



Aviation Investigation Final Report

Location:	Miles City, Montana	Accident Number:	WPR23LA311
Date & Time:	August 10, 2023, 18:00 Local	Registration:	N3609K
Aircraft:	Piper J3C-65	Aircraft Damage:	Substantial
Defining Event:	Collision with terr/obj (non-CFIT)	Injuries:	1 Serious, 1 Minor
Flight Conducted Under:	Part 91: General aviation - Personal		

Analysis

The pilot was relocating the airplane to a hangar on his ranch. The pilot reported that the airplane did not climb as he expected after takeoff with a headwind to the west. About 100 ft above ground level (agl), the pilot initiated a left turn to the east to perform a precautionary landing to unimproved terrain. Subsequently, the airplane impacted terrain resulting in substantial damage to the fuselage and left wing. The pilot reported that there were no preaccident mechanical malfunctions that would have precluded normal operation.

Probable Cause and Findings

The National Transportation Safety Board determines the probable cause(s) of this accident to be:

The pilot's failure to maintain control of the airplane while landing on unimproved terrain.

Findings

Personnel issues	Decision making/judgment - Pilot
Environmental issues	Rough terrain - Effect on equipment

Factual Information

History of Flight

Landing	Collision with terr/obj (non-CFIT) (Defining event)
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Pilot Information

Certificate:	Commercial; Flight instructor	Age:	56, Male
Airplane Rating(s):	Single-engine land; Multi-engine land	Seat Occupied:	Unknown
Other Aircraft Rating(s):	None	Restraint Used:	
Instrument Rating(s):	Airplane	Second Pilot Present:	
Instructor Rating(s):	Airplane single-engine; Instrument airplane	Toxicology Performed:	
Medical Certification:	Class 2 With waivers/limitations	Last FAA Medical Exam:	December 1, 2002
Occupational Pilot:	No	Last Flight Review or Equivalent:	
Flight Time:			

Aircraft and Owner/Operator Information

Aircraft Make:	Piper	Registration:	N3609K
Model/Series:	J3C-65	Aircraft Category:	Airplane
Year of Manufacture:		Amateur Built:	
Airworthiness Certificate:	Unknown	Serial Number:	22299
Landing Gear Type:	Tailwheel	Seats:	2
Date/Type of Last Inspection:	Unknown	Certified Max Gross Wt.:	
Time Since Last Inspection:		Engines:	1 Reciprocating
Airframe Total Time:		Engine Manufacturer:	Continental
ELT:		Engine Model/Series:	O-200
Registered Owner:	BALSAM SHANE C	Rated Power:	
Operator:	BALSAM SHANE C	Operating Certificate(s) Held:	None

Meteorological Information and Flight Plan

Conditions at Accident Site:	Visual (VMC)	Condition of Light:	Day
Observation Facility, Elevation:	KMLS,2634 ft msl	Distance from Accident Site:	31 Nautical Miles
Observation Time:	17:53 Local	Direction from Accident Site:	313°
Lowest Cloud Condition:	Scattered / 11000 ft AGL	Visibility	10 miles
Lowest Ceiling:		Visibility (RVR):	
Wind Speed/Gusts:	15 knots / 22 knots	Turbulence Type Forecast/Actual:	None / None
Wind Direction:	280°	Turbulence Severity Forecast/Actual:	N/A / N/A
Altimeter Setting:	29.7 inches Hg	Temperature/Dew Point:	31°C / 5°C
Precipitation and Obscuration:	No Obscuration; No Precipitation		
Departure Point:	Miles City, MT	Type of Flight Plan Filed:	
Destination:	Miles City, MT	Type of Clearance:	None
Departure Time:		Type of Airspace:	Class G

Wreckage and Impact Information

Crew Injuries:	1 Serious	Aircraft Damage:	Substantial
Passenger Injuries:	1 Minor	Aircraft Fire:	None
Ground Injuries:		Aircraft Explosion:	None
Total Injuries:	1 Serious, 1 Minor	Latitude, Longitude:	46.07895,-105.34063(est)

Administrative Information

Investigator In Charge (IIC):	Nepomuceno, Eleazar
Additional Participating Persons:	Jason Cosenza; FAA; Casper, WY
Original Publish Date:	July 2, 2024
Last Revision Date:	
Investigation Class:	Class 4
Note:	The NTSB did not travel to the scene of this accident.
Investigation Docket:	https://data.ntsb.gov/Docket?ProjectID=192865

The National Transportation Safety Board (NTSB) is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant events in other modes of transportation—railroad, transit, highway, marine, pipeline, and commercial space. We determine the probable causes of the accidents and events we investigate, and issue safety recommendations aimed at preventing future occurrences. In addition, we conduct transportation safety research studies and offer information and other assistance to family members and survivors for each accident or event we investigate. We also serve as the appellate authority for enforcement actions involving aviation and mariner certificates issued by the Federal Aviation Administration (FAA) and US Coast Guard, and we adjudicate appeals of civil penalty actions taken by the FAA.

The NTSB does not assign fault or blame for an accident or incident; rather, as specified by NTSB regulation, “accident/incident investigations are fact-finding proceedings with no formal issues and no adverse parties ... and are not conducted for the purpose of determining the rights or liabilities of any person” (Title 49 *Code of Federal Regulations* section 831.4). Assignment of fault or legal liability is not relevant to the NTSB’s statutory mission to improve transportation safety by investigating accidents and incidents and issuing safety recommendations. In addition, statutory language prohibits the admission into evidence or use of any part of an NTSB report related to an accident in a civil action for damages resulting from a matter mentioned in the report (Title 49 *United States Code* section 1154(b)). A factual report that may be admissible under 49 *United States Code* section 1154(b) is available [here](#).