which bears East 40 feet from the southwest corner of the NE1/4SW1/4 of Section 12, Township 7 North, Range 59 East and runs thence North 250 feet, thence East 150 feet, thence South 250 feet, thence West along the south line of the said NE1/4SW1/4 150 feet to the point of beginning.
- b. Fallon County, A tract of land in the N1/2SW1/4 of Section 12, Township 7 North, Range 59 East, M.P.M., more particularly described as follows: Commencing at the Southwest Corner of the NE1/4SW1/4 of the above Section 12 and true point of beginning;

thence due West along the South line of the N1/2SW1/4 of Section 12 for a distance of 138.0 feet; thence due North for a distance of 410 feet; thence due East for a distance of 304.7 feet, more or less, to the Westerly right-of-way line of Montana State Highway No. 7; thence along said right of way line and due South for a distance of 160 feet; thence due West for a distance of 126.7 feet; thence due South for a distance of 250.0 feet to the South line of the N1/2SW1/4 of Section 12; thence due West along said line for distance of 40.0 feet to the true point of beginning.

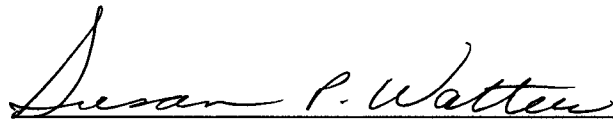
- c. Fallon County, A tract of land described as follows: Commencing at a point which bears West 178' and North 40' from the Southeast corner of the NW1/4SW1/4 of Section 12, Township 7 North, Range 59 East, thence North 160', thence west 140 feet, thence south along a project of the east line of the alley in Block 20, Milwaukee First Addition to the City of Baker, a distance of 140 feet thence East 140 feet to the point of commencement, the above description being in accordance with a certain plat filed of record, but less acreage necessary for a northerly projection of First Street West on the eastern boundary of above described tract, and a northerly extension of the

alley in Book 20 of Milwaukee First Addition along the western boundary of above described tract.

4. **Charles M. McKenzie:** Fallon County, Township 7N, Range 59E, Section 13, The West Half of Lot 5 and All of Lot 6, Block 6, Hitch Third Addition to the City of Baker, Fallon County, Montana, according to the Official Plat thereof, on file in the office of the Fallon County Clerk and Recorder.

5. **Daniel Hoenke, Executor of the Estate of Arnold Hoenke and the Estate of LaVonne Hoenke:** Fallon County, Township 7N, Range 59E, Section 13, Lot 1, Block 15, Savage Addition to the City of Baker, Fallon County, Montana, according to the Official Plat thereof, on file in the office of the Fallon County Clerk and Recorder.

DATED this 11<sup>th</sup> day of July, 2018.

  
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SUSAN P. WATTERS  
U.S. DISTRICT COURT JUDGE