

Montana court establishes bar's permanent right to water well on neighboring property

Silverman Law Office wins water rights dispute for Longbranch Bar, LLC, securing the bar's permanent right to use a neighboring well.

BILLINGS, MT, UNITED STATES, August 12, 2026 /EINPresswire.com/ -- A Yellowstone County judge ruled in favor of [Silverman Law Office](#) client Longbranch Bar, LLC, finding that the business' bar east of Billings holds a permanent legal right to draw water from a well on a neighboring property. The ruling closed out a water rights dispute that went to trial this summer.



Since its founding in 2012, Silverman Law Office has served more than 8,000 clients with services that include tax law, business law, real estate, probate, estate planning and litigation.

Judge Ed Zink of the Montana Thirteenth Judicial District Court issued findings of fact, conclusions of law and an order July 29 in Fort Courage Holdings, LLC v. Longbranch Bar, LLC, following a two-day bench trial held June 4-5. The court found Longbranch, which owns the bar near Ballantine, holds a permanent implied easement by preexisting use over what the court called the "East Well," located on neighboring land owned by Fort Courage Holdings, LLC.

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Attorney Michelle K. Ostrye

Fort Courage had sued Longbranch, seeking a declaration that Longbranch had no right to the well, an injunction barring its use, quiet title to the water, and damages for

trespass. The court rejected all four claims.

The ruling traces the well's history to 2006, when the property's original owner drilled it specifically to supply the bar before subdividing the land into separate parcels. Longbranch has used the well continuously and almost exclusively since then, the court found, calling the original owner's intent to let the bar keep using the well "clear."

The court ruled Longbranch's right to the well is superior to Fort Courage's and declined to award Fort Courage attorney fees. Longbranch was ordered to cover the cost of repairing a severed water line connecting the well to Fort Courage's land, restoring Fort Courage's access to the well as a backup water source.

Attorney [Michelle K. Ostrye](#) of Silverman Law Office represented Longbranch Bar and its owner, Paula Tasker, throughout the litigation.

"This ruling confirms what our client knew all along: The well was drilled to serve the bar, and that right was never lost," Ostrye said. "We're glad the court recognized the clear intent behind how this property was divided nearly two decades ago and protected Longbranch's ability to keep serving its customers."

Silverman Law represents clients in property, business and civil litigation matters across Montana. Call 406-449-4829 or visit <https://mttaxlaw.com/> for more information on the firm.

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